

IN THE CIRCUIT COURT, FREMONT COUNTY - RIVERTON
NINTH JUDICIAL DISTRICT, STATE OF WYOMING

THE STATE OF WYOMING,)	Docket No CR-2023-0000
Plaintiff,)	
)	
vs.)	
)	
JANE / JOHN DOE,)	
Defendant.)	

ORDER SETTING PRETRIAL CONFERENCE

THIS MATTER, came before the Court for a scheduling conference on *, and the parties informed the Court the case will proceed to jury trial.

THEREFORE, IT IS HEREBY ORDERED:

A pretrial conference will be held in the Riverton Circuit Court at the Fremont County Justice Center in Riverton, Wyoming on *** at.** The Defendant shall appear in person in the Courtroom, unless excused by prior order of the Court. The parties shall be prepared to discuss jury selection, pretrial memoranda, witness and exhibit lists, pending and reasonably foreseeable motions and evidentiary issues, and all other issues that will promote a fair and expeditious trial.

The parties each shall file, **no later than five (5) business days before the conference**, a pretrial memorandum addressing the following items:

1. **Jury Instructions and Verdict form**

The parties shall list and attach (one clean copy and one copy with authority) any instructions requested that are in addition to the pattern instructions listed below, and a proposed verdict form. The parties shall email the Chief Clerk of Court a copy of their proposed instructions in Microsoft Word format at the time of filing their pretrial memoranda. The parties do not need to provide the pattern instructions listed below.

1. GENERAL INSTRUCTION BEFORE OPENING STATEMENTS (1.01)
2. QUESTIONS BY JURORS NOT PERMITTED (1.11)
3. JURY INSTRUCTIONS FOR JURORS (1.12)
4. NOTETAKING BY JURORS (1.10)
5. JUROR NOTEBOOKS (1.13)
6. ELECTRONIC TECH. TO CONDUCT RESEARCH...PROHIBITED (1.14)
7. CAUTIONARY INSTRUCTION: RECESSES – SHORT FORM (1.09B)
8. PRESUMPTION OF INNOCENCE AND REASONABLE DOUBT (1.03)
9. DEFENDANT NEED NOT PRESENT EVIDENCE (1.05)
10. RIGHT OF DEFENDANT NOT TO TESTIFY (On Def. request only) (1.04)
10. INSTRUCTION WHEN DEFENDANT TESTIFIES (1.04A)
11. GENERAL INSTRUCTION BEFORE JURY DELIBERATION (1.02)
12. OPINION TESTIMONY BY LAY WITNESS (if lay opinion offered) (6.09)
13. EXPERT TESTIMONY (6.08A) 9if expert testimony presented)
14. DIRECT AND CIRCUMSTANTIAL EVIDENCE (6.01)
15. JURY NOT TO CONSIDER PUNISHMENT (1.07)
16. SELECTION OF PRESIDING JUROR; RETURN OF VERDICT (2.01)
17. DEADLOCKED JURY (3.01 – as modified) (if necessary)
18. RESPONSE TO INQUIRY FROM DELIBERATING JURY (3.02)(if necessary)
19. COURT UNABLE TO RESPOND TO INQUIRY ... (3.03)(if necessary)

2. **Witness List**

The parties shall include a list of witnesses, along with a brief summary of the witnesses' expected testimony. The list shall distinguish will-call from may-call witnesses. Expert witnesses shall be so designated.

3. **Expert Witness Designation**

Expert Testimony shall be governed by Rule 9 of the Rules of Civil Procedure for Circuit Courts, as follows:

[A] party seeking to introduce expert testimony shall, for each expert furnish a report signed by the expert and with each paragraph initialed by the expert, setting forth the opinions to be offered, and the reasons for them. The substance of each expert's direct testimony shall be fully addressed in the expert's report. Each expert witness report shall, at a minimum, contain:

- a. a specific statement of the opinions by the expert and the facts and other information which form the basis for each opinion;

- b. a listing of all the material relied upon by the expert;
- c. references to literature which may be used during the witness testimony;
- d. any then-existing exhibit prepared by, or specifically for, the expert for use at trial and;
- e. witness' curriculum vitae including a list of publications over the last 10 years;

There shall be no depositions or other discovery of experts, except as provided by court order upon a showing of good cause.

4. **Exhibit List**

The parties shall include or attach a list of exhibits with a brief description of each exhibit and the exhibit number (State) or letter (Defendant). Copies of each labeled exhibit shall be provided to the opposing party at or before the conference.

5. **Motions in-limine**

The parties shall include or attach any motion *in-limine*, along with any legal authority in support thereof.

6. **Evidentiary issues**

The parties shall consult and determine what, if any, facts can be stipulated to prior to the pretrial conference. Stipulations of fact shall be in writing, signed by both parties and submitted with pretrial memoranda.

Notice of intent to introduce evidence of other crimes or acts pursuant to W.R.Cr.P 404(b) shall be included in the pretrial memorandum.

DATED this _____ day of _____, 2023.

BY THE COURT:

Daniel M. Stebner
CIRCUIT COURT JUDGE