UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v. CASE NO. 8:21-mj-1294-AAS

JULIO ENRIQUE LUGO

ORDER PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 5(F)

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and orders it to do so. 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.

Pursuant to Federal Rule of Criminal Procedure 5(f), counsel for the Government and counsel for the defendant are hereby notified of the prosecutor's obligation under Brady v. Maryland, supra, to produce to the defendant all potentially exculpatory evidence material either to the guilt or punishment of the defendant at a time sufficient for the defendant to make effective use of the exculpatory information. See, e.g., United States v.

Jordan, 316 F.3d 1215, 1251 (11th Cir. 2003), and U.S. v. Newton, 44 F.3d 913, 918 (11th Cir. 1995).

Possible consequences for violation of this Order include those set forth in Federal Rule of Criminal Procedure 16(d)(2), sanctions, and contempt of court.

It is so ORDERED.

DONE and ORDERED at Tampa, Florida, this 5th day of April, 2021.

Thomas G. Wilson

THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE