

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

versus

DOCKET No. 17-201

LILBEAR GEORGE

SECTION "I"

DEFENDANT GEORGE'S MOTION FOR BILL OF PARTICULARS
AS TO THE NOTICE OF INTENT

NOW INTO COURT comes the defendant Lilbear George, through undersigned counsel, who moves this Court pursuant to the Fourth, Fifth, Sixth and Eighth Amendments to the United States Constitution, for a bill of particulars in his case. In support thereof he submits the following:

BACKGROUND

The defendant George is accused in a Second Superseding Indictment with crimes pertaining to capital murder of Hector Trochez in the course of an armed robbery of a Loomis armored truck. (R. Doc. 237 at 2-4). The government has filed a Notice of Intent to Seek the Death Penalty wherein it purports to lay out justification for putting Lilbear George to death by execution. (R. Doc. 147). Based upon the discovery provided to date, however, Mr. George is unable to discern the case against him as alleged in the Second Superseding Indictment, and is unable to

respond to the government's so-called justifications for the death penalty referenced in the Notice of Intent. As a result, Mr. George is deprived of the ability to timely prepare his defense, avoid prejudicial surprise at trial, and prevent the imposition of an arbitrary penalty of death. Accordingly, the defendant Lilbear George requests the a bill of particulars as specified further below.

THE NOTICE OF INTENT

The United States intends to prove the following factors in an effort to justify a sentence of death with regard to Count 3 (emphasis in the original):

A. LILBEAR GEORGE was 18 years of age or older at the time of the offense.

B. Statutory Threshold Factors enumerated under 18 U.S.C. § 3591(a)(2)

1. Intentionally Participated in an Act

LILBEAR GEORGE intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act (18 U.S.C § 3591(a)(2)(C));

2. Intentionally and Specifically Engaged in an Act of Violence

LILBEAR GEORGE intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act (18 U.S.C § 3591(a)(2)(D)).

C. Statutory Aggravating Factors enumerated under 18 U.S.C. § 3592(c)

1. Grave risk of death to additional persons

LILBEAR GEORGE, in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (18 U.S.C. § 3592(c)(5));

2. Pecuniary gain

LILBEAR GEORGE committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value (18 U.S.C. § 3592(c)(8)).

D. Non-Statutory Aggravating Factors identified under 18 U.S.C. § 3593(a)

1. Victim Impact

As reflected by the victim's personal characteristics as a human being and the impact of the offenses on the victim and the victim's family, **LILBEAR GEORGE** caused loss, injury, and harm to the victim and the victim's family (see *Payne v. Tennessee*, 501 U.S. 808, 825-827 (1991)) including, but not limited to, the fact that the victim's family suffered severe and irreparable harm;

2. Lack of Remorse

LILBEAR GEORGE has demonstrated a lack of remorse for the capital offenses committed in this case, as indicated by his statements and actions during the course of and following the offenses alleged in the Superseding Indictment, including by not limited to one or more of the following:

- a. **LILBEAR GEORGE** stated that if arrested for the offense alleged in Count 3, he would tell police that he stole the vehicle but gave it to someone else;
- b. **LILBEAR GEORGE** stated that he should have killed someone and then planted his gun on the deceased to divert attention away from himself;

3. Other Criminal Conduct – Armed Robbery

LILBEAR GEORGE participated in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017;

4. Other Criminal Conduct – Drug Trafficking with a Firearm

LILBEAR GEORGE participated in a conspiracy and possession of heroin with intent to distribute, along with possession of a firearm in furtherance of drug trafficking, in New Orleans, Louisiana, on February 8, 2016;

5. Other Criminal Conduct – Substantial Planning and Premeditation for Armed Robbery

LILBEAR GEORGE substantially planned and premeditated the offenses alleged in Count 3 of the Superseding Indictment, which required the use of a firearm to facilitate the robbery of armed security guards.

BILL OF PARTICULARS REQUESTED

I. STATUTORY THRESHOLD FACTORS

B. Statutory Threshold Factors enumerated under 18 U.S.C. § 3591(a)(2)

1. Intentionally Participated in an Act

LILBEAR GEORGE intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act (18 U.S.C § 3591(a)(2)(C));

The defendant George cannot adequately prepare his defense to this so-called justification without answer to the following particulars:

1. What is the “act” intentionally participated in by Mr. George the “direct result” of which was the death of the victim?

2. Intentionally and Specifically Engaged in an Act of Violence

LILBEAR GEORGE intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act (18 U.S.C § 3591(a)(2)(D)).

The defendant George cannot adequately prepare his defense to this so-called justification without answer to the following particulars:

1. What is the “act of violence” “intentionally and specifically engaged in” by Mr. George of which the death of the victim was a “direct result”?

II. STATUTORY AGGRAVATING FACTORS:

1. Grave risk of death to additional persons

LILBEAR GEORGE, in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (18 U.S.C. § 3592(c)(5));

The defendant George cannot adequately prepare his defense to this so-called justification without answer to the following particulars:

1. Who are the “one or more persons” as to whom the defendant George “knowingly” created a grave risk of death, in addition to Mr. Hector Trochez?

III. NON-STATUTORY AGGRAVATING FACTORS

1. Victim Impact

As reflected by the victim’s personal characteristics as a human being and the impact of the offenses on the victim and the victim’s family, **LILBEAR GEORGE** caused loss, injury, and harm to the victim and the victim’s family (see *Payne v. Tennessee*, 501 U.S. 808, 825-827 (1991)) including, but not limited to, the fact that the victim’s family suffered severe and irreparable harm;

The defendant George cannot adequately prepare his defense to this so-called justification without answer to the following particulars:

1. With all due respect to the family and friends of Mr. Hector Trochez, and without in any way minimizing the injustice suffered by Mr. Trochez and his family, the defendant nonetheless seeks to know who precisely are the “victim’s family” as to whom the defendant George “caused loss, injury, and harm”?

2. Lack of Remorse

LILBEAR GEORGE has demonstrated a lack of remorse for the capital offenses committed in this case, as indicated by his statements and actions during the

course of and following the offenses alleged in the Superseding Indictment, including by not limited to one or more of the following:

- a. **LILBEAR GEORGE** stated that if arrested for the offense alleged in Count 3, he would tell police that he stole the vehicle but gave it to someone else;

The defendant George cannot adequately prepare his defense to this so-called justification without answer to the following particulars:

1. When did Mr. George allegedly state that “if arrested for the offense alleged in Count 3, he would tell police that he stole the vehicle but gave it to someone else”?
2. Where did Mr. George allegedly make the statement referenced in “a”?
3. Who was present when Mr. George allegedly made the statement referenced in “a”?

- b. **LILBEAR GEORGE** stated that he should have killed someone and then planted his gun on the deceased to divert attention away from himself;

1. When did Mr. George allegedly state that “he should have killed someone and then planted his gun on the deceased to divert attention away from himself”?
2. Where did Mr. George allegedly make the statement referenced in “b”?
3. Who was present when Mr. George allegedly made the statement referenced in “b”?

3. Other Criminal Conduct – Armed Robbery

LILBEAR GEORGE participated in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017;

1. When did Mr. George's participation in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017 commence?

2. When did Mr. George's participation in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017 conclude?

3. Was any property taken in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

4. Were any firearms brandished in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

5. Were any shots fired in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

6. Did the defendant George act alone in the armed robbery of an Intertrust

armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

7. Were any arrests made in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

8. If the answer to Number 7 is “yes”, who was arrested?

9. Were any charges filed against anyone in the armed robbery of an Intertrust armored car at the Capital One Bank, 1100 S. Carrollton Avenue, New Orleans, Louisiana, on December 13, 2017?

10. If the answer to Number 9 is “yes”, who was charged?

11. If the answer to Number 9 is “yes”, where were those charges lodged?

WHEREFORE, for the reasons set out herein and more fully in the accompanying memorandum, the defendant Lilbear George respectfully requests that this Court order the government to provide a bill of particulars detailing the who, what, when and where of the purported justifications for the imposition of the death penalty referenced in the Notice of Intent filed herein.

Respectfully submitted:

/s/ Bruce G. Whittaker

Bruce G. Whittaker, No. 08339
1215 Prytania Street, Suite 332
New Orleans, LA 70130
(504) 554-8674
bruce@whittakerlaw.com

and

/s/ Jerrod E. Thompson-Hicks

Jerrod E. Thompson-Hicks, No. 32729
Federal Public Defender (New Orleans)
500 Poydras Street, Room 318
New Orleans, LA 70130
(504)-589-7931
jerrod_thompson-hicks@fd.org

Attorneys for Lilbear George

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon counsel by filing under the ECF system on the date of filing, March 8, 2019.

s/ Bruce G. Whittaker

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

versus

DOCKET No. 17-201

LILBEAR GEORGE

SECTION “I”

DEFENDANT GEORGE’S MEMORANDUM IN SUPPORT OF
MOTION FOR BILL OF PARTICULARS
AS TO THE NOTICE OF INTENT

MAY IT PLEASE THE COURT:

The defendant Lilbear George is accused in a Second Superseding Indictment with crimes pertaining to the murder of Hector Trochez in the course of an armed robbery of a Loomis armored truck. The government has filed a Notice of Intent to Seek the Death Penalty by which it contends the death penalty is justified. Doc R. 147. Based upon the discovery provided to date, Mr. George is unable to discern the case against him as alleged in the Second Superseding Indictment and the Notice of Intent. As a result, Mr. George is deprived of the ability to timely prepare his defense and avoid prejudicial surprise at trial.

Without a bill of particulars as to contentions in the Notice of Intent, the defendant George is unable to discern the “how, who, when and where” of the factors

that the government alleges provide a justification for putting him to death. He is entitled to those particulars under the Constitution of the United States. This Court should avoid a significant deprivation of constitutional rights, resulting in the imposition of an unwarranted and arbitrary penalty of death, by granting a bill of particulars.

Accordingly, the defendant Lilbear George requests this Court to order the government to supply the information requested by the defendant's Motion for Bill of Particulars.

ARGUMENT

A. This Court Has Broad Authority to Grant a Bill of Particulars

The constitutional right to a fair trial requires notice of the charges against which the accused must defend. Russell v. United States, 369 U.S. 749, 760-61 (1962) (right to notice is rooted in Sixth Amendment's Notice Clause, Fifth Amendment's Due Process Clause, and Fifth Amendment's Grand Jury Clause); Bousley v. United States, 523 U.S. 614, 618 (1998) (notice of true nature of charge is first requirement of due process). Not only must the indictment allege the elements of the charged offense, it must also "sufficiently apprise . . . the defendant of what he must be prepared to meet." Russell, 369 U.S. at 763 (quoting Hagner v. United States, 285 U.S. 427, 431 (1932)).

Undoubtedly, the language of the statute may be used in a general description of an offence, but it must be accompanied with such a statement of facts and circumstances as will inform the accused of the specific offense, coming under the general description, with which he is charged.

Id. at 765 (quoting United States v. Hess, 124 U.S. 483, 487 (1888)). A defendant required “to go to trial with the chief issues undefined” is hampered in his ability to prepare his defense and is vulnerable to unfair surprise at trial. Id. at 766. In addition, in a capital case where the defendant faces execution, the reliability of proceedings at every stage of the prosecution is paramount. See Woodson v. North Carolina, 428 U.S. 280, 305 (1976) (death is different and qualitative difference in sentence requires a “corresponding difference in the need for reliability”). Without adequate notice of the special findings, any resulting death sentence runs the risk of violating the Eighth Amendment.

Fed. Rules Crim. Proc. R. 7(f) provides that a court may direct the filing of a bill of particulars upon motion by the defendant. The purpose of a bill of particulars is similar to that of the indictment itself: to provide a defendant with information about the details of the charges “so as to enable him to prepare an intelligent defense.” Wong Tai v. United States, 273 U.S. 77, 82 (1927); United States v. Mackey, 551 F.2d 967, 970 (5th Cir. 1977) (one purpose of bill of particulars is to “enable the defendant to prepare his defense with full knowledge of the charges

against him”).

Moreover, a defendant is entitled to know “the theory of the government's case” as to each count. United States v. Levine, 983 F.2d 165, 167 (10th Cir. 1992) (quotation omitted). Accordingly, a bill of particulars may be necessary to “clarify the specific factual theory (or theories) upon which the government” intends to proceed. United States v. Chandler, 753 F.3d 360, 362 (4th Cir. 1985); see also, United States v. Barnes, 58 F.3d 662, 665 (2nd Cir. 1998) (where bill of particulars is “necessary to give the defendant enough information about the charge to prepare his defense, ‘it will be required even if the effect is disclosure of evidence or of theories’”) (quoting 1 Charles Alan Wright, Federal Practice and Procedure § 129 (1982)); United States v. Hart, 70 F.3d 854, 860 (6th Cir. 1995) (instructing government to specify its “theory of proof” regarding charged counts). Significantly, when the details are provided sufficiently through a bill of particulars, the government's allegations are fixed, and it cannot substitute new theories of guilt at trial. Russell, 369 U.S. at 765-66.

The granting of a bill of particulars is a matter within the discretion of the trial court. Mackey, 551 F.2d at 970. Rule 7(f) is “designed to encourage a more liberal attitude by the courts toward bills of particulars without taking away the discretion which courts must have in dealing with such motions in individual cases.” Notes of

Advisory Committee on 1966 amendments. “[I]n resolving the areas of doubt...the interests of the defendant in disclosure must prevail.” United States v. Thevis, 474 F. Supp. 117, 124 (N.D. Ga. 1979), *aff’d* on other grounds, 665 F.2d 616 (5th Cir. 1982).

In weighing whether to grant a motion for a bill of particulars, the court may consider information provided to a defendant in other forms. United States v. Giese, 597 F.2d 1170, 1180 (9th Cir. 1979), *cert. denied*, 444 U.S. 979 (1979). However, it is not sufficient for the government to point to discovery already provided and allege that the defendant can determine, through the exercise of due diligence, the facts that are relevant to the charged offenses. United States v. Diaz, 2007 WL 4169973 *5 (N.D. Cal. 2007) (“Merely referring to a range of several hundred pages (or thousands in some cases) in discovery is not an informative outline.... First, too much is left to guesswork. *Notice means notice*. It does not mean a scavenger hunt for clues in discovery, including in redacted pages”(emphasis supplied)); see also, United States v. Kirkham, 129 Fed. Appx. 61, 72 (5th Cir. 2005) (bill of particulars not necessary where government provided defendants with discovery “including the testimony and exhibits eventually introduced against them at trial”).

B. The Particulars Requested Are Necessary to Preparation of a Defense

All the information requested in this Motion for Bill of Particulars is necessary to adequately prepare a defense and to avoid unfair surprise at trial.

Intentionally Participated in an Act?

Certainly without at a minimum a description of the precise “act” intentionally participated in by Mr. George the “direct result” of which was the death of Mr. Trochez, the defendant cannot prepare a defense and has been denied due process. Russell v. United States, 369 U.S. 749, 760-61 (1962) (right to notice is rooted in Sixth Amendment's Notice Clause, Fifth Amendment's Due Process Clause, and Fifth Amendment's Grand Jury Clause); Bousley v. United States, 523 U.S. 614, 618 (1998) (notice of true nature of charge is first requirement of due process).

Intentionally and Specifically Engaged in an Act of Violence?

Similarly, without disclosure of the specific alleged “act of violence” “intentionally and specifically engaged in” by Mr. George of which the death of the victim was a “direct result,” the defendant has been denied his due process right to a defense.

Grave risk of death to additional persons?

In this case neither the Second Superseding Indictment nor the Notice of Intent specify which “additional persons” the defendant George is alleged to have put at risk during his alleged crimes. Where the government's submissions do not reveal the identities of the “additional persons”, the government should be ordered to submit an outline of the information it intends to use to establish the “grave risk of death to

one or more persons in addition to the victim of the offense” aggravating factor. See e.g., United States v. Plaza, 179 F. Supp. 2d 464, 473 (E.D. Pa. 2001).

Victim Impact?

While the FDPA specifically allows the government to introduce during the penalty phase “factors concerning the effect of the offense on the victim and the victim's family,” see 18 U.S.C. § 3593(a), the defendant George requests more specific notice of what evidence the government plans to present to establish this factor. Similar requests have been granted by other district courts. See United States v. Bin Laden, 126 F. Supp. 2d 290, 304 (S.D.N.Y. 2001)(requiring “a limited bill of particulars specifying the particularized categories of ‘injury, harm, and loss’ that will be proffered at sentencing, whether it be suffered by a victim or a victim's family”); United States v. Cooper, 91 F. Supp. 2d 90, 111 (D.D.C. 2000) (requiring government to include “more specific information concerning the extent and scope of the injuries and loss suffered by each victim, his or her family members, and other relevant individuals, and as to each victim's ‘personal characteristics’ that the government intends to prove”); United States v. Glover, 43 F. Supp. 2d 1217, 1225 (D. Kan. 1999) Glover, 43 F. Supp. 2d at 1225 (granting defendant’s request for “greater specificity” with regard to non-statutory aggravating factor of “permanent harm”).

Lack of Remorse?

Without specifics as to the “who, what, when, and where” the defendant is deprived of his due process right to a defense and instead will be subjected to ambush at trial. Russell v. United States, 369 U.S. 749, 760-61 (1962) (right to notice is rooted in Sixth Amendment's Notice Clause, Fifth Amendment's Due Process Clause, and Fifth Amendment's Grand Jury Clause); Bousley v. United States, 523 U.S. 614, 618 (1998)

Other Criminal Conduct - Armed Robbery?

Given the potential problems with the reliability of unadjudicated criminal misconduct and the risk that it may mislead the jury, courts have been careful to require the government to fully disclose all of the unadjudicated misconduct that it plans to introduce as sentencing phase evidence. See, e.g., United States v. Glover, 43 F. Supp. 2d 1217, 1227 (D. Kan. 1999); United States v. Davis, 912 F. Supp. 938, 949 (E.D. La. 1996); cf. Fed R. Evid. 404(b) (allowing evidence of other crimes for limited purposes, “provided that upon request by the accused, the prosecution in a criminal case shall provide reasonable notice in advance of trial . . . of the general nature of any such evidence it intends to introduce”). The reasoning of these courts is sound., This Court should therefore order the government to submit an outline of the evidence it intends to introduce to support the non-statutory aggravating factor

of “Other Criminal Conduct - Armed Robbery.”

Each and every piece of information sought in the accompanying Motion for Bill of Particulars has not been provided through discovery. In this capital case, the Second Superseding Indictment and Notice of Intent to Seek the Death Penalty quite simply provides insufficient notice to prepare an intelligent defense and avoid unfair surprise at trial.

C. The Government’s Discovery Is Insufficient.

It is well-settled that discovery is not a substitute for specifying the particulars of what the government intends to prove at trial. See United States v. Bortnovsky, 820 F.2d 572, 575 (2d Cir. 1987); United States v. Davidoff, 845 F.2d 1151, 1155 (2d Cir. 1988). But even if discovery were a substitute for a proper indictment, the discovery here does not help. As is set forth above, far from explaining the allegations in the indictment and the Notice of Intent, the discovery in the present case makes it clear that a bill of particulars is necessary. As of this date, defense counsel have extremely limited knowledge of the relevant facts, and will be most certainly “surprised” at trial. See generally, United States v. Ramirez, 602 F.Supp. 783 (S.D.N.Y. 1985), 1 Fed. Prac. & Proc. Crim.3d § 129 (“it is no answer that the defendant should know the facts demanded, for the defendant is presumed innocent”), Wright and Miller (2004)(“Further, it is no answer to the motion for the

government to say: ‘The defendant knows what he did, and has all the information necessary.’ Since the defendant is presumed to be innocent he must be presumed to be ignorant of the facts on which the charges are based”).

In United States v. Carriles, the government charged the defendant with “provid[ing] false information in written submissions and in response to questions during interviews” to immigration officials. 2010 WL 300357, at *1 (W.D. Tex. Jan. 20, 2010). The district court concluded that a bill of particulars was necessary because the allegations lacked “detail to help identify which items of information were false, which submissions contained them, which questions and answers were false, and at which interviews those questions were propounded and responses obtained.” *Id.* The court also found “unconvincing” arguments that discovery could substitute for a bill of particulars to cure an inadequate indictment:

Relying on the already-produced discovery documents, which is the government’s second argument as to why a bill of particulars is unnecessary, is also unconvincing. These documents are apparently voluminous; asking the defense to comb through such a quantity of material, and infer which potentially minor or obscure events - falling inside a three and a half month window - the government has a mind to prosecute, is unreasonable. Leaving the defense to puzzle out such a conundrum will impede its preparation and provide opportunity for surprise at trial - things that a bill of particulars is supposed to prevent.

Id. at *2 (internal citation omitted).

If it is unfair to force a defendant to “puzzle out” the government’s allegations

in a prosecution for making false statements, a bill of particulars is clearly warranted in a capital prosecution. Neither the Second Superseding Indictment nor the Notice of Intent nor the government's discovery inform the defendant George of the particulars underlying the allegations in the Notice of Intent. There is no reason to force the defendant Lilbear George to go to trial without informing him of the substance of these basic allegations upon which the government seeks to justify imposition of a penalty of death by execution.. Accordingly, the Court should order the government to provide a bill of particulars as prayed for by the defendant George.

WHEREFORE, for the reasons set out herein, Mr. George respectfully requests that this Court order the government to provide a bill of particulars regarding the allegations contained within the Notice of Intent as prayed for herein.

Respectfully submitted:

/s/ Bruce G. Whittaker

Bruce G. Whittaker, No. 08339
1215 Prytania Street, Suite 332
New Orleans, LA 70130
(504) 554-8674
bruce@whittakerlaw.com

and

/s/ Jerrod E. Thompson-Hicks

Jerrod E. Thompson-Hicks, No. 32729
Federal Public Defender (New Orleans)
500 Poydras Street, Room 318
New Orleans, LA 70130
(504)-589-7931
jerrod_thompson-hicks@fd.org

Attorneys for Lilbear George

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2019 a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Bruce G. Whittaker

Bruce G. Whittaker

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

versus

DOCKET No. 17-201

LILBEAR GEORGE

SECTION "I"

NOTICE OF HEARING

PLEASE TAKE NOTICE that undersigned counsel will bring for hearing
Mr. George's Motion for Bill of Particulars as to Notice of Intent before
Magistrate Judge Dana Douglas on March 27, 2019, at 11:00 a.m.

Respectfully submitted,

s/Bruce G. Whittaker
Bruce G. Whittaker, No. 08339
Attorney for Lilbear George
1215 Prytania Street, Suite 332
New Orleans, LA 70130
(504) 554-8674
bruce@whittakerlaw.com

Jerrold E. Thompson-Hicks, No. 32729
Federal Public Defender (New Orleans)
500 Poydras Street, Room 318
New Orleans, LA 70130
(504)-589-7931
jerrod_thompson-hicks@fd.org

Attorneys for Lilbear George

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon counsel by filing under the ECF system on the date of filing, March 8, 2019.

s/ Bruce G. Whittaker