

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA

v.

BERNARD OKOJIE,

Defendant.

CASE NO.: 4:22-cr-84

ORDER

In accordance with the Court's instructions at the arraignment in this case on July 19, 2022, and in response to Defendant's request for time to prepare and file pretrial motions, the Court issues the following scheduling order.

Pretrial Motions. All pretrial motions shall be filed on or before **August 18, 2022**. The opposing party shall file its response to pretrial motions on or before **September 1, 2022**. The Court finds, as a matter of fact and law, the time Defendant requested to prepare and file pretrial motions is not for the purpose of delay, but in the furtherance of justice, and to protect the Defendant's right to a fair trial. The Court also finds the request is for the purpose of allowing reasonable time necessary, assuming the exercise of due diligence, for the effective preparation of defense counsel in that counsel needs additional time to prepare the appropriate defense motions in this case. Therefore, pursuant to 18 U.S.C. § 3161(h)(7), and on the basis of the Court's finding that the ends of justice served by granting the extension outweigh the best interests of the public and Defendant in a speedy trial, the Court grants the requested time for preparing and filing pretrial motions. The period of time—July 19, 2022 through and including

August 18, 2022—is excluded in computing the time within which the trial of this matter may commence.

Untimely motions will not be considered absent a showing of good cause for failure to file within the time set by the Court. Parties must file separate motions for each form of relief sought; consolidated motions are not permitted. However, where a party has filed multiple motions, the responding party may file a consolidated response to multiple motions where doing so would not create confusion or ambiguity.

Joint Status Report. The Court **ORDERS** the parties to file a joint status report on or before **September 15, 2022**. For the convenience of the parties, the Court has attached to this Order two sample formats for the joint status report. In the joint status report, the parties must either state that all pretrial motions have been resolved or identify the motions that require a Court ruling. All motions requiring a ruling by the Court must be identified by title and docket number. For any such motions, the parties must state (a) whether the motion is opposed; (b) whether any party requests oral argument on the motion; and (c) whether any party requests an evidentiary hearing on the motion.

Motions Hearing. The Court will conduct a hearing on all pending motions listed in the joint status report on **Thursday, September 22, 2022, at 10:00 a.m.**, in Courtroom 2, Federal Courthouse, 801 Gloucester Street, Brunswick, Georgia. Unless ordered otherwise, Defendant, his counsel, and counsel for the Government shall attend the hearing.

Additionally, in accordance with Federal Rule of Criminal Procedure 5(f)(1), the Court confirms the prosecutor's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. Failure to timely perform these obligations may result in various consequences,

including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions.

SO ORDERED, this 20th day of July, 2022.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA

v.

DEFENDANT A

Defendant.

CASE NO.: #-##-CR-##

JOINT STATUS REPORT

The United States of America, through the undersigned Assistant United States Attorney, and Defendant, through his attorney, state that all pretrial motions have been satisfied or otherwise resolved.

This ____ day of _____, 2022.

/s/ Assistant United States Attorney

/s/ Defense Counsel

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA

v.

DEFENDANT A,

Defendant.

CASE NO.: #-##-CR-##

JOINT STATUS REPORT

The United States of America, through the undersigned Assistant United States Attorney, and Defendant, through his attorney, state that they have not been able to resolve the following pretrial motions(s) and will require a ruling from the Court to settle the actual controversy or dispute:

<u>Motion Title</u>	<u>Opposed</u>	<u>Oral Argument Requested</u>	<u>Evidentiary Hearing Requested</u>
Def.'s Mot. to Suppress, Doc. 137	Y	Y	Y
Def.'s Mot. for <u>Brady</u> Materials, Doc. 136	N	Y	N
Gov't.'s Mot. for Discovery, Doc. 141	N	N	N

This ____ day of _____, 2022.

/s/ Assistant United States Attorney

/s/ Defense Counsel

EXHIBIT B