

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

Clerk's Minutes

Before the Honorable Judith C. Herrera

CASE NO. 06-538 JH

DATE: August 7, 2008

TITLE: USA v. Quaintance, et al.

COURTROOM CLERK: I. Duran

COURT REPORTER: P. Baca

PROBATION/PRETRIAL SERVICES OFFICER: None

COURT IN SESSION: 1:30 P.M.

COURT IN RECESS: 1:54 P.M.

TOTAL COURT TIME: 24 MINUTES

TYPE OF PROCEEDING: Call of Calendar held

COURT'S RULINGS/DISPOSITION: Trial to commence on 8/18/08

ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY:

DEADLINE FOR SUBMISSION OF ORDER TO COURT:

ATTORNEYS PRESENT FOR PLAINTIFF(S):

ATTORNEYS PRESENT FOR DEFENDANT(S):

James Braun

Jerry Herrera for Danuel D. Quaintance

Luis Martinez by phone
Amanda Gould by phone

John Robbenhaar for Mary Quaintance

PROCEEDINGS:

1:32 PM Court in Session. Court calls case.

1:32 PM Counsel enter their appearances. Defts presence are waived.. Mr. Braun excused.

1:32 PM Ct. confers w/counsel. Parties ready to proceed to trial.

1:32 PM Ct. makes inquiry as how many days will be needed for trial.

1:34 PM Govt. states 3 ½ days

1:34 PM Defense concurs.

1:34 PM Ct. begins trial at @ 9:00 a.m on 8/18/08. Ct. makes inquiry re: witness & exhibit list.

1:34 PM Both Defense address Ct. & state that they have not filed an exhibit/witness list as of yet.

1:36 PM Defense Robbenhaar addresses Ct. & makes inquiry if a reply to the deft's motion is acceptable
Defense refers to its motion in limine.

1:37 PM Govt. will file a response to Deft Mary Quaintance's motion in limine

1:37 PM Ct. confers w/counsel re: voir dire & the process of trial.

1:42 PM Defense makes inquiry re: objections during trial.

1:42 PM Ct. responds.

1:45 PM Defense Robbenhaar addresses Ct. & stated that he will file remaining matters by this Monday, 8/11/08.

1:46 PM Ct. advises parties that they should notify this Ct. by Friday, 8/15/08 of any settlement.

1:47 PM Defense counsel Herrera makes inquiry re: def't's gas receipt.

1:48 PM Govt. Martinez responds.

1:49 PM Ct. makes further inquiry of the Govt. re: gas receipt.

1:49 PM Govt. Martinez responds that gas receipt has been archived. Govt. Martinez refers. re: Docs. 45 & 46 in this case as it relates to Mary Quaintance.

1:50 PM Ct. makes inquiry re: timing of def't's reply to its motion in limine

1:53 PM Defense Robbenhaar states that reply will be filed within 48 hours from filing of response.

1:53 PM Defense Herrera addresses Ct.

1:54 PM Ct. makes inquiry if there are any questions from counsel.

1:54 PM Parties have no further questions.

1:54 PM Ct. in recess.