

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CRIMINAL CASE NO. 3:07CR192-B-A

RICHARD F. "DICKIE" SCRUGGS,
DAVID ZACHARY SCRUGGS,
SIDNEY A. BACKSTROM, AND
STEVEN A. PATTERSON

ORDER SETTING HEARING

Came on to be considered this day the defendants' request for a hearing on their motion to compel discovery. Upon due consideration, the court finds as follows:

On December 28, 2007, the above named defendants filed a motion to compel discovery and asked the court to grant a hearing thereon. The government filed its response to the motion on January 8, 2008. The court will hear arguments in support of and in response to the motion on Wednesday, January 16, 2008, at 10:00 a.m.

The court notes that in the motion and response thereto, not only are issues raised about whether some requested material is discoverable under the statutes and case law, but also whether some of the items requested have been furnished to the defendants. Counsel are advised that in the interest of judicial and attorney economy, counsel should carefully review Federal Rule of Criminal Procedure 16 and Title 18 U.S.C. § 3500, which address the bulk of the issues raised by the parties in the motion and response, and separate those materials which are clearly not discoverable from those that are.

Also, the government claims it has already furnished to the defendants some of the items requested by them prior to the date of the request. This issue should be resolved prior to the January 16 hearing through a conference between the government and defendants. The court

does not wish to expend judicial resources on matters which could be so easily resolved by the parties outside of open court.

The parties are hereby **ORDERED** to appear in **Courtroom 3 West of the United States Courthouse in Oxford, Mississippi, on Wednesday, January 16, 2008, at 10:00 a.m.**

SO ORDERED AND ADJUDGED this, the 10th day of January, 2008.

/s/ Neal Biggers
NEAL B. BIGGERS, JR.
SENIOR U.S. DISTRICT JUDGE