IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:	*
PRE-TRIALS IN CRIMINAL CASES BEFORE JUDGE S.E. CASELLAS	*

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AGENDA FOR PRETRIAL CONFERENCE

In preparation for trial, a pre-trial conference is scheduled to take place in my Chambers. The attorney who is responsible for trying the case is required to attend. The following topics will be discussed at the pre-trial conference.

1. Voir Dire - The Court uses the struck jury system. My procedures for jury selection in criminal cases and my views on attorney participation in the voir dire process will be explained. If any party desires the Court to ask a particular question to the jurors, such question should be submitted at that time.

2. Witness Lists - The names of prospective witnesses and a short statement as to the general subject matter of their expected testimony shall be exchanged between the parties at the conference.

3. Jury Charge - The Government is directed to provide to the Court and defense counsel a copy of a complete proposed jury charge **five (5) days before the pre-trial date.** If, after reviewing the proposed charge submitted by the Government, the defendant wishes to submit an alternate charge on a particular issue or issues, that

alternate charge should be submitted thereafter. The parties are reminded that these are to be regarded as jury charge proposals intended to assist the Court in formulating its own final charge to the jury. The Court will inform counsel of its intended jury charge prior to closing arguments. F.R.Cr.P. Rule 30. Additional jury charge requests or exceptions may also be made at that time.

4. Evidentiary Issues - Counsel should bring to my attention any unusual evidentiary issues expected to arise during the trial. If appropriate, the Court may rule on the issue prior to the commencement of the trial.

5. Evidence Pursuant to Fed. R. Evid. 404(b) - The Government shall provide to the defendant and to the Court any evidence of defendant's uncharged misconduct which it intends to introduce at trial pursuant to Fed. R. Evid. 404(b).

6. Pre-Mark Exhibits - All exhibits will be pre-marked and whenever possible, stipulated into evidence.

7. Briefs - If any party desires the Court to consider a pre-trial brief or other legal memorandum, such brief must be filed with the Court five (5) days before the pre-trial conference. A courtesy copy should be concurrently sent to my chambers.

8. Discovery - The Assistant United States Attorney prosecuting the case will be asked when the Government plans to disclose (if disclosure has not yet occurred) Section 3500 (Jencks Act) and Brady material.

Be particularly advised that sufficient witnesses should always be ready to give testimony so as to avoid gaps during the trial.

SO ORDERED.

In San Juan, Puerto Rico this 9th day of February, 1995.

SALVADOR E. CASELLAS
United States District Judge

summation, when the jury is charged.

Miscellaneous

The Court usually permits the jurors to select the foreperson; counsel should thus refrain from addressing juror number 1 as "Mr. Foreman" or "Madam Forewoman."

In a long trial, the Court may permit short interim summations. Counsel should attempt to agree with respect to whether such summations will be helpful to the factfinder.

The Court usually permits jurors to take notes in civil cases. In complex civil cases, the Court usually sends its written jury instructions into the jury room.

Post-verdict motions must be made within the time permitted by the Rules.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 26th day of January, 1995.

SALVADOR E. CASELLAS
U.S. District Judge