

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CRIMINAL NO. 14-CR-40063-JPG
	)	
JAMES NATHANIEL WATTS,	)	
	)	
Defendant.	)	

**GOVERNMENT’S UNOPPOSED MOTION TO APPOINT FIREWALL COUNSEL AND
PROPOSED DATES FOR RULE 16 DISCLOSURE AND EVALUATION OF
DEFENDANT**

COMES NOW the United States of America, by and through its attorneys, Donald S. Boyce, United States Attorney for the Southern District of Illinois, George A. Norwood and James M. Cutchin, Assistant United States Attorneys for said District, and Jeffrey A. Zick, U.S. Department of Justice, and files this unopposed motion to appoint firewall counsel and proposed dates for Rule 16 disclosure of mental health expert opinions and reports, and the government’s motion for evaluation of defendant.

In granting, in part, the government’s motion to amend the third amended scheduling order and for Rule 12.2 procedures (Doc. 448), this Court directed the government to consult with Watts’s counsel “in an effort to agree on a mutually acceptable firewall counsel.” Doc. 468 at 9. In addition, this Court directed the parties to confer regarding reasonable deadlines for Watts’s Rule 16(b)(1)(C) disclosures to firewall counsel. *Id.* at 10. The parties have conferred about the above issues.

Firewall Counsel

The government requests the appointment of Assistant United States Attorney Brian Samuels from the United States Attorney's Office for the Eastern District of Virginia. Mr. Samuels is the U.S. Attorney's Office Capital Case Coordinator for the Eastern District of Virginia and has experience litigating capital cases. Counsel for Watts has no objection to this appointment.

Rule 16 Disclosures

The parties propose the following agreed deadlines for Fed. R. Crim. P. 16 disclosures and the government's motion to evaluate Watts:

April 24, 2017	Defendant's Rule 16(b)(1)(C) disclosure of penalty phase expert mental condition reports, test results, raw data, and all documents relied on in forming the bases of any opinion.
May 1, 2017	Government's motion for mental condition evaluation of Defendant
June 1, 2017	Government's Rule 16(a)(1)(G) disclosure of rebuttal penalty phase mental condition reports, test results, raw data, and all documents relied on in forming the bases of any opinion.

Conclusion

The government respectfully requests that the Court order the designation of government firewall counsel, adopt the proposed agreed to dates for Rule 16 disclosures and motion to evaluate the Defendant, and accordingly amend the Fifth Amended Scheduling Order (Doc. 479) to reflect the above information.

Respectfully submitted,

THE UNITED STATES OF AMERICA

DONALD S. BOYCE
United States Attorney

GEORGE A. NORWOOD
Assistant United States Attorney

JAMES M. CUTCHIN
Assistant United States Attorney

s/ Jeffrey A. Zick
Jeffrey A. Zick
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CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2017, I electronically filed

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with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to
the following:

Robert Tucker
Melissa Day
Peter Williams

Respectfully submitted,

DONALD S. BOYCE
United States Attorney

s/ Jeffrey A. Zick
JEFFREY A. ZICK
U.S. Department of Justice