IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

| | | |
|---|---|---|
| UNITED STATES OF AMERICA | ) | |
| | ) | |
| v. | ) | CR 121-011 |
| | ) | |
| ROBERT KENNETH WILLIAMS | ) | |

**O R D E R**

Before the Court is the pretrial motion filed by Defendant. Assuming the government has followed its customary liberal discovery policy in this case, many (if not all) of the routine discovery motions may have been satisfied without the need for Court intervention. The Court will conduct a hearing to consider any motions that the parties have not been able to resolve. Accordingly, the Court **DIRECTS** defense counsel and the government to file a joint status report by May 10, 2021, that states whether all pretrial motions have been satisfied or otherwise resolved. Should Defendant intend to proceed with the motion to suppress, he **MUST SUBMIT**, by May 10, 2021, a copy of the affidavit in support of his motion bearing his handwritten signature.[1]

Any unresolved motions requiring a ruling by the Court must be listed by title and docket number. For the convenience of the parties, the form for the joint status report can be

[1]Under Rule II(C) of the Court's Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means, an attorney, rather than a non-attorney such as Defendant, is permitted to use the "/s/" signature currently appearing on the supporting affidavit, (see doc. no. 23-1). Because defense counsel has no first-hand knowledge about Defendant's encounter with law enforcement, she is unable to create issues of fact that would necessitate an evidentiary hearing. The burden is on Defendant to allege facts that would, if proven true, entitle him to relief. United States v. Richardson, 764 F.2d 1514, 1527 (11th Cir. 1985). Therefore, Defendant must verify the information in the supporting affidavit with his signature.

found on the Court's website under Forms, Judge Epps Instructions and Forms, Criminal, Joint Status Report.

The Court will require attendance at a hearing on any motion listed as unresolved and may require supplemental briefing prior to such hearing. The parties should only list motions over which the parties disagree. Motions not listed will be deemed resolved or waived.

SO ORDERED this 29th day of April, 2021, at Augusta, Georgia.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA