

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:21-cr-348-SCB-SPF

JEREMY BROWN

PRE-TRIAL ORDER¹

- I. The trial of this case is scheduled to begin on October 3, 2022, at 9:00 a.m. The government has estimated the length of trial to be six to eight days. Should it be necessary to sever the weapons counts and the classified documents counts, the estimated length of trial is four to five days for the weapons counts. The case is set for a Zoom status conference on September 21, 2022, at 9:00 a.m. At that time, counsel should be prepared to discuss any outstanding motions, as well as other trial-related issues, including issues related to the classified documents counts.
- II. **MOTIONS:** All motions in limine or other pre-trial motions must be filed with the Court on or before September 22, 2022, and responses by September 26, 2022.

¹ To the extent the dates in this pre-trial order conflict with dates that will go out in the cover sheet to the Court's October 2022 Trial Calendar, counsel should rely on the dates in this pre-trial order.

III. **JURY SELECTION:**

- A. **Courtroom:** The trial will take place in Courtroom 17 or Courtroom 7, depending on availability and on-going audio repairs in Courtroom 17. Visitor Seating is extremely limited during jury selection because of the need to space prospective jurors during jury selection.
- B. **Alternate jurors:** At least two alternate jurors will be selected.
- C. **Conduct of *voir dire* examination:** Counsel may file requested *voir dire* questions for the Court. Requested *voir dire* questions should be filed on or before September 26, 2022. The Court will conduct *voir dire* and then Counsel will have 20 minutes to make an independent *voir dire* of the jury.
- D. **Masks:** The Court will decide on the morning of trial as to whether masks will be required or optional both during jury selection and trial.

- IV. **PRELIMINARY INSTRUCTIONS TO THE JURY:** In addition to the usual instructions given to the jury at the beginning of the trial, the Court will give an instruction on the presumption of innocence and the burden of proof. The Court also will give a preliminary instruction regarding note-taking and will permit note-taking by the jurors during the trial. After jury selection, the courtroom deputy will prepare a seating chart with the name of the defendant and his counsel, the names of the counsel for the government

and any additional persons seated at counsel table to be submitted and distributed to the jury. The seating chart will designate a seat for each person who will be seated at counsel table. Counsel and all other persons will be expected to remain in those seats during the course of the trial.

- V. **JURY INSTRUCTIONS AND VERDICT FORM:** On or before September 26, 2022, counsel must file any proposed jury instructions and verdict forms. In addition, counsel shall email a copy of both in Word format to chambers at chambers_flmd_bucklew@flmd.uscourts.gov.
- VI. **WITNESS AND EXHIBIT LISTS:** On or before September 26, 2022, counsel shall file a proposed witness list with a designation of will call or may call. In addition, at the close of trial each day, counsel will be expected to announce the witnesses they anticipate calling the next trial day. All Jenks Act or Brady material pertaining to those witnesses should be delivered no later than the day before the witness is called if it has not been previously delivered. Parties should pre-mark all exhibits in advance of trial in accordance with the instructions attached to the trial calendar which will go out on September 21, 2022. An exhibit list shall be filed on or before September 26, 2022. On the morning of trial, counsel must provide the Court with a binder containing pre-marked hard copies of all exhibits they intend

to introduce for the Court's use at trial and a thumb drive containing pre-marked PDF copies of the exhibits they intend to introduce.

VII. **COURTROOM EQUIPMENT:** Counsel who will be using the courtroom equipment (*e.g.*, laptop connections, document camera, DVD/CD player, etc.) are encouraged to make an appointment with the Courtroom Deputy Clerk, Charmaine Black, at 813-301-5859 prior to trial for a demonstration of the technology and to test equipment compatibility.

VIII. **EXCUSAL OF WITNESSES:** All witnesses called to testify will be subject to the control of counsel who caused them to be served with a subpoena. Accordingly, upon the completion of their testimony, it shall not be necessary to inquire of the Court whether the witness may be excused. Counsel may excuse the witness. If other counsel wish to have any witness available for recall later, it will be the responsibility of that counsel to make the announcement at the time the witness steps down and the court will then direct the witness to remain.

IX. **COURT SCHEDULE:** Jury selection is scheduled to begin October 3, 2022, at 9:00 a.m. Trial will commence immediately after selection of the jury. The Court will work Monday through Friday of each week from 9:00 a.m. until approximately 5:00 p.m. each day. The Court will recess


approximately one hour and fifteen minutes for lunch and 15 to 20 minutes in the morning and 15 to 20 minutes in the afternoon. October 10, 2022, is a federal holiday, and the Court will be closed.

X. **BENCH CONFERENCES:** Bench conferences are discouraged.

Counsel should state the legal basis for their objections without elaboration or argument and the Court will rule on the objection without additional discussion except in the most doubtful areas. If counsel wishes to proffer to the Court to protect the record, counsel should do so after the jury has been excused for lunch or for the day.

XI. **CLASSIFIED DOCUMENTS:** The Court has not addressed procedures related to the classified documents or witnesses related to the classified documents in this order. Therefore, an additional pre-trial order may be necessary after the status conference on September 21, 2022.

DONE and ORDERED at Tampa, Florida this 16th of September 2022.



SUSAN C. BUCKLEW
United States District Judge