

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

v.

ARLEN G. ENCARNACION,

Defendant.

Mag. No. 21-13425

ORDER

On this 16th day of December 2021, as set forth on the record during the initial appearance of the defendant in this matter, the Court confirms pursuant to Federal Rule of Criminal Procedure 5(f) that the United States is required to produce all exculpatory evidence to the defendant pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and it hereby orders it to do so at the appropriate time. Failing to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

s/ Leda Dunn Wettre

Hon. Leda Dunn Wettre

United States Magistrate Judge