

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**DEFENDANT**

**CRIMINAL NO.**

**NOTICE OF CRIMINAL PRETRIAL CONFERENCE**

The above cases are set for a two-week criminal **TRIAL CALENDAR** to be heard beginning \_\_\_\_\_, **through** \_\_\_\_\_, before Chief Judge Halil S. Ozerden, presiding.

The Docket will be called on \_\_\_\_\_, **at 9:00 a.m., Courtroom 806, U.S. Courthouse, Gulfport, MS.** At that time, the Court will conduct a pre-trial conference pursuant to Rule 17.1 of the Federal Rules of Criminal Procedure. If the Defendant desires to change his/her plea to guilty, the Court shall be advised in writing no later than \_\_\_\_\_. All pleas after \_\_\_\_\_, shall be open, unless the Court, for good cause, grants an extension. If any extensions are granted, they **must be requested prior** to \_\_\_\_\_.

Proposed **JURY INSTRUCTIONS** are to be submitted to the Court via e-mail at ozerden\_chambers@mssd.uscourts.gov, in an accessible Word format, with a copy to opposing counsel, **six (6) days** prior to the date for which trial is set. These Instructions must be numbered, separated, bear the style and number of the case, and list authorities in support thereof at the bottom of each instruction.

**EXHIBIT LISTS** and **WITNESS LISTS** must be submitted to the Court at 2012 15<sup>th</sup> Street, Suite 814, Gulfport, MS 39501, with copies to opposing counsel, **six (6) days** prior to the date for which trial is set.

**EXHIBIT LIST** The exhibit list (see page 5) should be e-mailed to the courtroom deputy clerk (accessible Word format), at ozerden\_chambers@mssd.uscourts.gov, with a copy to opposing counsel. The exhibit list must reflect the style and number of the case, exhibit number and description. Leave Sponsor and ID or Evidence columns blank. See attached sample exhibit list.

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**FORMAT** Attorneys must have the exhibit list in the format of the one attached (Word format). This is an example of how it should look when e-mailed to the courtroom deputy clerk prior to trial.

**WITNESS LIST** The witness list (see page 6) should be e-mailed to the courtroom deputy clerk at ozerden\_chambers@mssd.uscourts.gov, (in an accessible Word format), with a copy to opposing counsel.

**MARKING EXHIBITS** Premark the front of the exhibits with a colored exhibit sticker **in the bottom center** of the exhibit. If doing so would cover important information on the exhibit, place the sticker in another location. This helps identify the exhibits quickly during trial.

**NUMBERING EXHIBITS** Label stickers G-1, G-2, etc. for Government and D-1, D-2, etc. for Defendant, or use additional distinguishing letters if there are multiple Defendants. For example, in a case of multiple defendants, Moran, Watkins, Bates and Baldwin who have separate exhibits, the distinguishing numbers would be D(1)-1, D(2)-1, D(3)-1, and D(4)-1, respectively. If they do NOT have separate exhibits, simply use G-1 and D-1.

Joint exhibits will be numbered J-1, J-2, etc., and a SEPARATE Joint Exhibit List must be provided to the courtroom deputy clerk, along with the standard copies.

If you have a composite exhibit, for example G-1a through G-1c, list each one on a separate line on your exhibit list, so that the courtroom deputy clerk can mark each as it is admitted as evidence or for identification. To list only G-1 for a composite (G-1a through G-1c) means that some of the exhibits are being left out. Remember that during trial, each exhibit must be accounted for. For the courtroom deputy clerk to have to write in G-1a, G-1b, etc. under your listing of G-1, is wasting valuable court time and risking accuracy.

The Court prefers that copies of exhibits submitted to the Court be placed in individual folders. If exhibits are not in a folder, staple or otherwise permanently affix each exhibit which has multiple pages. Whether in or out of a folder, number each page in the bottom right corner for ease in referencing the page during trial.

**ACCOUNTING FOR EXHIBITS** The courtroom deputy clerk must account for all numbers, whether used or not. If the Government's list shows G-1, G-2, G-3, but the Government decides not to use G-3 after all, the exhibit list must show G-3 as WITHDRAWN or NOT OFFERED. If, using the same example of numbers, the Government discovers the Defendant has the same document as G-

1 listed on his exhibit list as D-5, then the courtroom deputy clerk must put one or the other as admitted under the other number. An example of this is G-1 shows as admitted into evidence, but D-5 (same as G-1) would have the entry ADMITTED AS G-1. Please do not duplicate exhibits, and it will not be an issue.

**Please read this carefully and comply, so that valuable Court time will not be lost.**

If you have any questions, please call the Courtroom Deputy Clerk at (228) 679-1070.

**DEFENDANTS AND ALL COUNSEL OF RECORD WHO WILL PARTICIPATE IN THE TRIAL AND WHO HAVE FULL AUTHORITY TO SPEAK FOR THE PARTY AND ENTER INTO STIPULATIONS AND AGREEMENTS MUST ATTEND THE PRETRIAL CONFERENCE DESCRIBED HEREIN UNLESS THEY HAVE, FOR GOOD CAUSE, BEEN EXCUSED IN ADVANCE BY THE COURT.** If a Defendant has elected to enter a guilty plea and a plea date has been arranged with the Court prior to the pretrial conference date, that Defendant and counsel may be excused from attending the pretrial conference.

**ADVISORY FOR LIMITING PERSONAL INFORMATION IN TRANSCRIPTS:**

The judiciary's privacy policy restricts the publication of certain personal data in documents filed with the Court. **The policy requires limiting Social Security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. [For criminal cases, also limit home addresses to city and state.]**

However, if such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for trial lawyers to avoid introducing this information into the record in trial. Please take this restriction into account when questioning witnesses or making other statements in Court. If a restricted item is mentioned in court, the attorney may ask to have it stricken from the record or partially redacted to conform to the privacy policy, or the Court may elect to do so on its own motion.

**As part of the Fifth Circuit's Implementation of the Electronic Record on appeal, the Court will now scan and docket exhibits admitted into evidence at trial and during other evidentiary hearings in civil and**

**criminal cases in which a notice of appeal has been filed. The said exhibits will be available to the public and it is the responsibility of the parties to redact according to the E-Government Act of 2002 when presenting exhibits.**

Date:

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DEFENDANT(S)

GOVERNMENT/DEFENDANT EXHIBIT LIST

Exhibit No.	DESCRIPTION	SPONSOR	I.D. Date	Evidence Date
G-1	Briefly describe each exhibit	Leave Sponsor, Identification and Evidence Columns blank, to be completed by court when exhibits entered		
G-2				

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**WITNESS LIST**

**WITNESSES FOR THE GOVERNMENT/DEFENDANT:**

<b><u>Name</u></b>	<b><u>Date Testified</u></b>
1.	(Leave Blank)
2.	
3.	