

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : Case No. 21-cr-367-RDM
 :
 JALISE MIDDLETON & :
 MARK MIDDLETON, :
 :
 Defendants. :

JOINT PROPOSED PRETRIAL SCHEDULING ORDER

In accordance with the Court’s order at the August 29, 2023, order in this case, the United States, Defendant Jalise Middleton, and Defendant Mark Middleton (hereinafter “the parties”) hereby file this corrected Joint Proposed Pretrial Scheduling Order. Trial in this case is scheduled to commence on **February 5, 2024**. The parties propose the following deadlines for governing pretrial proceedings:

1. The parties shall file any motions pursuant to Federal Rule of Criminal Procedure 12(b)(3)(A)–(D) on or before **November 17, 2023**; oppositions shall be filed on or before **December 1, 2023**; and replies shall be filed on or before **December 12, 2023**. The Court will schedule a hearing on Rule 12 pretrial motions, if necessary.
2. The United States shall make any required expert disclosures pursuant to Rule 16(a)(1)(G) by **December 8, 2023**; any reciprocal expert disclosures by Defendants pursuant to Rule 16(b)(1)(C) shall be made by **December 22, 2023**.
3. The United States shall notify Defendants of its intention to introduce any Rule 404(b) evidence not already disclosed on or before **November 28, 2023**.
4. Except where otherwise noted in the Pretrial Scheduling Order, motions in limine shall be filed on or before **December 1, 2023**; oppositions shall be filed on or before **December 15, 2023**; and replies, if any, shall be filed on or before **December 22, 2023**. If the United States wishes to file a motion in limine with respect to any

defense expert, it may do so by filing a motion by **December 5, 2023**; any opposition to such motion shall be filed by **December 12, 2023**.

5. Defendants shall satisfy their reciprocal discovery obligations, if any, under Rule 16(b) (except as to experts, as noted above) by **December 1, 2023**. The Court will consider any motion in limine with respect to reciprocal discovery after such discovery is received. Any such motion shall be filed by **December 15, 2023**; any opposition to such motion shall be filed by **December 22, 2023**.
6. On or before **December 29, 2023**, the parties shall file a Joint Pretrial Statement that contains the following:
 - a. A neutral statement of the case;
 - b. Proposed voir dire questions;
 - c. Proposed jury instructions;
 - d. Witness lists;
 - e. Exhibits lists;
 - f. Stipulations; and
 - g. A proposed verdict form.
7. On or before **January 22, 2024**, the United States shall disclose all grand jury, Jencks, and Brady materials not already disclosed.
8. The parties shall appear on **January 29, 2024**, at 2:00 pm, in Courtroom 8 for a Pretrial Conference.¹
9. Trial shall commence on **February 5, 2024**.

¹ The Defendants have requested to appear virtually for the Pretrial Conference. The government consents to this request.

* * *

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Sean P. McCauley
SEAN P. McCAULEY
New York Bar No. 5600523
Assistant United States Attorney
United States Attorney's Office
For the District of Columbia
601 D Street, NW 20530
Sean.McCauley@usdoj.gov

/s/ Brendan Ballou
BRENDAN BALLOU
DC Bar No. 241592
Special Counsel, detailed to the
United States Attorney's Office
601 D Street NW
Washington, DC 20001
(202) 431-8493
brendan.ballou-kelley@usdoj.gov

JALISE MIDDLETON

By: /s/Robert L. Jenkins
ROBERT L. JENKINS, Jr.
District Court Bar. No. CO0003
Bynum & Jenkins, PLLC
1010 Cameron Street
Alexandria, VA 22314
(703)309-0899
RJenkins@BynumAndJenkinsLaw.com

MARK MIDDLETON

By: /s/ Jerry R Smith
JERRY RAY SMITH, Jr.
DC Bar No. 447699
717 D Street NW, Suite 310
Washington, D.C. 20004
(202)347-6101
jerryraysmith@verizon.net