

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE NO. 5:23-CR-5 (TES)
	:	
HEATHER BRELAND	:	
ET AL.	:	
	:	
	:	
	:	

SCHEDULING ORDER

This matter is before the Court pursuant to the government's motion to (1) declare the case complex, (2) extend deadlines in the Standard Pretrial Order, and (3) specially set the trial. Doc. 108. The motion is **GRANTED**.

The pending indictment names nine (9) defendants in thirteen (13) counts. This case involves an investigation that began in October of 2021 and included controlled purchases of methamphetamine, wiretap interceptions from three (3) phone lines, and a number of search warrants of premises and electronic devices.

The charges in this case include conspiracy to possess with intent to distribute controlled substances, distribution of methamphetamine, possession with intent to distribute methamphetamine, possession of a firearm in furtherance of a drug trafficking crime, possession of a firearm by a convicted felon, and possession with intent to distribute controlled substances. Of the nine (9) defendants, eight (8) have made their initial appearances. The Government is in the process of moving defendant Kenneth Mattox from state custody into federal custody for his initial appearance.

The discovery in this case is voluminous. The materials amount to over 834 gigabytes of information including documents, photographs, audio and video recordings, and intercepted calls and text messages from three separate phone lines. The Government will also be seeking a Protective Order on the discovery materials that it wishes to have in place prior to providing discovery. Thus, given the volume and protection issues in this case, there will be a needed delay to provide discovery materials beyond that typically outlined in the Standard Pretrial Order. Docs. 54, 92.

Thus, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), due to the number of Defendants and the nature of the prosecution, the Court finds the case is complex. Further, pursuant to § 3161(h)(7)(A), the Court finds the trial should be continued and specially set by the Court. For the reasons stated, this continuance outweighs the best interests of the public and the Defendants to a speedy trial. Accordingly, the motion (Doc. 108) is **GRANTED**.

The case is specially set for trial beginning on November 13, 2023. The corresponding delay shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

The Court amends and supplements the Standard Pretrial Order as follows:

3/31/2023	If the defendant elects not to provide discovery to the government under any provision of the Standard Pretrial Order or rule, the defendant shall notify the government within five days of the entry of this order and in any event prior to disclosure by the government of its discovery materials.
4/28/2023	The Government shall discharge its discovery obligations as set forth in paragraphs 1, 4-10 of the Standard Pretrial Order.
5/26/2023	Defense discovery, as outlined in paragraph 2 of the Standard Pretrial Order, due. Notice of alibi or other affirmative defenses due per Federal Rule of Criminal Procedure 12.1, 12.2, and 12.3.

6/16/2023	Motions, other than motions in limine, due.
7/7/2023	Motion responses due.
7/21/2023	Motion replies due; Government's expert notices due.
8/4/2023	Rule 404(b) notices due. Deadline to provide notice of intent to use evidence under Federal Rule of Evidence 902.
8/25/2023	Defense expert notices due. Motions hearing and/or status conference.
9/22/2023	Motions in limine due.
10/13/2023	Proposed voir dire questions due. Counsel are reminded that copies of juror questionnaires are available in the Clerk's Office. It is the responsibility of each attorney to review these questionnaires prior to trial. Voir dire questions may not repeat material contained in the questionnaires; Requests to Charge due; Proposed verdict form due; Motion in limine responses due; Voir dire objections due.
10/27/2023	Final pretrial conference and motions hearing on all pending motions.
11/10/2023	Counsel shall email a proposed exhibit list and a proposed witness list to the courtroom deputy with a copy to opposing counsel at Cheryl_Collins@gamd.uscourts.gov no later than NOON; Electronic evidence files should be provided to the courtroom deputy no later than NOON. Please review the Court website page regarding courtroom technology http://www.gamd.uscourts.gov/technology , specifically the instructions concerning the Jury Evidence Recording System (JERS). All <i>Jencks</i> material including the grand jury testimony of witnesses who will be testifying at trial due. Failure to disclose being excused for good cause during trial.
11/13/2023	Trial commences.

Except as modified in this Order, the standard pre-trial order remains in effect.

IT IS SO ORDERED, this 19 day of February, 2023.

A handwritten signature in black ink, appearing to read 'Tilman E. Self, III', written over a horizontal line.

TILMAN E. SELF, III
UNITED STATES DISTRICT JUDGE