

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.: 21-CR-392-RCL
	:	
v.	:	
	:	
ALAN HOSTETTER,	:	
RUSSELL TAYLOR,	:	
ERIK SCOTT WARNER,	:	
FELIPE ANTONIO “TONY”	:	
MARTINEZ,	:	
DEREK KINNISON, and	:	
RONALD MELE,	:	
	:	
	:	
Defendants.	:	

**STATUS REPORT REGARDING
PROPOSED PRETRIAL SCHEDULE**

The United States of America hereby submits the following status report regarding a pretrial schedule in this matter. Pursuant to this Court’s instructions at the December 2, 2022, status conference, the parties have communicated regarding a mutually agreeable pretrial schedule. The United States believes that the dates for hearings and trial in the attached proposed order are workable for all Parties. While broadly available for hearings and trial, Defendant Hostetter has indicated a desire to confer with his advisory counsel before agreeing to other aspects of “these issues.” Since that message, the United States and Defendant Hostetter have not communicated. The other Parties have agreed to the schedule set out in the attached proposed order.

The Court has already set a trial date of Thursday, July 6, 2023. *See* September 20, 2022, Minute Entry. In anticipation of juror scheduling conflicts limiting the size of the voir dire panel during the week of July 4, the Parties jointly propose that trial commence on Monday, July 10,

2023. The Parties are amenable to holding any necessary outstanding hearings on July 6 and 7, 2023, as needed. The Parties, other than Defendant Hostetter, further propose the schedule reflected in the attached Proposed Pretrial Scheduling Order.

The proposed order would set March 10, 2023, for motions to dismiss, suppress, sever, and change venue, if any, as well as the filing of a written jury trial waiver by any Defendant wishing to proceed by bench trial, Federal Rule of Criminal Procedure 23(a). Thereafter, the United States will either consent to or oppose any jury trial waiver by the proposed motion response date of March 24, 2023. If necessary, a hearing on any such motions and any proposed jury waiver would take place on April 14, 2023. The Parties propose a hearing on these motions, prior to subsequent deadlines for other pretrial motions, including motions *in limine*, in anticipation that the Court's rulings on any such motions will significantly impact briefing on motions *in limine*.

Given the number of defendants, and the complexity of the case, the Parties propose that the Court employ special jury panel procedures. Under these procedures, at least ten weeks prior to trial, the Court may prescreen jurors for the hardships of serving on a jury for a trial that could last four to six weeks. Those prospective jurors for whom a hardship does not preclude service should appear in court at least two weeks in advance of trial to fill out a juror questionnaire, which will then be reviewed by the Parties, prior to voir dire, which would begin on July 10, 2023. Upon receiving copies of the questionnaires, the Parties shall meet and confer regarding any agreed-upon strikes, which shall be reported to the Court by June 30, 2023.

To facilitate these special jury panel procedures, the Parties also propose filing two joint pretrial statements, rather than one. The initial pretrial statement shall include material necessary for the jury questionnaire, including a neutral statement of the case, the proposed jury

questionnaire, and a list of witnesses, and would be filed on June 2, 2023. The supplemental pretrial statement would include proposed jury instructions, exhibit lists, stipulations, and a proposed verdict form, and would be filed on June 22, 2023.

Respectfully submitted,

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