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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	)	Case No. 12-CR-0072-JCC-GSA
	)	
Plaintiff,	)	
	)	
v.	)	SCHEDULING ORDER
	)	
SAMUEL STONE,	)	
	)	
Defendant.	)	DEATH PENALTY CASE
	)	
_____	)	

Plaintiff, the United States of America (the “United States” or “Government”), and Defendant, Samuel Stone (“Defendant”), submitted a Joint Scheduling Report on January 25, 2013 (Doc. 48), outlining certain deadlines in this case. A Scheduling Conference was held on February 5, 2013. Donald Knight and Alexandra Negin personally appeared on behalf of Defendant. Jacobed Rodriguez-Coss (for the United States Department of Justice), Kevin Rooney (for the United States Attorney), and Troy Dorrett (for the Bureau of Prisons) appeared on behalf of the United States. Upon a consideration of the Joint Scheduling Report and the arguments heard at the joint scheduling conference, the Court issues the following scheduling order :

I. Aggravating Circumstances

The government shall file notice of any aggravating circumstances, if different from the Notice of Aggravating Circumstances already filed, on March 22, 2012 (Doc. 3), by March 1, 2013;

II. Motion for Bills of Particulars

Motion for Bill of Particulars due : March 18, 2013

Opposition due : April 18, 2013

Any Reply due : May 2, 2013

III. Government's Disclosure of Intention to Use Prior Acts Evidence in the Guilt Phase Pursuant to FRE 404(b) and the Listing of Specific Prior Acts It Intends to Use

Notice due : June 3, 2013

Defense motions to preclude 404(b) evidence due : July 10, 2013

Opposition due : August 7, 2013

Any reply is due : August 21, 2013

IV. Motions for Change of Venue and Other Jurisdictional Issues

Motions due : June 17, 2013

Opposition due : July 17, 2013

Any Reply due : July 31, 2013

V. Motions to Suppress Evidence Relating to Guilt Phase and to Dismiss Indictment

Motions due : September 9, 2013

Opposition due: October 9, 2013

Any Reply due: October 28, 2013

VI. Motions Challenging the Death Penalty

Motions due : September 9, 2013

Opposition due : October 9, 2013

Any Reply due : October 28, 2013

VII. Motions Related to the Number and Order of Anticipated Trial Phases (to include identifying lead defense Counsel)

Motions due : December 2, 2013

Opposition due : January 2, 2014

Any Reply due : January 16, 2014

VIII. Motions (Including Daubert) Regarding Expert Testimony (other than Mental Health)

1. Government's disclosure of Report and Results of Scientific Tests, Physical Examination, and Mental Examination Pursuant to Fed. R. Crim. P. 16 due :

June 3, 2013

2. Government's expert disclosures (other than mental health) as required by FRCRP and FRE are due : **June 3, 2013.**

Motions due : March 3, 2014

Opposition due : April 3, 2014

Any Reply due : April 17, 2014

3. Defense Expert Disclosures (other than mental health) as required by FRCP and FRE due : **March 15, 2014**

Motions due : April 15, 2014

Opposition due : May 9, 2014

Any Reply due : May 23, 2014

IX. Motions In Limine Regarding Guilt and Penalty Phase

Motions due : April 7, 2014

Opposition due : May 7, 2014

Any Reply due : May 21, 2014

X. Mental Health Disclosures -

Defendant's Rule 12.2(a) or (b)(1) Notice due : April 1, 2014

Government's Rule 12.2(c) Motion due : April 15, 2013

Defendant's Rule 12.2(b)(2) Notice to Government due : April 15, 2014

Government's Rule 12.2(b)(2) Motion due : April 30, 2014

XI. Government's Brief Including Witness Lists for All Trial Phases

The Government's brief is due **July 15, 2014.**

XII. Joint Pretrial Conference Report

The parties' joint pretrial conference report is due **June 28, 2014.** In the joint pretrial statement, the parties shall outline any outstanding disputes related to the trial. These issues will be addressed at the pretrial conference/trial confirmation hearing if needed.

XIII. Final Pretrial Conference/Trial Confirmation Hearing

The pretrial conference/trial confirmation hearing will be held on **August 15, 2014, at 1:30 a.m.** before the Honorable John Coughenour, Senior District Court Judge, in Fresno, California, in a courtroom to be determined.

XIV. Defense applications for writs of Habeas Corpus ad Testificandum and All Trial Subpoenas

Defense applications for writs of Habeas Corpus ad Testificandum and all trial subpoenas to be served by the US Marshal Service for which transportation of witnesses is required are due **August 15, 2014.**

XV. Preliminary Jury Instructions Due

Preliminary jury instructions are due **September 1, 2014.**

XVI. Schedule for Jury Issues and Jury Questionnaires

A) Any motions regarding jury venire and the jury selection process are due :

December 2, 2013.

B) Responses to motions regarding jury venire and jury selection are due :

January 2, 2013.

C) Replies to the opposition to motions regarding jury venire and jury selection are due :

January 16, 2014.

D) The parties shall exchange proposed jury questionnaires no later than **April 7, 2014.**

E) The parties' joint proposed jury questionnaire shall be completed by **April 28, 2014.**

F) A draft joint proposed jury questionnaire and any additional non-joint requests regarding the questionnaire are due : **May 12, 2014.**

G) A hearing to resolve motions regarding jury venire and the jury selection process, as well as to resolve any non-joint requests regarding the jury questionnaire will be held on **June 2, 2014, at 1:30 p.m.** before the Honorable Judge Coughenour, Senior District Court Judge, in Fresno, California, in a courtroom to be determined.

H) The final jury questionnaire shall be provided to the jury office no later than

June 16, 2014.

1 I) The date venire will be instructed by the Court and given juror questionnaires will be
2 determined at a later date. The parties stipulated to June 30, 2014 as a proposed date, but
3 this date appears to be premature.

4 J) Jury questionnaires will be distributed/made available for counsel's review on
5 **July 28, 2014**. The parties are also to consult on unopposed challenges for cause and
6 hardship on **July 28, 2014**.

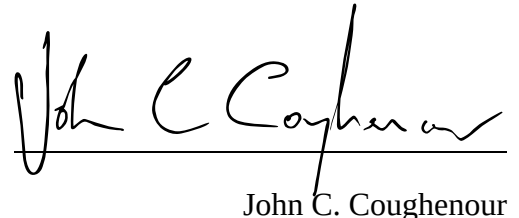
7 K) The parties' joint memorandum on unopposed challenges for cause and hardship are
8 due **August 11, 2014**.

9 **XVII. Voir Dire and Trial**

10 The jury trial will begin on **September 15, 2014, at 8:30 a.m.** before the Honorable Judge
11 Coughenour, Senior District Court Judge, in Fresno, California, in a courtroom to be
12 determined. Voir dire will begin on that day.

13
14 DATED this 22nd day of February 2013.

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John C. Coughenour

UNITED STATES DISTRICT JUDGE