

**Circuit Court of the Sixth Judicial District
Campbell County, Wyoming
500 S Gillette Ave Ste 2200
Gillette, Wyoming 82716**

State of Wyoming

Plaintiff,

Case No. CR-2000-0070130

vs.

Defendant,

ORDER FOR PRE-TRIAL CONFERENCE

This matter having been set for trial to a jury and a pre-trial conference having been scheduled:

IT IS HEREBY ORDERED, that at the pre-trial conference all motions timely filed and neither previously heard nor scheduled to be heard will be heard by the court.

IT IS FURTHER ORDERED that prior to the pre-trial conference each party shall prepare, file with the court, and serve upon the other party as provided below a pre-trial memorandum containing the following information:

1. Proposed jury instructions.

a. Prepare instructions on 8-1/2" x 14" legal paper each identified as State's or Defendant's Proposed Instruction as appropriate, numbered and lettered sequentially, (numbers for the state and letters for the defendant), and providing citation to legal authority. The state will also provide a clean, unmarked version of its proposed instructions, including stock instructions No. 1 and No. 2. The defendant need not provide a second, unmarked version of instructions.

b. Except for unforeseen issues arising at or prior to trial, the court will not later consider giving instructions not prepared and filed pursuant to this order. Such instructions will be considered waived.

2. Witness List:

a. Each party shall list the name, address, and telephone number, if known, of each proposed witness, together with a brief synopsis of anticipated testimony. The address and telephone number of law enforcement witnesses need not be provided.

b. Except for the defendant and witnesses not known and not reasonably discoverable by the exercise of due diligence by the time the pre-trial memorandum is due, no proposed witness will be allowed to testify unless listed on the proponent's pre-trial memorandum **and the pre-trial memorandum is timely served.**

c. Upon motion filed and served upon opposing counsel **prior to the pre-trial conference** the Court may grant relief from this provision for good cause shown or upon a showing of excusable neglect.

d. In the event of a later discovered witness counsel shall provide without delay the information required to the court and opposing counsel. Failure to do so may result in exclusion of the witness from trial.

3. **Exhibit List** - Including copies of all documents not previously given to the opposing party.

4. **Estimated Length of Trial**

5. **Stipulations, if any.**

IT IS FURTHER ORDERED that each party shall file with the court and serve their pre-trial memorandum upon the other as follows:

1. The State shall file and serve its pre-trial memorandum upon the defense at least eleven (11) days prior to the pretrial conference.

2. The defense shall file and serve its pre-trial memorandum not later than five (5) days following service of the State's memorandum.

IT IS FURTHER ORDERED that the jury hearing this matter will be summoned at 5:00 P.M. on the Friday preceding the date of the trial. Any change of plea offered by a defendant after the jury is summoned may result in assessment against the defendant for costs for any jurors who could not be notified of the change of plea before appearing on the day of trial.

DATED this _____ day of July, 2010.

BY THE COURT:

Circuit Court Judge

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a. Each party shall list the name, address, and telephone number, if known, of each proposed witness, together with a brief synopsis of anticipated testimony. The address and telephone number of law enforcement witnesses need not be provided.

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discoverable by the exercise of due diligence by the time the pre-trial memorandum is due, no proposed witness will be allowed to testify unless listed on the proponent's pre-trial memorandum **and the pre-trial memorandum is timely served.**

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