

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES OF AMERICA :
 :
 v. : **Case Nos.**
 :
 [DEFENDANT NAME] :

ORDER IN PREPARATION FOR TRIAL READINESS HEARING

Due to the COVID-19 pandemic and the Mayoral declaration of a public health emergency, as well as the D.C. Superior Court Chief Judge’s declaration of a judicial emergency, all statutory time limits applicable in criminal matters have been suspended, tolled and extended pending further order of the Court, including the 100-day trial clock in detained matters pursuant to D.C. Code § 23-1322(h).

While the tolling order remains in effect, upon consideration of the fact that the defendant is currently detained at the D.C. Jail in a pending felony case or cases previously set for trial but continued due to the health pandemic and emergency declarations, the Court has determined to set this case for a trial readiness hearing on [date], at [time] in remote Courtroom 321 to set a date for a jury trial at least sixty days from the date of the hearing. The defendant’s presence will be waived for purposes of this trial readiness hearing, without prejudice to the right to request a further hearing at which the defendant is present prior to the scheduled trial date.

The following motions schedule was set during the scheduling hearing, in consultation with counsel:

Motions (Suppression/Drew/Winfield/In Limine) Due on [6 weeks prior to TRH]
Expert Notice Due on [4 weeks prior to TRH]
Responses (including any Opposition to Expert Notice) Due on [3 weeks prior to TRH]

Government and defense counsel are requested to confer with one another and be prepared to address the following at the trial readiness hearing:

- 1) Potential resolution of the case(s) prior to trial;
- 2) Whether motion to suppress will be dispositive, and if so three mutually available hearing dates for the motions hearing at least 10 days from the trial readiness hearing;
- 3) Estimated length of trial following jury selection;
- 4) Number of anticipated witnesses, to include number of civilian, law enforcement and/or expert witnesses, whether any witnesses will be traveling from outside the Washington metropolitan area, whether any witness has indicated an inability to testify in person and the basis for such assertion;
- 5) Whether pending motions require an evidentiary or motions hearing prior to jury selection;

- 6) Whether additional motions will be filed;
- 7) Whether an IPA Inquiry has been conducted and/or whether the defendant will be exercising the right to conduct independent forensic testing of any evidence and the time needed for completion of such testing;
- 8) Three mutually available trial dates at least 60 days from the date of the trial readiness hearing with parties available for jury selection (Monday through Thursday) two days prior to the trial date; (i.e. Trial date Monday March 29, parties available for jury selection on Wednesday March 24 and Thursday March 25);
- 9) A date for the exchange of witness lists and exhibits, including any demonstrative exhibits or powerpoint presentations to be utilized during opening statements;
- 10) A date for the disclosure of PPMS material;
- 11) Any other issues that may impact trial readiness.

SO ORDERED, this xx date of xx, 20xx.



Juliet J. McKenna
Presiding Judge, Criminal Division



Danya A. Dayson
Deputy Presiding Judge, Criminal Division

Copies to:

Assigned AUSA, [Name]

Defense Counsel, [Name]