UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO: 21-60171-CR-SMITH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CINDI ELLIS DENTON,

Defendant.
_____/

ORDER SETTING TRIAL DATE

THE ABOVE CAUSE is hereby set for **Criminal Jury Trial** at 299 East Broward Boulevard, Courtroom 310B, Fort Lauderdale, Florida, during the two-week period commencing **August 2, 2021** or as soon thereafter as the case may be called. A **Calendar Call** will be held at **9:00 a.m. on Tuesday, July 27, 2020,** at the same location. All pre-trial motions and motions *in limine* must be filed by **28 days from arraignment**. Each party is limited to filing one motion *in limine*; if there is more than one Defendant, Defendants shall file a combined motion. Motions *in limine* may exceed the page limits allowed by the Rules.

It is further **ORDERED** as follows:

1. All requests for writs *ad testificandum* must be filed at least **twenty-one (21) business days prior to the first day of the scheduled trial period**.

2. All responses to the Standing Discovery Order and Local Rule 88.10 shall be provided in a timely fashion, in accordance with the dates scheduled by the Magistrate Judge. Noncompliance may result in sanctions.

3. **All motions filed shall be accompanied by a written statement certifying that counsel for the moving party has conferred with opposing counsel in a good faith effort to resolve by agreement the subject matter of the motion, where required by Local Rule**

88.9.

4. Counsel shall be prepared to conduct limited *voir dire* following the Court's questioning of the panel. Prior to Calendar Call, counsel shall also file proposed *voir dire* questions. Proposed jury instructions, in typed form, including substantive charges and defenses, shall be submitted to the Court prior to Calendar Call, in Word format, *via* e-mail to smith@flsd.uscourts.gov. Instructions for filing proposed documents may be viewed at http://www.flsd.uscourts.gov.

5. Prior to **Calendar Call**, all counsel shall file lists of proposed witnesses and/or exhibits to be presented at trial. All exhibits to be offered into evidence must be pre-labeled in accordance with the proposed exhibit list. (Government exhibits are to be designated numerically; defense exhibits, alphabetically).

6. If any party seeks to introduce a transcript or transcripts at the trial, that party shall provide copies of the proposed transcript or transcripts to all other parties **within the discovery period set forth in the Standing Discovery Order**. If additional time is required to provide transcripts, the party must obtain an extension of time from the Court. If the parties cannot agree on a transcript, each party shall be prepared to produce its own version for the trier of fact.

7. All anticipated Jencks Act[1] material shall be turned over to defense counsel not later than the morning of the first day of trial. The material shall include a face sheet for defense counsel to sign and date, acknowledging receipt.

8. Upon receipt of this Order, defense counsel shall certify with the Court's courtroom deputy, patricia_mitchell@flsd.uscourts.gov the necessity of an interpreter for the defendant. The parties are further instructed to notify the Court, at least (2) business days prior to any hearings or trial, if an interpreter is required.

9. Arrangements for appropriate clothing for defendants in custody must be made with the Bureau of Prisons at least **seven (7) days** prior to the scheduled trial date.

10. Should any plea offer be made by the Government but not accepted by Defendant(s), the Government shall attach to any such offer a cover sheet with space for Defendant(s) and Defendant(s) attorney to certify that Defendant(s) has reviewed the plea offer. The cover sheet shall also include space for Defendant(s) and Defendant(s) attorney to certify the dates of signature. This document shall be signed by Defendant(s) and Defendant(s) attorneys before trial. **This document shall not be filed with the Court or otherwise provided to the Court but shall be maintained within the Government's case file. The parties shall not advise the Court whether any plea offer has been made or, if so, of the contents of any plea offer that might have been made**. *See United States v. Tobin*, 676 F.3d 1264 (11th Cir. 2012). Before trial begins or a change of plea is taken, the Court will specifically inquire as to whether the parties have complied with this paragraph of this Order. **The parties shall respond with either a yes or a no, without further elaboration**. If no plea offer has been made or if a plea offer has been made and the requirements of this paragraph have been satisfied, the answer shall be a yes.

11. If this matter will be resolved by way of change of plea, the parties shall email the courtroom deputy immediately upon reaching such determination to set the matter for a change of plea.

12. **The parties shall comply with Local Rule 88.5, requiring the filing of speedy trial reports every 20 days hereafter until the time of trial or plea.**

13. Local Rule 7.1(a)(2) requires that certain motions be accompanied by proposed orders; such proposed orders must be filed as attachments to the motions.

FURTHERMORE, PURSUANT TO THE CM/ECF ADMINISTRATIVE PROCEDURES, PROPOSED ORDERS SHALL BE SUBMITTED TO THE COURT BY E-MAIL IN WORD FORMAT AT smith@flsd.uscourts.gov.

DONE AND ORDERED in Fort Lauderdale, Florida this 25th day of June, 2021.

RODNEY SMITH
United States District Judge