

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

Jeffrey R. MacDonald

No. 75-26-CR-3

pg 19

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|--------------------|---|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 10/23/79 | (Document No.) Received letter regarding deft. taking pictures of Govern's charts entered into evidence - not to be taken on 10/25/79 in A.M. cy. to Mr. Blackburn & Mr. Murtagh. | | | | |
| 11/13/79 | TRANSCRIPT OF ARGUMENT ON MOTIONS BEFORE JUDGE DUPREE AND A JURY on 7/31/79 pages 3246(1) thru 3246(112) - Trial Day Nine. Mailed to 4th Cir. Court of Appeals as Volume XIII on 11/13/79. | | | | |
| 11/19/79 <i>23</i> | CERTIFIED COPY OF ORDER FROM 4th CIRCUIT on BOND HEARING - ordered deft's motion for release pending review be and is hereby DENIED. further ORDERED that hearing of the appeal be expedited. lc: counsel of record by 4th Cir. cover ltr. | | | | |
| 11/19/79 | TRANSCRIPT - Pre-Trial Conference before Judge Dupree at Raleigh, N.C. 7/14/79 - pgs. 200 thru 397 - Ervin Bush, Court Reporter. (mailed to 4th Cir. under Volume No. XIV on 11/19/79). | | | | |
| 2/1/80 | TRANSCRIPT - Trial before The Honorable Franklin T. Dupree, Jr., U. S. Chief Judge and jury at Raleigh on Wednesday, August 29, 1979 (Reporter's note: This vol contains only the charge of the Court on date listed above) (mailed to 4th Cir. under Volume No. XV on 2/1/80) | | | | |
| 2/12/80 | <i>cy cert - transcript - Blackburn & Smith 2-1</i> TRANSCRIPT OF HEARING BEFORE JUDGE DUPREE on 7/14/79 at Raleigh/- and THREE PARTIAL TRANSCRIPTS - charge of Court on 8/29/79 - 9 pgs; voir dire of juror John R. Huber - 26 pgs.; voir dire of Jerry M. Jackson - 13 pages (Ervin Bush Court Reporter) mailed to Fourth Circuit u/Vol. No. XVI (4th Cir. # 79-5253 | | | | |
| 7/30/80 <i>232</i> | PUBLISHED OPINION OF THE FOURTH CIRCUIT COURT OF APPEALS - remand the case to the district court with directions to set aside its judgment, vacate the sentences, and dismiss the indictment. lc: Judge Dupree. | | | | |
| 8/21/80 <i>233</i> | CERTIFIED COPY OF ORDER FROM THE FOURTH CIRCUIT COURT OF APPEALS - govern's motion for enlargement of time to file petition for rehearing is granted - enlargement operates to stay the mandate of this Court until at least 7 days after action on the petition. IT IS ORDERED that MacDonald's petition for release pending the issuance of this court's mandate is hereby granted subject to the following: (1) Bond in amt. of \$100,000 be posted to be surecured by cash or by real property or real properties as to which Dept. of Justice determines it or they has or have an agregate value of not less than \$100,000; (2) MacDonald surrender any outstanding passport to U.S.; (3) MacDonald restrict travel to the State of California; (4) MacDonald report in person on a weekly basis or more often by telephone if desired by Dept. of Justice purs. to arrangements finalized at time of realse between MacDonald and Dept. of Justice involving appropriate agency of state or federal govern. in California to receive reports; MacDonald obey all laws to which he shall become subject. lc: Judge Dupree - cys. to counsel by 4th Circuit. (ent. 8/21/80) | | | | |

U. S. vs

75 26 CR-3

Yr. Docket No. Def.

pg. 20

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 8/22/80 | <p><i>234</i> ORDER - Bureau of Prisons id directed to deliver deft. to U.S. Marshal CDCalif. who is directed to carry deft. before a Magistrate or Judge of the Central District of California for the puse of executing both an appearance bond and order specifying methods and conditions of release - upon appropriate execution of these documents by deft. and his surety (Dr. Shea) Marshal directed to retain custody of deft. until such time as his release is ordered by undersigned. (Dupree, J) Cr. OB# , P. . cys. distr. - cy. teletyped to California. (ent. 8/23/80).</p> <p><i>235</i> COPY OF BAIL REFORM ACT AND APPEARANCE BOND COMPLETED EXCEPT FOR SIGNATURES TELETYPED TO CALIFORNIA by U.S. Marshals Office.</p> <p><i>236</i> Copy of Bail Reform Act and Appearance Bond w/signatures of deft. and Dr. Shea teletyped back from California. Judge Dupree signed same releasing same.</p> <p><i>237</i> Filed - cy. of Bail Reform Act and Appearance Bond w/copy of signatures of deft. and Dr. Shea and original signature of Judge Dupree.</p> <p><i>238</i> Filed - telegrams from Dr. Shea and Attorney William J. Curry,</p> <p><i>239</i> Filed - Letter from Wade Smith, ATtorney at Law to James Blackburn U.S. Atty - concerning passport. (Advised if there is a passport - it should be returned to custody of U.S. by Monday night (8/25/80).</p> <p><i>240</i> Filed ORDER ON BAIL - Deft. is admitted to bail on following terms - \$100,000.00 cash or providing proof satisfactory that a deed of trust is recorded in Orange County California encumbering real property valued in an amt. of at least \$100,000.00 over and above emcumbrances and obligations; sign such forms and documents as may be necessary to complete bail arrangement before a Judge or Magistrate of CDCalif. ; certificates from Dr. Shea and William Curry Atty. at law in form telegrams be placed in Clerk's Office EDNC; any passport of deft. be forwarded to U.S. Atty. for EDNC or certification that no such passport exists be forwarded in lieu thereof; and cy. of this order be transmitted to U.S. Dept. of Immigration and Naturalization to end that no passport be issued to the defendant until conditions of this bail order have been satisfied or proceedings in this case be terminated; and deft. restrict his travel to State of California; deft. report to Fed. P.O. on Monday and each Monday and telephone on each Wednesday and Friday after he is admitted to bail; obey all laws to which he shall become subject. Cause retained for such other and further orders as may be necessary from time to time to assure performance of all terms and conditions of bail. (Dupree, J) Cr. OB# , P. . cys. to Mr. Smith & U.S. Atty. cy. Immigration Office, Washington, D.C. (Ent. 8/23/80)</p> | | | | |

pg 21

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 8/22/80 <i>241</i> | (Document No.) Cy. of Judge's signature on Bail Reform Act teletyped to California - would not print - Deputy Clerk Shirley Rodgers attested to his signature as signed on the bond and same teletyped to California and accepted. | | | | |
| <i>242</i> | Bond papers with original signature of deft. and Dr. Shea to be mailed to us from California. Deft. released on 8/22/80. | | | | |
| 8/25/80 | Bond papers rec'd from California | | | | |
| 9/15/80 <i>243</i> | ORDER - ordered that deft. may leave the State of California between 9/14/80 and 9/20/80 to go to Law Vegas, Nevada for the purpose of attending the Annual Meeting of the American College of Emergency Physicians. This Order does not authorize deft. to go to any other places or destinations outside the State of California. He is to continue to report to his P. O. by telephone on his regularly arranged days by the Court. (Dupree, J) Cr. OB#1, P. 92. cys. to U.S. Atty., Mr. Smith, Mr. Segal & U.S. Prob. Office. (ent. 9/15/80). | | | | |
| 12/1/80 <i>244</i> | ORDER - deft. may leave the State of Calif. on 12/13/80 and proceed to Baltimore, Md., and is to return to Calif. by 12/18/80. (Dupree, J) Cr. OB#1, P. 142. cys. distr. by Judge's office. (ent. 12/1/80). | | | | |
| 12-22-80 <i>245</i> | PUBLISHED OPINION OF THE FOURTH CIRCUIT COURT OF APPEALS - petition for rehearing is DENIED. lc: Judge Dupree. | | | | |
| 1/21/81 <i>246</i> | PUBLISHED OPINION OF THE FOURTH CIRCUIT COURT OF APPEALS - petition for rehearing is DENIED. lc: Judge Dupree. | | | | |
| 1/21/81 <i>247</i> | CERTIFIED COPY OF JUDGMENT FROM 4th CIRCUIT COURT OF APPEALS - <u>reversed</u> Case remanded to U. S. District Court for EDNC, at Raleigh, N.C. with direction set aside its judgment, vacate the sentences, & dismiss the indictment, consistent w/opinion of 4th Cir. cc: Judge Dupree (8/18/80 - Petition for rehearing filed) (12/18/80 - Opinion denying petition for rehearing filed) | | | | |
| 1/21/81 <i>248</i> | ORDER - ordered petition for rehearing denied. A majority of the judges of 4th Circuit who are in regular active service has not voted in favor of rehearing en banc, & the request is therefore denied lc: Judge Dupree | | | | |
| <i>6/25/81</i> | <i>Returned Record on Appeal to Julian Lane - 4th Cir. Court of Appeals - 3 copies.</i> | | | | |
| 8/17/81 | Mailed to the Supreme Court - original of the following Govern. Exhibits- Nos. 21,22,23,25,26,28,30,31,32,33,35,38,39, 46, 47,48,50,51,52,53,60,61,63,64,65,70,72,73,74,75,76 & 82, 144, 145,152,153,154,155,156,160,604,610,786,427 (photographs) & 787A (chart) - and certified copies of the following exhibits 652, 980,983,984,825,617A,982,985,437,981,967,978 & 1, (charts) & 1141 (notebook) & 1135 (Transcript -Vol. I-interview of deft. on 4/6/70). lc: cover letter to Mr. Blackburn, Mr. Murtagh, Mr. Segal & Mr. Smith on 8/17/81. (sent certified -No. 156383) (These were mailed per request of Dept. of Justice rec'd on 8/13/81). | | | | |
| 8/26/81 | Receipt Acknowledgment received from Supreme Court. Mailed to Kim Schmidgall - Clerk's Office, 312 N. Spring St. Los Angeles, Calif. 90012, original of deed of William and Carolyn Hurst filed in our office 3/31/75 and cy. of docket entries & advised we had original of Deed of Trust for Barbara Callagher. | | | | |

pg. 22

Yr. | Docket No. | Def

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELA | | | |
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| | | (a) | (b) | (c) | (d) |
| 9/3/81 | Per request of Kim Schmidgall-Director- Clerk's Office Central District of California - original of Short Deed of Trust of Barbara Gallagher, 4255 Avenida Sevilla, Cypress, California - returned to Mr. Schmidgall (trustee was Clerk, U.S. Disrt. Court - Central District of California). | | | | |
| 3-31-82 <i>249</i> | MOTION BY THE UNITED STATES OF AMERICA FOR REVOCATION OF BAIL PENDING ISSUANCE OF THE MANDATE BY THE UNITED STATES SUPREME COURT w/cs. lc: Judge Dupree (lc: Segal, Smith Malloy). | | | | |
| 3-31-82 <i>250</i> | ORDER - Order of Court admitting deft. to bail is rescinded and the deft's bond is revoked; Deft. is remanded to the custody of the Attorney General of the United States or his authorized representative pursuant to the Judgment and Commitment Order, No. 75-26-CR-3, entered 8/29/79 pending subsequent developments in this litigation. (Dupree, J) Cr. OB#2, P. 99. cys. to U.S. Atty. cys. to Mr. Segal, Mr. Malloy & Mr. Smith by the U.S. Attorney's office. (ent. 3/31/82). | | | | |
| 4/1/82 | RECEIVED - copy of letter from Mr. Scalf to Mr. Allen R. McLean, Sup. Prob. Officer, Long Beach, Ca. Re: Bond Revocation Order of 3/31/82. | | | | |
| 4/7/82 <i>251</i> | MARSHALS RETURN on Warrant of arrest of deft. executed 3/31/82 by F.B.I. - in California | | | | |
| 4/9/82 | RECEIVED copy of Arrest Warrant w/ return - warrant executed by FBI-Los Angeles, on 3/31/82. | | | | |
| 5-24-82 | RECEIVED - Letter from Supreme Court of United States - advising the following exhibits have been forwarded from the Supreme Court to the 4th Circuit at Richmond. 1. Notebook No. 1 - origl. photographs marked as Govern. Exhibits Nos. 21,22,23,25,26,28,30, 31, 32,33,35,38,39,46,47,48,50,51,52,53,60,61,63, 64,65,70,72,73,74,75,76 & 82 2. Notebook #2 - Orig. Photographs - marked As Govern. Exhibits Nos. 144,145,152,153,154,155,156,160 604,610,786,427. 3. Govern. Exhibit No. 787A-Chart - orig. exhibit 4. Cert. copies of the following exhibits (charts-reduced in size) located in beige folder - Govern. exhibit nos. 652, 980,983,984,825,617A, 982,985,437,981,967,978, & 1 5. Also enclosed separately are Govern. Exhibit Nos. 1141 (notebook) and 1135 (Vol.I of Transcript of Interview of Cpt. MacDonald on 4/6/70). | | | | |
| 5-27-82 | The Following exhibits forwarded to the Fourth Circuit Court of Appeals (in blue folder) - Photographs 59, 62, 608, 952, 764, 1137, 1138, 1139 & Newspaper article 1153. These were forwarded in reply to letter from Dept. of Justice Dated 5/18/82. | | | | |
| 6-3-82 <i>252</i> | MOTION FOR TEMPORARY CUSTODY OF COURT EXHIBITS w/proposed Order. - requesting exhibits (stated in order) be turned over to U.S. Atty for transportation to 4th Circuit. w/cs. Lc: w/proposed Order to Judge Dupree. | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

pg 23

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 6-07-82 | 253 ORDER - The Clerk is hereby directed to release the following exhibits to the custody of the U.S. Atty., or his representative for transportation to the Court of Appeals: Ex. G-764B, G-789A, G790A, G791A, G792A, G793A, G794A, G795A, G796A, G608A, G610A and G1140. The U.S. Atty. or his representative is authorized after given local counsel notice of the date and time he will accept custody of these exhibits, to transport them to the Court of Appeals and return same to the custody of the Clerk unless otherwise directed by the Court of Appeals. Judge Dupree, CR OB # 2, p 125, lc U.S. Atty, lc Mr. Smith, lc Mr. Segal, lc Mr. Murtagh, lc 4th Circuit. (ent. 6-7-82). | | | | |
| 6-8-82 | Orig. of exhibits listed in Order of 6/7/82 given to James Blackburn - receipt on copy of order of 6/7/82. | | | | |
| 8-18-82 | 254 PUBLISHED OPINION FROM FOURTH CIRCUIT COURT OF APPEALS - the judgment of conviction is affirmed. lc: Judge Dupree. | | | | |
| 9-13-82 | 255 JUDGMENT & PUBLISHED OPINION FROM THE FOURTH CIRCUIT COA: the judgment of conviction is affirmed. lc: J. Dupree. | | | | |
| 2-9-83 | 256 COPY OF ORDER FROM SUPREME COURT OF U.S. - ordered that petition for writ of certiorari is hereby denied. lc: U.S. Marshal. | | | | |
| ? | Record on appeal w/transcripts returned - Record on appeal in file drawer & transcripts of trial across hall in exhibit room | | | | ag 2-14-83 |
| 4-20-83 | Letter to Hon. Edward M. Kritzmsn, Clerk, Central District of California, Los Angeles, California - returning the two deed of trust - one executed 3/7/83 and one executed 3/23/79 by Stephen R. Shea w/Clerk, Central District of California as trustee. - original deeds attached to letter to Mr. Kritzman- sent certified mail #P 452 720 236 -return receipt requested. | | | | W |
| 5-2-83 | 257 ORDER - ordered pursuant to local rule 9 liability incurred by the deft. for his release is hereby cancelled. (Leonard, Clerk) Cr. OB#2, P. 307. cys. to Attys. Smith and Segal lc: Clerk, U.S.Distr. Court, Central District of California w/copy of Order filed 3/31/83. (Deed forwarded to Clerk on 4/20/83 - see letter above). | | | | sr |
| 5-6-83 | 258 MOTION TO REDUCE SENTENCE PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 35 w/cs. lc: Judge Dupree. | | | | sr |
| 5-25-83 | 259 GOVERNMENT'S RESPONSE TO MOTION FOR REDUCTION OF SENTENCE w/CS to Wade Smith. lc: Judge Dupree. | | | | kr |
| 6-1-83 | 260 ORDER - the court, having been made aware informally of the deft's intention to file other post-conviction motions looking to the voidance of the conviction, deems it inappropriate at this time to rule on the motion presently before the court. Accordingly, such ruling will be deferred pending the filing & determination of all other post-conviction motions. (Dupree, J) Cr. OB#2, p.323. lc: USA & Mr. Smith. | | | | |
| 8-22-83 | 261 MOTION FOR CRIME SCENE INSPECTION: MEMORANDUM OF POINTS & AUTHORITIES: - 11/14/83 & DECLARATION OF BRIAN O'NEILL IN SUPPORT - no CS. lc: J. Dupree. | | | | kr |

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261

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

Jeffrey R. MacDonald

75-26-CR-3

AO 256A

pg. 24

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 9/12/83 | (262) GOVERNMENT'S RESPONSE TO MOTION FOR CRIME SCENE INSPECTION w/Appendix consisting of 45 items in separate brown folder lc: Judge Dupree - response only | | | | |
| 11/8/83 | (263) DEFENDANT'S OPPOSITION TO GOVERNMENT'S RESPONSE TO MOTION FOR CRIME SCENE INSPECTION lc: Judge Dupree (no certificate of service - called Wade Smith's office & advised) Jan is to send certificate of service through mail this date | | | | |
| 11/14/83 | (264) ORDER - 1. def't's motion for crime scene inspection filed 8/22/83 is denied (see footnote - def't. requested permission to examine 7 items of evidence referred to prev. which remain in custody of Clerk and/or Marshal. Permission is granted provided that a representative of the govern. is present at time of examination). 2. previous order of Court impounding the premises at 544 Castle Dr., Fort Bragg, N.C. is rescinded and said premises are released to the U.S. Army for its use w/o further obligation to this court or the parties in the above-entitled action. (Dupree, J) Cr. OB#3, P. 93. lc: Mr. Smith, Mr. O'Neill, Mr. Murtagh, U.S. Atty-EDNC, Colonel Raby, and Commanding General at Fort Bragg. (ent. 11/15/83) | | | | |
| 11/25/83 | (265) MOTION FOR RECONSIDERATION w/Declaration of Karen R. Davidson and exhibits A-C. lc: Judge Dupree & U.S. Atty. | | | | |
| 11/25/83 | (266) NOTICE OF APPEAL of Order filed 11/14/83 - f.f. pd. - lc: Judge Dupree, U.S. Atty & Fourth Circuit by cover letter. lc: docket sheet to 4th Cir. + Brian Murtagh - | | | | |
| 11/29/83 | (267) ORDER - def't's motion to reconsider order filed 11/14/83 is DENIED. (Dupree, J) Cr. OB#3, P. 109. lc: U.S. Atty., Mr. Murtagh, Mr. Smith & Mr. O'Neill. (ent. 11/29/83). | | | | |
| 11-30-83 | MAILED RECORD ON APPEAL to the Fourth Circuit - consisting of Vol. XIII - nos. 261-267 (Vol. I thru XII - previous record will be sent up upon request). lc: Cover letter w/docket entries to Mr. Smith, Mr. O'Neill, Mr. Murtagh, U.S. Attorney. | | | | |
| 1-24-84 | MEMORANDUM to all counsel of record - re: Custody of exhibits purs. to Rule 9.04 - asking counsel about removing to custody of U.S. the bulky exhibits - requesting a reply w/n 10 days. lc: Mr. Smith, Mr. O'Neill, Mr. Murtagh & U.S. Atty. on 1-24-83 | | | | |

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 4-5-84 | ① MOTION TO RECUSE; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF BRIAN O'NEILL AND RAYMOND R. SHEDLICK lc: U.S. Atty and Judge Dupree | | | | |
| | ② MOTION FOR NEW TRIAL; MEMORANDUM OF POINTS AND AUTHORITIES; AND ATTACHED DECLARATIONS lc: U.S. Atty and Judge Dupree | | | | |
| | ③ MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C., Sec. 2255; POINTS AND AUTHORITIES AND DECLARATIONS OF RICHARD H. FOX AND BRIAN O'NEILL | | | | |
| | ④ MOTION TO VACATE SENTENCE: MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF BERNARD L. SEGAL, JEFFREY R. MACDONALD, JONAS R. RAPPEPORT, M.D. BRIAN O'NEILL AND KAREN R. DAVIDSON (Civ # 84-41-CIV-3) lc: Judge Dupree lc: U.S. Atty by cover letter - (time up to respond - 4/27/84) | | | | |
| 4-25-84 | ⑤ GOVERNMENT'S MOTION FOR EXTENSION OF TIME TO REPLY TO DEFENSE POST TRIAL MOTIONS - w/cs Mr. O'Neill, Mr. Wade Smith lc U.S. Atty., lc Judge Dupree. | | | | sr |
| 4-25-84 | ⑥ ADENDUM TO MOTION FOR NEW TRIAL-DECLARATION OF NORMAN LANE BRYANT LANE - w/cs U.S. Atty, lc Brian Murtwch, lc Judge Dupree (ent. 4-25-84) | | | | mg |
| 4-25-84 | ⑦ ORDER - that the deft. file with the Clerk of this court and the U.S. Atty. for the Eastern District of N.C. on or before May 11, 1984 complete, conformed copies of all defense motions and attachments which were filed herein on April 5, 1984 which did not comply fully with Local Rule 2.04 of this court. The govt. is allowed to and including July 13, 1984 in which to respond to deft. Post Trial motions. The defts. motions will be set for hearing as soon after July 13, 1984 as the court's schedule will permit. Judge Dupree CR OB # 3, p 237, cys dist. (ent. 4-25-84) | | | | all mg |
| 5-8-84 | CERTIFICATE OF SERVICE - served this day conformed copies of Motion to Vacate Sentence, Motion to Set Aside Judgment of Conviction Motion to Recuse and Motion for New Trial upon U.S. Atty by hand delivering copies to his office at Raleigh. signed by Wade M. Smith. | | | | |
| 5-7-84 | ⑧ U.S. COURT OF APPEALS - ORDER - It is therefore ordered that the appeal be and the same is hereby dismissed on the merits. Entered with the concurrence of Judge Hall and Judge Sprouse. | | | | |
| 5-23-84 | ⑨ TRANSCRIPT OF TRIAL BEFORE JUDGE DUPREE on Aug. 29, 1979 at Raleigh - This volume contains only the verdict of the jury and the polling of the jury. Volume I consisting of pages 1-12. Jo Bush Court Reporter. <i>Included w/trans.</i> | | | | |
| 5/31/84 | ⑩ ORDER from 4th Circuit Court of Appeals - ordered that the appeal be dismissed on the merits lc: U. S. Atty. | | | | ag |
| 6/11/84 | ⑪ ADDENDUM TO MOTION TO RECUSE by deft. lc: Judge Dupree | | | | ag |
| 6/11/84 | ⑫ ADDENDUM TO MOTION FOR NEW TRIAL by deft. lc: Judge Dupree | | | | ag |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MacDonald, Jeffrey R.

75-26-CR-3

Yr. | Docket No. | Def

page 26

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 07-05-84 | (13) ADDENDA TO MOTION FOR NEW TRIAL -w/cs Brian Murtagh, Samuel Currin, lc Judge Dupree | | mg | | |
| 7-13-84 | (14) GOVERNMENT'S RESPONSE TO MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C., SECTION 2255; POINTS AND AUTHORITIES; AND DECLARATIONS OF RICHARD H. FOX AND BRIAN O'NEILL w/cs. lc: Judge Dupree | | | | |
| 7-13-84 | (15) GOVERNMENT'S RESPONSE TO MOTION TO VACATE SENTENCE w/cs. lc: Judge Dupree. | | | | |
| 7-13-84 | (16) GOVERNMENT'S RESPONSE TO MOTION FOR NEW TRIAL: MEMORANDUM OF POINTS AND AUTHORITIES AND ATTACHED DECLARATIONS w/cs. lc: Judge Dupree | | | | |
| 7-13-84 | (17) OPPOSITION TO MOTION SEEKING DISQUALIFICATION OF THE HONORABLE FRANKLIN T. DUPREE FROM PARTICIPATION IN POST TRIAL PROCEEDINGS w/cs. lc: Judge Dupree | | | | |
| 7-20-84 | (18) AFFIDAVIT OF RICHARD J. MAHON - w/cs Wade Smith, and Brian O'Neil, lc Judge Dupree | | | | |
| | (19) GOVERNMENT'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF RESPONSE TO MOTION FOR NEW TRIAL -w/cs Mr. Smith, Mr. O'Neil, lc Judge Dupree | | | | |
| | (20) GOVERNMENT'S RESPONSE TO MOTION FOR NEW TRIAL APPENDIX - VOLUME I | | | | |
| | (21) GOVERNMENT'S RESPONSE TO MOTION FOR NEW TRIAL APPENDIX - VOLUME II | | | | |
| | (22) GOVERNMENT'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C. § 2255 -w/cs Mr. Smith, Mr. O'Neil, lc Judge Dupree | | | | |
| | (23) GOVERNMENT'S RESPONSE TO MOTION TO SET ASIDE CONVICTION APPENDIX | | | | |
| | (24) GOVERNMENT'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO MOTION TO VACATE SENTENCE | | | | |
| | (25) GOVERNMENT'S RESPONSE TO MOTION TO VACATE SENTENCE APPENDIX VOLUME I | | | | |
| | (26) GOVERNMENT'S RESPONSE TO MOTION TO VACATE SENTENCE APPENDIX VOLUME II | | | | |
| | TRANSCRIPT OF ORAL ARGUMENT FROM FOURTH CIRCUIT COURT OF APPEALS - April 30, 1982 | | | | |
| | TRANSCRIPT OF ORAL ARGUMENT FROM FOURTH CIRCUIT COURT OF APPEALS - June 9, 1982 | | | | |
| | SUPPLEMENTAL BRIEF FOR THE UNITED STATES ON REMAND | | | | |
| 7-30-84 | (25) RECEIVED letter from Mr. O'Neill concerning having Rule 6(e) order on transcripts of testimony before G.J. as appear in Govern's response. (Mr. Murtagh to respond). (give to Mag. Leonard when rec'd) lc: Mr. Leonard. | | | | |
| 8-3-84 | (26) GOVERNMENT'S MEMORANDUM OF EVIDENCE IN SUPPORT OF THE JURY'S VERDICT w/cs. lc: Judge Dupree | | | | |
| | (27) RECEIVED LETTER to Mr. Leonard from Mr. Murtagh in response to Letter of Mr. O'Neill dated 7/25/84 re: Rule 6(e). lc: Mr. Leonard | | | | |
| 8-10-84 | Issued Notice To Appear - For Motion of Recusal on August 21, 1984 at 10:00 in Raleigh N.C. before Judge Dupree -lc Counsel of Record. | | | | |

Barbara
These should be on file in your office

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

MaCDONALD, Jeffry R.

page 27

| DATE | PROCEEDINGS (continued) (Document No.) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 28 08-10-84 ^{ag} | MOTION FOR EXTENSION OF TIME TO FILE REPLY TO GOVERNMENT'S OPPOSITION TO: MOTION SEEKING DISQUALIFICATION OF THE HONORABLE FRANKLIN T. DUPREE, Jr. FROM PARTICIPATION IN POST-TRIAL PROCEEDINGS; MOTION TO VACATE SENTENCE; MOTION TO SET ASIDE JUDGEMENT OF CONVICTION PURSUANT TO 28 U.S.C. 2255; AND MOTION FOR NEW TRIAL. | | | | |
| 29 8-10-84 ^{ag} | MOTION TO STRIKE GOVERNMENT'S FACTUAL RESPONSE AND SUPPORTING AFFIDAVITS TO MOTION SEEKING RECUSAL OF THE HONORABLE FRANKLIN T. DUPREE; MEMORANDUM OF POINTS AND AUTHORITIES; | | | | |
| 30 8-10-84 ^{ag} | REPLY TO GOVERNMENT'S OPPOSITION TO MOTION SEEKING DISQUALIFICATION OF THE HONORABLE FRANKLIN T. DUPREE FROM PARTICIPATION IN POST-TRIAL PROCEEDINGS; AND MEMORANDUM OF POINTS AND AUTHORITIES; | | | | |
| 8-13-84 | Letter to Mr. O'Neill and Mr. Murtagh from Mr. J. Rich Leonard, Cler, - re: G. J. Transcripts - follow the customary practice of treating memoranda and attachments thereto as public documents until directed by the court to treat them otherwise - may be appropriate subject for you to discuss w/Judge Dupree at the first hearing on pending motions in this matter. | | | | |
| 31 8-21-84 | GOVERNMENT'S RESPONSE TO MOTION TO STRIKE GOVERNMENT'S FACTUAL RESPONSE TO MOTION TO RECUSE, AND MOVANT'S REPLY TO GOVERNMENT'S OPPOSITION TO MOTION SEEKING DISQUALIFICATION OF THE HONORABLE FRANKLIN T. DUPREE FROM PARTICIPATION IN POST-TRIAL PROCEEDINGS. | | | | |
| 8-21-84 | at Raleigh - Karen Starkings Court Reporter - Motion To Recuse denied in Open Court - Order to Follow. | | | | |
| 32 8-24-84 | MOTION TO STRIKE AFFIDAVITS FILED IN SUPPORT OF GOVERNMENT'S RESPONSE TO MOTION FOR NEW TRIAL. lc JUDGE DUPREE | | | | |
| 33 9 | DEFENDANT'S REPLY TO GOVERNMENT'S OPPOSITION TO MOTION TO SET ASIDE CONVICTION; DECLARATION OF MYRNA K. GREENBERG lc JUDGE DUPREE | | | | |
| 33 | DEFENDANT'S REPLY TO GOVERNMENT'S OPPOSITION TO VACATE SENTENCE lc JUDGE DUPREE | | | | |
| 34 | DEFENDANT'S RESPONSE TO GOVERNMENT'S OPPOSITION TO MOTION FOR NEW TRIAL lc JUDGE DUPREE | | | | |
| 35 | MOTION TO STRIKE AFFIDAVITS AND RELATED DOCUMENTATION FILED IN SUPPORT OF GOVERNMENT'S RESPONSE TO DEFENDANT'S MOTION TO SET ASIDE CONVICTION lc JUDGE DUPREE | | | | |
| 36 8-30-84 | GOVERNMENT'S PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM w/ proposed order w/cs Mr. Smith, Mr. O'Neil, Mr. Berryhill lc Judge Dupree | | | | |
| 9-4-84 | ISSUED NOTICE TO APPEAR - Case set for hearing on motion for new trial Wednesday, September 19, 1984 at 10:00 A.M. in Raleigh before Judge Dupree. mg | | | | |
| 37 9/5/84 | ADDENDUM TO REPLY TO GOVERNMENT'S OPPOSITION TO MOTION FOR NEW TRIAL lc U.S. ATTY. lc JUDGE DUPREE lc deft Atty. | | | | |
| 38 | ADDENDUM TO REPLY TO GOVERNMENT'S OPPOSITION TO MOTION TO VACATE SENTENCE lc JUDGE DUPREE lc. U.S. ATTY. lc. DEFT ATTY. | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

McDONALD, JEFFRY R.

75-26-CR-3
page 28

Yr. Docket No. Def

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| (39) 9/6/84 | ADDENDUM TO REPLY TO GOVERNMENT'S OPPOSITION TO MOTION TO SET ASIDE JUDGEMENT OF CONVICTION: DECLARATION OF MYRNA K. GREENBERG lc. JUDGE DUPREE | | | | |
| (40) 9-11-84- | ORDER- No reason have been assigned from which the court can ascertain that MacDonald's presence is necessary, and the petition is therefore denied. Judge Dupree CR OB # 3, p 354 cys dist. (ent. 9-11-84) mg | | | | |
| (41) 9-14-84 | GOVERNMENT'S RELY TO MTOION TO STRIKE AFFIDAVITS FILED IN SUPPORT OF GOVERNMENT'S RESPONSE TO MTOIN FOR NEW TRIAL IN THE ALTERNATIVE GOVERNMENT'S MOTION TO STRIKE. w/cs to Mr. Smith and Mr. O'Neill- lc Judge Dupree mg | | | | |
| (42) 9-14-84 | GOVERNMENT'S REPLY TO MTOION TO STRIKE AFFIDAVIT AND RELATED DOCUMENTATION FILED IN SUPPORT OF GOVERNMENT'S RESPONSE TO DEFENDANT'S MOTION TO SET ASIDE CONVICTION: MOTION TO STRIKE DEFENSE AFFIDAVITS. - w/cs Mr. Oneil and Mr. Smith lc Judge Dupree c/proposed order. mg | | | | |
| (43) 9-14-84 | DEFENDANT'S ADDENDUM TO REPLY TO GOVERNMENT'S OPPOSITION TO MOTION FOR NEW TRIAL w/attachments & w/cs. lc: Judge Dupree. | | | | |
| (44) 9/17/84 | GOVERNMENT'S RESPONSE TO REPLY TO MOTION TO VACATE SENTENCE lc: Judge Dupree | | | | |
| (45) 9/17/84 | GOVERNMENT'S RESSPONSE TO DEFT REPLY TO GOVERNMENTS OPPOSITION TO MOTION TO SET ASIDE JUDGMENT OR CONVICTION: DECLARATION OF MYRNA K. GREENBERG, BERNARD L. SEGAL (#3); JAMES A. DOUTHAT; JAMES R. NANCE; KAREN R. DAVIDSON; MICHAEL J. MALLEY lc: Judge Dupree | | | | |
| (46) 9/17/84 ** | GOVERNMENT'S REPLY TO DEFENDANT'S RESPONSE TO OPPOSITION TO MOTION FOR NEW TRIAL w/attachment lc: Judge Dupree | | | | |
| (47) 9/18/84 | ADDENDUM II TO REPLY TO GOVERNMENT'S OPPOSITION TO MOTION FOR NEW TRIAL lc: Judge Dupree | | | | |
| 9/19/ & 20 | Evidentiary hearing before Judge Dupree on 9/19/ & 9/20 all pendings motions taken under advisement Hearing held in Magistrate's courtroom - court reporter for evidentiary hearing - Ellen Oakley with MaCurran's firm | | | | |
| (48) 10-2-84 | ORDER- After thoroughly reviewing all of the affidavits in the case, the contentions of both arties, and listening to MacDonald's arguments I have been obliged to conclude that the grounds asserted do not, taken individually or in combination, warrant recusal. For this reason the motion to recuse is denied. Judge Dupree CR OB # 2, P 384 cys dist. (ent. 10-3-84) mg | | | | |
| (49) 10/3/84 | ██████ - Deft. request that Court release Deft's exhibit # 25, an original excerpt from a taped recorded interview of Helena Stoeckley David dated 1/2/81 w/Cet. of Service lc: Judge Dupree ag | | | | |
| (46a) **9-17-84 | Government's Response To Motion For New Trial lc. Judge Dupree | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

page 29

| DATE | PROCEEDINGS (continued) (Document No.) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 10-10-84 (57) | ORDER - Deft.'s motion to have deft's. Exhibit No. 25 released to the control of deft's. counsel for duplicating purposes is allowed upon condition that the original of the exhibit be returned unaltered to the court's files within ten days from this date. lc. U.S. atty. lc deft counsel. CROB#. 387 | | | | |
| 10-15-84 | TRNASCRIPT OF HEARING ON POST TRIAL MOTIONS OF THE DEFENDANT before Judge Dupree, Jr., Vol.1, Pages 1 through 254 - original only. | | | | |
| 10-15-84 | TRANSCRIPT OF HEARING ON POST TRIAL MOTIONS OF THE DEFENDANT before Judge Dupree, Jr., Vol. 2, Pages 1 through 109 - original only. | | | | |
| 10/18/84 (57) | GOVERNMENT'S MOTION FOR RELEASE OF ITEMS IN CUSTODY OF U. S. MARSHAL (w/ original proposed order) lc: Judge Dupree | | | | |
| 10/19/84 (52) | GOVERNMENT'S RESPONSE TO REQUEST FOR DEFENDANT'S EXHIBIT NO. 25; MOTION FOR CLARIFICATION OF FILING SCHEDULE lc: Judge Dupree | | | | |
| 10/19/84 (53) | STIPULATION RE: RELEASE OF DEFENDANT'S EXHIBITS 15-20 AND 25 FOR COPYING AND TRANSCRIPTION by gov. | | | | |
| 10/19/84 | Proposed order - original only to Judge Dupree - RE: exhibits - | | | | |
| 10-23-84 (54) | DEFENDANT'S STATEMENT OF NON-OPPOSITION TO PLAINTIFF'S MOTION FOR CLARIFICATION AND REQUEST FOR ADDITIONAL CLARIFICATION w/cs. lc: Judge Dupree. | | | | |
| 11/9/84 (55) | ORDER - ordered that: 1. Govts motion to release the U. S. Marshal from the continuing duty to store exhibits in the case never introduced in evidence is granted 2. All tapes, copies of tapes and transcripts involved in the motions pending before the court are to be exchanged between counsel not later than Friday, 11/16/84 3. The parties shall submit proposed findings of fact not later than Friday, 12/7/84 4. Deft. shall file an authenticated copy of the videotape of the CBS interview w/Helena Stoeckley, either in Beta or VHS format, and a written transcript of the audio portion of the tape w/the court no later than 11/16/84. Deft. shall also furnish th-e government with copies of the tape & trancript. 5. Any additional briefs the parties desire to submit in the case shall be filed on or before Friday, 12/14/84 The Clerk is directed to set the case for final arguments on all pending motions at 10 A. M. on Monday, 1/14/85 (F. T. Dupree, Jr. CR OB #3 P 413) cys: U. S. Marshal, 1 Wade Smith; 1 Brian O'Neill, 1 Brian M. Murtagh, 1 Samuel T. Currin, 1 cy. Joyce Todd | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs MACDONALD, JEFFREY R.

75-26-CR-3
Page 13

Yr. Docket No. De

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELA | | | |
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| | | (a) | (b) | (c) | (d) |
| | (Document No.) | | | | |
| 11/14/84 | Per telephone call from Spencer Parrish - Judge Dupree's law clerk - defendant's exhibits numbered 15-20 are to be given to Wade Smith's office - Nancy McNair 11/14/84 Nancy McNair picked up above defendant's exhibits these are to be returned by Monday, 11/19/84 Per Judge Dupree - defts are given an additional week to file proposed findings of fact - final arguments are still scheduled for same date 1/14/85 | | | | |
| 11/26/84 | 56 AFFIDAVIT of Nancy McNair w/attached cy. of transcript of CBS News - 60 minutes pages 1 - 55A <i>w/2 tapes</i> (original affidavit of McNair in our case file) cy. of transcript & 2 tapes w/Judge Dupree | | | | |
| 11/23/84 | 57 Declaration of Myrna K. Greenberg RE: CBS tapes | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Defendants exhibit 15 - GUNDERSON/BEASLEY ERNEST DAVIS - 9/30/80 Pages 1 -186 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Defendants exhibit 16 GUNDERSON/BEASLEY INTERVIEW H. STOECKLEY 10/23/80 Pages 1-3 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT Defendants 17 #2 12/5/80 pages 1-10 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT Defendants exhibit 18 TV news report of Gunderson/Beasley claims of new evidence corroborating Helena Stoeckley statement 5/26/82 pages 1-2 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Transcript of taped interview of Helean Stoeckley Davis by Ted. L. Gunderson (P. E. Beasley was also present) pages 2-208 - <i>apl # 18</i> | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Interview with Helena Stoeckley tapes 8 & 9 transcribed 11/26/84 pages 1-30 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Defendants exhibit 19 #1 12/5/80 pages 1-42 | | | | |
| 11/27/84 | ORIGINAL TRANSCRIPT - Interview with Helena Stoeckley Defts. exhibit 20 pages 1- 16 | | | | |
| 11/30/84 | ORIGINAL TRANSCRIPT - transcript of conversation with Helena Stoeckley Friday, 2/6/81 | | | | |
| 11/30/84 | ORIGINAL TRANSCRIPT - transcript - copy of tape made by Fred Bost from 1/2/81 conversation with Helena Stoeckley | | | | |
| 11/30/84 | ORIGINAL TRANSCRIPT - excerpts from a taped interview of Helena Stoeckley David 1/2/81 | | | | |

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 12/10/84 (58) | AFFIDAVIT OF SAMUEL T. SURATT lc Judge Dupree | | | | |
| 12/12/84 (59) | STIPULATION RE: CBS INTERVIEW OF HELENA STOECKLEY w/proposed order RE: CBS interview of Helena Stoeckley (original order to Judge Dupree for approval) | | | | ag |
| 12-14-84 (60) | ORDER - Re CBS Interview of Helena Stoeckley - It is ordered that deft.s ahll serve upon counsel for the U.S. one copy of the silent reel to reel film and one copy of the audio reel-to-reel. It is further ordered that upon such service the U.S. Shall explore the Govt.'s capacity to convert the audio and visual components of this interview into a synchronized tape at teh Govt. expense. It is further ordered that is such a synchronized cassette is produced deft. will udnertake to copy same and serve copies upon the court and counsel for the govt. If the govt. is unable to produce such a video cassette, deft. will serve upon the court one copy of the silent reel-to-reel video cassette and one copy of the audio reel-to-reel. Judge Dupree. CR OB # 3 p.448 cys. dist. (ent. 12-14-84) mg | | | | |
| (61) 12-17-84 | MOTION OF THE UNITED STATES OF AMERICA FOR SPECIAL ORDER OF FORFEITURE OF COLLATERAL PROFITS OF CRIME w/cs. - 23 days up 1/9/85 & w/Proposed Order - lc: Judge Dupree w/proposed Order. | | | | |
| (62) 12-17-84 | GOVERNMENT'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW IN RESPONSE TO MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C., Sec. 2255 w/cs. | | | | |
| (63) 12-17-84 | GOVERNMENT'S PROPOSED FINDINGS FACT AND CONCLUSIONS OF LAW IN RESPONSE TO MOTION TO VACATE SENTENCE PURSUANT TO 28 U.S.C., Sec. 2255 w/cs. lc: Judge Dupree | | | | |
| (64) 12-17-84 | GOVERNMENT'S PROPOSED FINDINGS OF FACT AND CONCUSLIONS OF LAW IN RESPONSE TO DEFENDANT'S MOTION FOR NEW TRIAL w/cs. lc: Judge Dupree | | | | |
| (65) 12-17-84 | PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW RE DEFENDANT'S MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C., 2255 w/cs. lc: Judge Dupree | | | | |
| (66) 12-17-84 | PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW RE DEFENDANT'S MOTION FOR NEW TRIAL wcs lc: Judge Dupree | | | | |
| (67) 12-17-84 | DEFENDANT'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW RE MOTION TO VACATE SENTENCE w/cs. lc: Judge Dupree | | | | |
| (68) 12/21/84 | ADDENDUM TO DEFENDANT's MOTION FOR NEW TRIAL lc: Judge Dupree | | | | |
| (69) 12/21/84 | STIPULATION ON FBI INTERVIEW REPORT CONCERNING CATHY PERRY WILLIAMS lc: Judge Dupree | | | | |
| (70) 12/21/84 | DEFENDANT'S ADDENDUM TO PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW RE MOTION FOR NEW TRIAL (ERRATA) lc: Judge Dupree | | | | |
| (71) 12/21/84 | DEFENDANT'S ADDENDUM TO MOTION FOR NEW TRIAL lc: Judge Dupree | | | | |
| (72) 12/21/84 | ADDENDUM TO DEFENDANT'S MOTION TO SET ASIDE JUDGMENT OF CONVICTION PURSUANT TO 28 U.S.C., Sec. 2255 lc: Judge Dupree | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs U. S. A. VS. JEFFREY MACDONALD

75-26-CR-3
page 32
Yr. Docket No. Def.

AO 256A

| DATE | PROCEEDINGS (continued) (Document No.) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 73 12/21/84 | MOTION FOR RECONSIDERATION OF DEFENDANT'S MOTION TO RECUSE oc: Judge Dupree | | | | |
| 74 1/9/85 | ADDENDUM TO DEFENDANT'S MOTION FOR NEW TRIAL by def. Declaration of Bernard L. Segal w/Cert. of Service w/attachment lc: Judge Dupree | | ag | | |
| 75 1/9/85 | SECOND ADDENDUM TO DEFENDANT'S ADDENDUM TO MOTION FOR NEW TRIAL FILED DECEMBER 21, 1984 w/DEFENDANT'S SUPPLEMENTAL POINTS AND AUTHORITIES IN SUPPORT OF ADDENDUM TO MOTION FOR NEW TRIAL: DECLARATION IN SUPPORT lc: Judge Dupree | | | | |
| 76 1/9/85 | ADDENDUM TO DEFENDANT'S MOTION TO VACATE SENTENCE lc: Judge Dupree (DECLARATION OF BERNARD L. SEGAL #2) | | | | |
| 77 1/9/85 | DEFENDANT'S OPPOSITION TO MOTION OF THE UNITED STATES OF AMERICA FOR SPECIAL ORDER OF FORFEITURE OF COLLATERAL PROFITS OF CRIME by def. w/Cert. of Service | | | | |
| 78 1/9/85 | DEFENDANT'S OBJECTIONS TO THE GOVERNMENT'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW w/Cert. of Service lc: Judge Dupree | | | | |
| 79 1/14/85 | OMNIBUS MOTION FOR CLARIFICATION OF RECORD, ISSUES AT ORAL ARGUMENT, AND COSTS OF PROSECUTION 1. Motion to strike 2. Objection to proposed findings of fact 3. Motion to clarify issues 4. Motion for costs w/Cert. of Service lcy. Judge Dupree | | ag | | |
| 80 1/14/85 | DECLARATION OF DOROTHY GRAHAM AVERITT lc: Judge Dupree | | | | |
| 81 1/14/85 | ADDENDUM TO GOVERNMENT'S PROPOSED FINDINGS OF FACT IN RESPONSE TO MOTION FOR NEW TRIAL LC: Judge Dupree | | | | |
| 1/14/85 | DECLARATION OF DOROTHY GRAHAM AVERITT | | | | |
| 1/14/85 | Hearing before Judge Dupree - Courtroom # 2 on final arguments Court reporter: Ellen Oakley | | | | |
| 1/15/85 | 2 video cassette tapes of Helena Stockley with Spencer Parrish, Law Clerk to Judge Dupree | | | | |
| 83 1/15/85 | GOVERNMENT'S RESPONSE TO MOTION FOR RECONSIDERATION OF DEFENDANT'S MOTION TO RECUSE lc: Judge Dupree | | ag | | |
| 2/4/85 | ORIGINAL TRANSCRIPT only - transcript of the hearing before Judge Dupree Volume 1 of 1 Motion for reconsideration of recusal motion Motion to set aside conviction Motion for new trial Pages 1 - 231 At Raleigh, N. C. on Monday, 1/14/85 Court reporter: Ellen T. Oakley | | | | |

CRIMINAL DOCKET

AO 256A

| DATE 1985 | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 83 2-11-85 | DEFT'S OBJECTION TO EX PARTE COMMUNICATION WITH JUDGE DUPREE AND OBJECTIONS TO THE CONSIDERATION OR INTRODUCTION INTO EVIDENCE OF THE GOVERNMENT'S ENCLOSURE TO JUDGE DUPREE OF JANUARY 22, 1985; POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT - lc: Judge Dupree | | | | |
| 84 2-15-85 | GOVERNMENT'S MEMORANDUM IN SUPPORT OF MOTION FOR ORDER OF SPECIAL FORFEITURE w/Cert. of Service & attachments lc: Judge Dupree | | | | |
| 85 2-22-85 | GOVERNMENT'S RESPONSE TO DEFENDANT'S OBJECTION TO ENCLOSURES TO LETTER OF JANUARY 22, 1985. AFFIDAVITT OF COLETTE M. BOWYER AFFIDAVITT OF BRIAN M. MURTAGH Attachments also included w/ this information lc. of all previously mention material sent to Judge Dupree | | | | |
| 86 3-1-85 | ORDER and MEMORANDUM OF DECISION - ordered that the motions of deft. to vacate his sentence, to set aside the judgment of conviction and for a new trial be and the same are hereby denied. (Dupree, J) Cr. OB#4, P. 90. lc: Wade Smith, Mr. O'Neill and Brian Murtagh (ent. 3/1/85) | | | | |
| 86b 3-6-85 | Deft.'s Memorandum in opposition to Gov't Memorandum in support of Motion for Order to Special Forfeiture. lc. Judge Dupree | | | | |
| 87 3-7-85 | NOTICE OF APPEAL FILLED along w/Defendant's Memorandum In Opposition To Government's Memorandum In Support of Motion For Order to Special For Order To Special Forfeiture lc. of each to Judge Dupree Mailed Notice of Appeal to the 4th Circuit Court of Appeal Consisting of certified copy of docket sheet and transmittal sheet. | | | | |
| 3-29-85 | MAILED ROA TO 4th CIRCUIT COURT OF APPEALS - consisting of eight (8) volumes of Pleadings and fifteen (15) volumes of transcripts stamped filled after 4-5-84. Also included were certified a copy of the docket sheet and a transmittal sheet. | | | | bb |
| 4-10-85 | ORDER confirming the request by counsel for deft. that the evidence not be destroyed, it is ORDERED that the FBI continue to store the items of evidence pending further order from the court. (Judge Dupree) Copies to counsel of record, U.S. Marshal, Federal Bureau of Investigations, CR. O.B. #4, P. 148. | | | | |
| 4-26-85 | ORDER - The government's motion for a special order of forfeiture under Section 3671 of the Victims of Crime Act of 1984 is denied. Judge Dupree, CR OB # 4, p 158 cys dist. (ent. 4-26-85) | | | | ms |

U. S. vs

MacDonald, Jeffrey R.

75-26-CR-3

AO 256A

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) (Document No.) | V. EXCLUDABLE DELAY | | | |
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| | | (a) | (b) | (c) | (d) |
| 5-2-85 | <p>Mailed Exhibits from 9-19-84 hearing to 4th Circuit Court of Appeals consisting of: Supp. Vol 1 (vol 24) exh. 1 thru 13 & 21 thru 23. (deft.'s) XXIV</p> <ul style="list-style-type: none"> - Exhs. 15 thru 20, 24 thru 26 are casset tapes. (deft.'s) - Supp. Vol II is deft.'s #27 Vol. XXV - Supp. Vol III is deft.'s # 28 Vol. XXVI - Deft.'s exhs. 29 & 30 are Video Cassett Tapes. - Supp. Vol. IV is orginal trial transcript of day twenty one. Vol. XXVII - Supp. Vol. VI is pre-trial conference of 7-14-85 Vol. XXIX - Supp. Vol. V is trial transcript of day twenty-two Vol. XXVIII - Supp. Vol VII Gov't's exh. 12 Vol XXX - Supp. Vol. VIII Gov't's exhs. 21 & 22 Vol. XXXI - Supp. Vol. IX Gov't's exh. # 23 Vol. XXXII - Supp. Vol. X Gov't's exh. # 24 Vol. XXXIII - Supp. Vol. XI Gov't's exh. # 25 Vol. XXXIV - Supp. Vol. XII Gov't's exh. # 26 Vol. XXXV <p>Certified copy of docket sheet and Transmittal sheet, along w/ copy of request from deft. counsel. Certified copy of Gov't & deft. exhibits sheet also mailed w/ ROA.</p> | | | | |
| 5-17-85 | <p>MAILED ORIGINAL TRANSCRIPTS FROM THE 1979 TRIAL TO FOURTH CIRCUIT COURT OF APPEALS. THESE TRANSCRIPTS CONSIST OF TRIAL DAY ONE THRU TWENTY SEVEN. ALSO, DAY TWENTY-EIGHT CLOSING ARGUMENTS & POST-TRIAL MATTERS. THE TRANSCRIPTS ARE NUMBERED BY LETTING SUPP. XIII REPERSENT DAY ONE; AND THE SUPP. NOS. FOLLOW CONSECUTIVELY W/THE TRIAL DAYS FOR A TOTAL OF 29 TRANSCRIPTS. INCLUDED IS 1 VOLUME OF PLEADINGS W/ AN ORDER ENTERED BY JUDGE DUPREE ON 9-14-79, & CERTIFIED DOCKET SHEET. TRIAL DAY 21 & 22 ARE LISTED ABOVE AS SUPP. VOL. IV & V RESPECTIVELY.</p> | | | | |
| 6-27-85 | <p>TOTAL VOLUMES NOW SENT TO 4TH CIRCUIT = LXIII DEFENDANT'S MTOION TO EXPAND THE RECORD, w/cs U.S. Atty., 1c Judge Dupree</p> | | | | |
| 7-31-85 | <p>ORDER - The defendant's unopposed motion to expand the record in the case is granted, Judge Dupree, CR OB # 4, p 370 Cus/. dist. (ent. 7-31-85) ms</p> | | | | |
| 8-6-85 | <p>Mailed Supplement Volume th 4th Circuit Court of Appeals consisting of Motion filed on 6-27-85 & Order entered on 7-31-85.</p> | | | | |
| 12-9-85 | <p>MOTION TO AUGMENT THE RECORD - 1c Judge Dupree</p> | | | | |
| 12-20-85 | <p>AFFIDAVIT Samuel T. Currin - 1c Judge Dupree</p> | | | | |
| 12-30-85 | <p>GOVERNMENT'S OPPOSITION TO MOTION TO AUGMENT THE RECORD - MOTION FOR EXTENSION OF TIME w/cs. 1c: Judge Dupree</p> | | | | |

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | | | | | | | | | | | | | | | |
|--|--|--|-----|------------------|-----------------------|-----------------|---------------------|------------|------------------------|------------------|-----------------------|------------|--------------------------|-------------------|-----------------------|--|--|--|--|
| | | (a) | (b) | (c) | (d) | | | | | | | | | | | | | | |
| 1-13-86 | <p>(Document No.)</p> <p>PUBLISHED OPINION FROM 4TH CIRCUIT COURT OF APPEALS: In much greater detail than we, the district judge considered every contention that MacDonald advanced. The care with which was done is evident, and we may conclude this much briefer opinion with the statement that there is no basis upon which any ruling in this case by a meticulous district judge can be overturned. lc. Judge Dupree</p> <p>JUDGEMENT - U.S. Court of Appeals for the 4th Circuit: On consideration whereof, It is now here ordered and adjudged by this Court that the judgement of the said District Court Appealed from, in this cause, be, and the same is hereby, AFFIRMED. lc. U.S. Atty., U.S. Marshal, Judge Dupree bb</p> | | | | | | | | | | | | | | | | | | |
| 1-17-86 | <p>Received three (3) boxes of volumes from 4th circuit. **</p> <p>ORDER - The government's motion will be granted, and it will be allowed to an including thirty days after defendant's; have filed with the court full information. Judge Dupree CR OB # 5, p 166, cys to U.S. Atty., Wade Smith and Mr. O'Neil, (ent. 1-17-86) ms</p> | | | | | | | | | | | | | | | | | | |
| 10-14-86 | <p>PER JOYCE TODD - WRIT OF CERT. DENIED 10-6-86 - per Joyce contacted Gloria Britt, U.S. Attorney's Office, to see if exhibits could be returned to the Govt. Gloria Britt advised that she would contact Brian Murtaugh.</p> | | | | | | | | | | | | | | | | | | |
| 10-29-86 | <p>ADDENDUM TO GOVERNMENT'S RESPONSE TO MOTION FOR REDUCTION OF SENTENCE w/prop Order. lc: Judge Dupree w/Prop. Order.</p> | | | | | | | | | | | | | | | | | | |
| 10-31-86 | <p>ORDER After a thorough consideration of defendant's motion and the government's response thereto the court remains of opinion that the sentences originally imposed were appropriate. Accordingly the motion is denied. Judge Dupree CR OB # 6, p 41 cys. dist. (ent. 11-4-86) ms</p> | | | | | | | | | | | | | | | | | | |
| 3-23-87 | <p>TRANSCRIPTS (3)</p> <table border="0"> <tr> <td>JURY SELECTION BEFORE JUDGE F.T. DUPREE, JR.</td> <td></td> </tr> <tr> <td>AT RALEIGH, N.C.</td> <td>MONDAY, JULY 16, 1979</td> </tr> <tr> <td>VOLUME I OF III</td> <td>Pages 1 through 165</td> </tr> <tr> <td>AT RALEIGH</td> <td>TUESDAY, JULY 17, 1987</td> </tr> <tr> <td>VOLUME II OF III</td> <td>Pages 166 through 344</td> </tr> <tr> <td>AT RALEIGH</td> <td>WEDNESDAY, JULY 18, 1987</td> </tr> <tr> <td>VOLUME III OF III</td> <td>Pages 345 through 501</td> </tr> </table> | JURY SELECTION BEFORE JUDGE F.T. DUPREE, JR. | | AT RALEIGH, N.C. | MONDAY, JULY 16, 1979 | VOLUME I OF III | Pages 1 through 165 | AT RALEIGH | TUESDAY, JULY 17, 1987 | VOLUME II OF III | Pages 166 through 344 | AT RALEIGH | WEDNESDAY, JULY 18, 1987 | VOLUME III OF III | Pages 345 through 501 | | | | |
| JURY SELECTION BEFORE JUDGE F.T. DUPREE, JR. | | | | | | | | | | | | | | | | | | | |
| AT RALEIGH, N.C. | MONDAY, JULY 16, 1979 | | | | | | | | | | | | | | | | | | |
| VOLUME I OF III | Pages 1 through 165 | | | | | | | | | | | | | | | | | | |
| AT RALEIGH | TUESDAY, JULY 17, 1987 | | | | | | | | | | | | | | | | | | |
| VOLUME II OF III | Pages 166 through 344 | | | | | | | | | | | | | | | | | | |
| AT RALEIGH | WEDNESDAY, JULY 18, 1987 | | | | | | | | | | | | | | | | | | |
| VOLUME III OF III | Pages 345 through 501 | | | | | | | | | | | | | | | | | | |
| 3-20-89 | <p>All def't's exhibits released into custody of David Woodard - Office Assistant for Wade Smith. - Signed for by Mr. Woodard on 3/20/89.</p> | | | | | | | | | | | | | | | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs MACDONALD, Jeffrey R.

75-26-CR-3

AO 256A

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 10/19/90 | 1. 2255 Motion under 28 USC§ 2255 to vacate set aside or correct sentence by a person in federal custody w/petitioner Jeffrey R. MacDonald's motion for leave to file an oversized brief (BRIEF consists of 5 volumes - Volume I - Jeffrey R. MacDonald's brief in support of 28 U.S.C., sec. 2255 petition seeking relief from conviction obtained by the suppression of exculpatory evidence pages 1-79 Volume II - Appendix of excerpts from the record pages not numbered Volume III - Affidavit of John J. Murphy in support of Jeffrey R. MacDonald's 28 U.S.C., Sec. 2255 petition seeking relief from conviction obtained by the suppression of exculpatory evidence pages not numbered (1-37) Volume IV Affidavit of Bernad L. Segal in support of Jeffrey R. MacDonald's 28 U.S.C., Sec. 2255 petition seeking relief from conviction obtained by the suppression of exculpatory evidence pages not numbered (1-43) Volume V Affidavits of: (1-17) Anthony P. Bisceglie Fred H. Bost Ellen Dannelly James F. Douthat Dennis H. Eisman Orrin L. Grover Ted L. Gunderson Michael J. Malley Wendy P. Rounder Sara A. Simmons Wade M. Smith John I. Thornton (in support of Jeffrey R. MacDonald's 28 U.S.C., Sec. 2255 petition seeking relief from conviction obtained by the suppression of exculpatory evidence) Pages not numbered (1-17) | | | | |
| 10/23/90 | 2 ORDER - motion of petitioner filed 10/19/90 for leave to file an oversized brief allowed. Judge Dupree OB CR #42, pg. 148 (cy to AUSA. defense counsel Norman B. Smith, Greensboro, NC; and defense counsel Harvey A. Silverglate, Boston, MA) | | | | |
| 10-30-90 | 3 GOVERNMENTS MOTION FOR FIRST EXTENSION OF TIME WITHIN WHICH TO FILE A RESPONSE TO PETITION SEEKING RELIEF UNDER 28 U.S.C., §2255 by: M. Currin - lc: Judge Dupree | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 10-31-90 | (Document No.) 4. ORDER that the U.S. shall have up to and including the 8th day of January, 1991 to file a response. (Judge Dupree) O.B.#14, P.187 c: USA, Counsel of Record local and out of state jh | | | | |
| 12-14-90 | 5. GOVERNMENT'S MOTION FOR SECOND EXTENSION OF TIME WITHIN WHICH TO FILE A RESPONSE TO PETITION SEEKING RELIEF UNDER 28 U.S.C., \$2255 - w/cs by: Govt - lc: Judge Dupree jh | | | | |
| 12-24-90 | 6. PETITIONER JEFFREY R. MacDONALD'S RESPONSE TO GOVT'S MOTION FOR SECOND EXTENSION OF TIME INWHICH TO FILE A RESPONSE TO PETITITON SEEKING RELIEF UNDER 28:2255 - w/cs by: deft c: J. Dupree jh | | | | |
| 1-3-91 | 7 ORDER that the U.S. shall have to and including the 22nd day of Feb., 1991 to file its response. (Judge Dupree) O.B.#15, P.2 c: Counsel, USA Ent. 1/3/91 jh | | | | |
| 2/1/91 | 8 MOTION FOR LEAVE TO FILE OVERSIZED BRIEF - by govt. w/cs. 1 cy: Judge Dupree. b11 | | | | |
| 2/4/91 | 9 ORDER - that the mot. of the Govt. filed 2/1/91 for leave to file an oversized brief is allowed. (DUPREE, USDJ) cys: USA, AUSA Murtagh, Attys. N. Smith & H. Silverglate. CROB#15, pg. 50. b11 | | | | |
| 2/22/91 | 10 RESPONSE OF THE UNITED STATES TO DEFENDANT'S PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 - w/ attchmts. by the govt. w/cs to Mr. Roger C. Spaeder & Mr. David A. Hickerson, cy to Judge Dupree 1. AFFIDAVITS OF JANICE W. BARKLEY (pgs. 1-12) G. M. ANDERSEN (pgs. 1-13) JEFFERY B. PORTER (pgs. 1-8) BARBARA PARKER (pgs. 1-2) BARBARA TAYLOR (pgs. 1-2) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28, USC, SECT. 2255 2. VOL. I - APPENDIX - Pgs. 1-414 - Exhibits 1-22 AFFIDAVITS OF JANICE W. BARKLEY G. M. ANDERSEN JEFFERY B. PORTER BARBARA PARKER BARBARA TAYLOR IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 3. VOL. II - APPENDIX - pgs. 415-462 (Exhibits 23-75) AFFIDAVITS OF JANICE W. BARKLEY, G.M. ANDERSEN, JEFFERY B. PORTER, BARBARA PARKER AND BARBARA TAYLOR IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 4. AFFIDAVIT OF JAMES L. BLACKBURN (pgs. 1-3), ALFRED G. KASSAB (pgs. 1-4) and DONALD M. MURRAY (Pgs. 1-4) IN SUPPORT OF RESPONSE OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 5. AFFIDAVIT OF JAMES C. FRIER (Pgs. 1-5) and SHIRLEY S. GREEN (pgs. 1-5) IN SUPPORT OF RESPONSE OF THE U.S. to DEFT'S PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28, USC, SECT. 2255 (CONT'D) | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MACDONALD, Jeffrey R.

75-26-CR-3

AO 256A

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|---------|---|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| | (Document No.) | | | | |
| | 5. (CONT'D) APPENDIX - AFFIDAVIT OF JAMES C. FRIER AND SHIRLEY S. GREEN IN SUPPORT OF RESPONSE OF THE U. S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 EXHIBITS 5-130 (pgs. 46-184) | | | | |
| | 6. AFFIDAVIT OF JANICE S. GLISSON (Pgs. 1-7) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28, USC SECT 2255 | | | | |
| | 7. AFFIDAVIT OF RAYMOND MADDEN, JR. (Pgs. 1-9) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 8. AFFIDAVIT OF MICHAEL PL MALONE (Pgs. 1-14) and ROBERT WEBB (Pgs. 1-3) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255. | | | | |
| | 9. APPENDIX - (Exhibits #1 - #118) AFFIDAVIT OF MICHAEL PL MALONE AND ROBERT WEBB IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITIONS FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 10. AFFIDAVIT OF BRIAN M. MURTAGH (Pgs. 1-37 IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 11. APPENDIX - AFFIDAVIT OF BRIAN M. MURTAGH IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 EXHIBITS 1-4 - PAGES 1-48 | | | | |
| | 12. AFFIDAVIT OF RUTH ROPPEL (Pages 1-151) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 13. AFFIDAVIT OF L. JEFFREY ROSS (Pages 1-7) and ELIZABETH Z. KOPP (Pgs. 1-2) IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 14. APPENDIX - VOL. I (Pages 1-413) AFFIDAVIT OF JEFFREY ROSS AND ELIZABETH S. KOPP IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255 | | | | |
| | 15. APPENDIX - VOL. II (Exhibits 22-53) (Pgs. 414-557) AFFIDAVIT OF L. JEFFREY ROSS AND ELIZABETH S. KOPP IN SUPPORT OF RESPONSE OF THE U.S. TO DEFT'S. PETITION FOR POST-CONVICTION RELIEF PURSUANT TO 28 USC, SECT. 2255. | | | | |
| | 16. GOVT. EXHIBIT #150 VIDEO TAPE - (Collette MacDonald-Victim 2-19-91) b11 | | | | |
| 3/1/91 | 11. PETITIONER 'S MOTION FOR AN ENLARGEMENT OF TIME IN WHICH TO FILE REPLY PAPERS - by deft. w/cs, cy to J. Dupree b11 | | | | |
| 3/11/91 | 13. ORDER - w/out objection on the part of the govt., & for good cause shown, the mot. of the pet. filed 3/1/91 for an exten. of time in which to file a reply is granted & shall have up to & includ. 4/9/91 to file a reply. (DUPREE, USDJ) CROB#15,pg 91, cys: AUSA Murtagh, USA, Attys. Silvergate & Smith. b11 | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|---------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 3/25/91 | 13 GOVERNMENT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL AFFIDAVITS (w/ Prop. Order) cy: Judge Dupree/3 to USA | | | | |
| | 14 SUPPLEMENTAL AFFIDAVIT OF L. JEFFREY ROSS - by govt./CY: Judge Dupree/# to USA | | | | |
| | 15 AFFIDAVIT OF ROSE M. SANDER - by govt/ cy Judge Dupree, 3 to USA ---w/ ATTACHMENTS b11 | | | | |
| 3/28/91 | 16 ORDER - that the govt's. mot. for leave to file supplemental affidavits, which petitioner does not oppose is GRANTED & the clerk of court is directed to file the supp. affid's attached to the govt's. mot. (DUPREE, USDJ) CROB#15, p. 110, cys: AUSA, Murtagh, Silvergate, & Smith. b11 | | | | |
| 4/2/91 | 17 PETITIONER'S MOTION FOR A SECOND ENLARGEMENT OF TIME IN WHICH TO FILE REPLY PAPERS - w/cs, cy to Judge Dupree. b11 | | | | |
| 4/4/91 | 18 ORDER - pet. unopposed motion for a second enlargemt. of time in which to file reply papers is granted & pet. is allowed to & including 4/23/91 w/in which to file a reply. (DUPREE, UDDJ) CROB#15, p. 117, cys: USA, Attys. Silvergate, Smith & SAUSA Murtagh & USA. b11 | | | | |
| 4/19/91 | 19 PETITIONER 'S MOTION FOR FURTHER ENLARGEMENT OF TIME IN WHICH TO FILE REPLY PAPERS - w/cs, cy to Judge Dupree b11 | | | | |
| 4/19/91 | 20 RESPONSE OF THE UNITED STATES TO PETITIONER'S THIRD MOTION FOR ADDITIONAL TIME WITHIN WHICH TO FILE A REPLY - by govt. w/cs, cy to Judge Dupree. b11 | | | | |
| 4/22/91 | 21 ORDER - that the petitioner's motion for a further enlargement of time is GRANTED & petitioner is allowed an add'l. 3 weeks, to & including 5/14/91 w/in which to file a reply. The govt. will then be granted one week, to & including 5/21/91 to file a supplemental memorandum of lawThe govt's. submission will conclude the briefing in this matter. (DUPREE, USDJ) CROB#15, pg. 138, cys: Philip Cormier, AUSA, Norman Smith, Bryan Murtagh. b11 | | | | |
| 5/14/91 | 22 PETITIONER'S MOTION FOR LEAVE TO FILE OVERSIZE REPLY BRIEF - w/cs, cy to Judge Dupree. b11 | | | | |
| | 23 JEFFREY R. MACDONALD'S REPLY BRIEF IN SUPPORT OF 28 USC, SECT. 2255 PETITIONS SEEKING RELIEF FROM CONVICTION OBTAINED BY THE SUPPRESSION OF EXCULPATORY EVIDENCE - w/cs, cy to Judge Dupree. b11 | | | | |
| | ✓ 24 ADDENDUM TO MACDONALD'S REPLY BRIEF: COMPILATION AND ANALYSIS OF CASE EVIDENCE - w/cs, cy to Judge Dupree. b11 | | | | |
| | ✓ 25 AFFIDAVITS OF FRED H. BOST (#2), ROBERT L. BOYCE, DONNA BRUCE, JOHN S. CROUCHLEY, KAREN R. DAVIDSON, MYRNA K. GREENBERG, JOHN J. MURPHY (#2) and BRIAN O'NEILL - w/cs, cy to Judge Dupree. b11 | | | | |
| 5/15/91 | 26 ORDER - that the mot. of petitioner filed 5/14/91 for leave to file an oversized reply brief is allowed. (DUPREE, USDJ) CROB#15, pg. 179, cys: USA, Silvergate & Smith. b11 | | | | |
| 5/21/91 | 27 SUPPLEMENTAL MEMORANDUM OF THE UNITED STATES 1 cy: Judge Dupree ag | | | | |
| 5/22/91 | ISSUED NOTICE TO APPEAR FOR MOTION HEARING - set for 6/17/91 at Ral before Judge Dupree at 10 am. cys: USA, USMS, USPO, Joyce Todd, CtRptr, Attys. Silvergate, Smith and Bryan Murtagh. b11 | | | | |

40

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MACDONALD, Jeffrey R.

75-23-CR-3

AO 256A

Yr. Docket No. Def

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|-------------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 6/10/91 | (Document No.) NOTICE TO APPEAR - continuing Motion Hrg. originally set for 6/17/91 at 10 am to Wed., June 26, 1991 at 10am before Judge Dupree in Ral. cys: Judge Dupree, USA, USMS, USPO, J. Todd, CIVIL, CtRptr., Murtagh-AUSA, Atty. Smith & Atty. Silverglate. b11 | | | | |
| 6/14/91 28 | AFFIDAVIT #2 OF JOHN I. THORNTON - by deflt. w/cs, cy to Judge Dupree. b11 | | | | |
| 6/18/91 29 | MOTION FOR ADMISSION OF COUNSEL PRO HAC VICE - by Silverglate, Cormier and Viles for petit., cy to Judge Dupree(w/cs) b11 | | | | |
| | 30 AFFIDAVIT OF HARVEY A. SILVERGLATE - cy to Judge Dupree | | | | |
| | 31 AFFIDAVIT OF ROGER C. SPAEDER - cy to Judge Dupree | | | | |
| | 32 AFFIDAVIT OF PHILIP G. CORMIER - cy to Judge Dupree | | | | |
| | 33 AFFIDAVIT OF THOMAS C. VILES - cy to Judge Dupree b11 | | | | |
| 6/19/91 34 | ORDER - that the mot. of deflt. for admission of counsel pro hac vice filed 6/18/91 is allowed. (DUPREE, USDJ) CROB#15, pg. 224, cys: USA, Silverglate, Smith & Murtagh b11 | | | | |
| 6/26/91 | MOTION HEARING at Raleigh before Judge Dupree, CtRptr. Donna Tomawski - Deft. NOT present. Defense counsel (Silverglate, Cormier and Smith) present. Counsel for govt.(Murtagh, Depue and Evenson) present. The defense presents oral argumt.(Silverglate). The govt. (DePue) presents oral argumt. Govt.(Murtagh) presents oral argumt. including closing argumt. Defense presents rebuttal. Govt. (Murtagh) responds to rebuttal argumt. Defense final rebuttal argumt. by Silverglate. b11 | | | | |
| 7/3/91 | VOL. I - TRANSCRIPT OF MOTIN HEARING - June 26, 1991 before Judge Dupree at Raleigh, NC. CtRptr. Donna Tomawski b11 | | | | |
| 7-8-91 36 | ORDER & MEMORANDUM OF DECISION that the petition for habeas corpus filed under date of October 19, 1990 be and the same is hereby denied (Judge Dupree) CR. O.B.# 16, P.1, Cys: AUSA, Counsel of record (Ent. 7-9-91) jm | | | | |
| 7/15/91 37 | MOTION OF MacDONALD TO ENLARGE THE RECORD TO INCLUDE THE SLIDE BOX CONTAINING SYNTHETIC HAIR SLIDES - w/cs, cy to Judge Dupree. b11 | | | | |
| | 38 MOTION OF MacDONALD TO ENLARGE THE RECORD W/ THE SUPPLEMENTAL AFFIDAVIT (#3) OF JOHN J. MURPHY - w/cs, cy to J. Dupree b11 | | | | |
| | 39 SUPPLEMENTAL AFFIDAVIT (#3) OF JOHN J. MURPHY - by deflt. w/cs, cy to Judge Dupree. b11 | | | | |
| 7-18-91 40. | NOTICE OF APPEALS - Filing Fee paid(Receipt # 015401[\$105.00]) lc Judge Dupree, lc 4th Circuit Court of Appeals, lc U.S. Atty. lc U.S. MARshal, lc Probation Office. (etn. 7-19-91) ms | | | | |
| 7-19-91 | APPEAL PACKET MAILED THIS DATE CONSISITING OF DOCKETING STATEMENT, TRANSMITTAL SHEET AND INDEX. CERTIFICATE - The record in this case is complete for purposes of the appeal. It is availabel for transmission to the court of appeals upon request. lc 4th Circuit,lc Judge Dupree, lc Counsel of Record. (ent. 7-19-91) ms | | | | |
| 7-22-91 41 | GOVERNMENT'S RESPONSE IN OPPOSITION TO PETITIONER'S MOTION TO ENLARGE RECORD- w/cs Mr. Silverglate, lc Judge Dupree ms | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|---|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 8/14/91 | 41 ORDER - petitioner's motions to enlarge the record to include the slide box containing synthetic hair slides and the supplemental affidavit of John J. Murphy are granted. (DUPREE) CR OB #16, p. 62. CC to all counsel. SLIDE BOX IN POSSESSION OF F.B.I. | | | | |
| 6-4-92 | 42. PUBLISHED OPINION Affirmed by published opinion. lc Judge Dupree. 9ent. 6-5-92) ms | | | | |
| 6-18-92 | A timely petition for rehearing has been filed. | | | | |
| 7-14-92 | 43 ORDER - It is ordered that the petititon for rehearing as supplemented and suggestion for rehearing en banc are denied. Donald S. Russell, Circuit Judge. lc Judge Durpee (ent. 7-14-92) ms | | | | |
| 7-20-92 | 44 JUDGMENT U.S. COURT OF APPEALS - The court affirms the judgment of the District Court. Bert Montague, Clerk lc Judge Dupree, lc U.S. Atty (ent. 7-20-92) ms | | | | |
| 12-11-92 | 45 A Supreme Court order was filed on 11-30-92 denying certiorari. Bert Montague, Clerk. | | | | |
| 04/22/97 | 46 MOTION TO REOPEN 28 USC § 2255 PROCEEDINGS AND FOR DISCOVERY - by dft w/cs cc faxed to Judge Howard | gnm | | | |
| 04/22/97 | 47 MOTION FOR LEAVE TO FILE AN OVERSIZED MEMORANDUM OF LAW -by dft w/cs cc faxed to Judge Howard | gnm | | | |
| 04/22/97 | Received Memorandum of law in support of motion to reopen | gnm | | | |
| 04/22/97 | 48 AFFIDAVIT OF PHILIP G. CORMIER NO.1 (CONCERNING SARAN FIBERS) IN SUPPORT OF MOTION TO REOPEN 28 USC § 2255 PROCEEDINGS AND FOR DISCOVERY - by dft w/cs | gnm | | | |
| 04/22/97 | 49 AFFIDAVIT OF PHILIP G. CORNIER NO. 2 -- REQUEST FOR ACCESS TO EVIDENCE TO CONDUCT LABORATORY EXAMINATIONS -- IN SUPPORT OF MOTION TO REOPEN 28 USC § 2255 PROCEEDINGS AND FOR DISCOVERY - by dft w/cs | gnm | | | |
| 04/22/97 | Received Exhibits to Affidavit of Philip G. Cornier No.2 -- Request for access to evidence to conduct laboratory examinations -- in support of motion to reopen 28 USC §2255 proceedings and for discovery | gnm | | | |
| 04/25/97 | 50 ORDER - recusing Judge Howard from any involvement in this case and directing the clerk to reassign this matter to another judge - (HOWARD) HOB #11, p. 179 cc to all counsel (ent. 04/25/97) | gnm | | | |
| 04/25/97 | 51 ORDER REASSIGNING CASE - to the Honorable James C. Fox for all further proceedings -(Daniel, Clerk) FOB #9, p. 176 cc to all counsel (ent. 04/25/97) | gnm | | | |
| 05/12/97 | 52 MOTION TO DISMISS 28 U.S.C. § 2255 PETITION FOR LACK OF JURISDICTION AND SUGGESTION, IN THE ALTERNATIVE TO TRANSFER TO THE COURT OF APPEALS - by USA w/cs cc to Judge Fox | gnm | | | |
| 05/12/97 | 53 MOTION FOR LEAVE TO FILE AN OVERSIZED MEMORANDUM OF LAW - by USA w/cs cc to Judge Fox | gnm | | | |
| 05/12/97 | 54 OPPOSITION OF THE UNITED STATES TO DEFENDANT'S MOTION TO "REOPEN § 2255 PROCEEDINGS" AND FOR DISCOVERY - by USA w/cs cc to Judge Fox | gnm | | | |
| 05/27/97 | 55 MOTION FOR LEAVE TO FILE AN OVERSIZED REPLY AND RESPONSE - by dft w/cs cc to Judge Fox | gnm | | | |

42

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

JEFFREY R. MACDONALD

75-26-01-CR-3-F

AO 256A

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|---|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 05/29/97 | 56 MOTION FOR LEAVE TO FILE SUPPLEMENTAL AFFIDAVIT OF PHILLIP G. CORMIER IN SUPPORT OF JEFFREY R. MacDONALD'S MOTION TO REOPEN 28 U.S.C. 2255 PROCEEDINGS AND FOR DISCOVERY - by dft w/cs cc to Judge Fox | | | | |
| 6/9/97 | 57 ORDER - the govt's. motion for leave to file an oversized memorandum is allowed (FOX) OB#10, p.64 c:served | | | | |
| 6/9/97 | 58 ORDER - petitioner's motions to file an oversized reply and response is granted (FOX) OB#10, p.65 c:served. | | | | |
| 6/9/97 | 59 PETITIONER'S REPLY TO THE OPPOSITION OF THE U.S. TO DEFENDANT'S MOTION TO REOPEN \$2255 PROCEEDINGS AND FOR DISCOVERY, AND RESPONSE TO THE GOVERNMENT'S MOTION TO DISMISS - by defendant w/cs | | | | |
| 6/10/97 | 60 ORDER - defendant's motion for leave to file an oversized memorandum of law is allowed (FOX) OB#10, p.73 c:served. | | | | |
| 6/10/97 | 61 MEMORANDUM OF LAW IN SUPPORT OF MOTION TO REOPEN \$2255 PROCEEDINGS AND FOR DISCOVERY - by deft. w/cs (seperately bound - in gray folder) | | | | |
| 6/10/97 | 62 NOTICE OF FILING ORIGINAL DECLARATIONS IN SUPPORT OF GOVERNMENT'S OPPOSITION - by govt. w/cs | | | | |
| 6/10/97 | 63 OPPOSITION OF THE UNITED STATES TO DEFENSE MOTION TO FILE SUPPLEMENTAL AFFIDAVIT - by govt. w/cs | | | | |
| 6/30/97 | 64 Case file to Judge Fox re: pending motions | | | | |
| 9/2/97 | 64 ORDER - the motion to reopen [2255 proceedings is denied, the court transfers the matter to the Fourth Circuit Court of Appeals, the Government's motion to dismiss and, in the alternative, to transfer is granted in part and denied in part, McDonald's motion to file a supplemental affidavit is allowed (FOX) OB#11, p.57 c:served all counsel. (ent. 9/2/97) | | | | |
| 9/2/97 | 65 SUPPLEMENTAL AFFIDAVIT OF PHILIP G. CORMIER in support of McDonald's motion to reopen §2255 proceedings and for discovery, (allowed by 9/2/97 order). | | | | |
| 9-8-97 | 66- NOTICE OF APPEAL - lc 4th Circuit Court of Appeals. lc Judge Fox. lc U.S. Atty and Counsel of Record (etn 9-10-97) ms | | | | |
| 9-10-97 | APPEAL FEE PAID - Receipt # 041503 - \$105 00 | | | | |
| 9-10-97 | APPEAL PACKET MAILED THIS DATE CONSISTING OF docketing sheet. index and transmittal sheet | | | | |
| 10-21-97 | 67- ORDER U.S. COURT OF APPEAL - It is adjudged and ordered that the motion with respect to DNA testing is granted and this issue is remanded to teh district Court. In all other respects, the motion to file a successive application is denied Entered at the direction of Judge Russell, with the concurrence of Judge Murnaghan and Senior Judge Butzner. Patricia Connor, Clerk. lc Judge Fox. | | | | |
| 7/9/98 | 68 ORDER - giving the parties 20 days to advise the court as to the ir positions on the status of this matter (FOX) OB#14, p.206 c:served. | | | | |
| 07/28/98 | 69 LETTER addressed to Judge Fox from petitioner re: response to order | | | | |

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|----------|--|---------------------|-----|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 07/29/98 | 70 REPORT OF THE UNITED STATES CONCERNING STATUS OF DNA TESTING - by res w/cs | | | | |
| 08/20/98 | Case submitted to Judge Fox | gnm | | | |
| 08/28/98 | 71 PETITIONER JEFFREY R. MACDONALD'S MOTION FOR ENLARGMENT OF TIME IN WHICH TO FILE HIS MOTION FOR ACCESS TO THE PHYSICAL EVIDENCE FOR DNA TESTING - by pet w/cs cc to Judge Fox | gnm | | | |
| 9-11-98 | 72 UNPUBLISHED OPINION - affirmed by unpublished per curiam opinion. lc Judge Fox. (ent. 9-14-98) ms | | | | |
| 09/11/98 | 73 JEFFREY R. MACDONALD'S MOTION FOR AN ORDER TO COMPEL THE GOVERNMENT TO PROVIDE ACCESS TO THE ALL BIOLOGICAL EVIDENCE FOR EXAMINATION AND DNA TESTING BY HIS EXPERTS - by pet w/cs | gnm | | | |
| 09/11/98 | 74 MEMORANDUM IN SUPPORT OF JEFFREY MACDONALD'S MOTION FOR AN ORDER TO COMPEL THE GOVERNMENT TO PROVIDE ACCESS TO ALL BIOLOGICAL EVIDENCE FOR EXAMINATION AND DNA TESTING BY HIS EXPERTS - by pet w/cs | gnm | | | |
| 09/11/98 | 75 AFFIDAVIT OF TERRY W. MELTON - by pet w/cs | gnm | | | |
| 09/11/98 | 76 AFFIDAVIT OF EDWARD T. BLAKE - by pet w/cs | gnm | | | |
| 09/11/98 | 77 AFFIDAVIT OF PHILIP G. CORMIER (NO.3) IN SUPPORT OF JEFFREY R. MACDONALD'S MOTION FOR AN ORDER TO COMPEL THE GOVERNMENT TO PROVIDE ACCESS TO THE PHYSICAL EVIDENCE FOR EXAMINATION AND DNA TESTING BY HIS EXPERTS - by pet w/cs | gnm | | | |
| 09/11/98 | -- Exhibits to Affidavit of Philip G. Cormier (no. 3) in support of motion received | gnm | | | |
| 09/16/98 | 78 ORDER - granting motion for enlargement of time to file motion for access to physical evidence until September 11, 1998 - (FOX) cc: all counsel (ent. 09/16/98) | gnm | | | |
| 09/21/98 | 79 AFFIDAVIT OF PETER R. DeFOREST - by pet w/cs | gnm | | | |
| 09/25/98 | 80 GOVERNMENT MOTION FOR ENLARGMENT OF TIME IN WHICH TO FILE RESPONSE TO PETITIONER'S MOTION FOR ACCESS TO THE PHYSICAL EVIDENCE...- by USA w/cs | gnm | | | |
| 10/05/98 | 81 ORDER - allowing government's motion for enlargement of time until 10/23/98 (DANIEL, Clerk) cc: all counsel (ent. 10/05/98) | gnm | | | |
| 10-5-98 | 82 JUDGMENT (97-7297) U.S. COURT OF APPEALS - The court affirms the judgment of the District Court. lc Judge Fox, lc U.S. Atty. (ent. 10-6-98) ms | | | | |
| 10/23/98 | 83 MOTION TO EXCEED PAGE LIMITATION - by govt. w/po c: Judge Fox | ah | | | |
| 10/23/98 | 84 OPPOSITION TO PETITIONER'S MOTION FOR ORDER TO COMPEL - by govt. w/cs c: Fox | ah | | | |
| 11/2/98 | 85 REPLY TO OPPOSITION TO MOTION FOR ORDER TO COMPEL - by deft. w/cs c: Fox | ah | | | |
| 12/11/98 | 86 ORDER - that the govt. produce and make available to deft's. experts within 60 days the evidence described by this order for appropriate non-destructive DNA testing, such testing to be concluded by 9/1/99; deft's request for further discovery is denied (FOX) OB#16, p.113 c:served. | ah | | | |
| 01/15/99 | 87 PRELIMINARY REPORT OF THE UNITED STATES CONCERNING DEFENSE ACCESS TO ITEMS OF BIOLOGICAL EVIDENCE FOR DNA TESTING AND REQUEST FOR AUTHORIZATION TO CONDUCT ADDITIONAL PRELIMINARY STEPS PRIOR TO SURRENDER OF EXHIBITS TO THE DEFENSE _ BY USA w/cs | gnm | | | |

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UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

JEFFREY R. MACDONALD

75-26-01-CR-3=F

AO 256A

Yr. Docket No. Def.

| DATE | (Document No.) | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|-----------|----------------|---|---------------------|-----|-----|-----|
| | | | (a) | (b) | (c) | (d) |
| 01/29/99 | 88 | MOTION FOR ENLARGEMENT OF TIME IN WHICH TO FILE HIS RESPONSE TO PRELIMINARY REPORT OF THE UNITED STATES CONCERNING DEFENSE ACCESS TO ITEMS OF BIOLOGICAL EVIDENCE FOR DNA TESTING AND REQUEST FOR AUTHORIZATION TO CONDUCT ADDITIONAL PERLIMINARY STEPS PRIOR TO SURRENDER OF EXHIBITS TO THE DEFENSE - by pet w/cs | gnm | | | |
| 02/01/99 | 89 | RESPONSE TO PRELIMINARY REPORT OF THE UNITED STATES CONCERNING DEFENSE ACCESS TO ITEMS OF BIOLOGICAL EVIDENCE FOR DNA TESTING AND REQEUST FOR AUTHORIZATION TO CONDUCT ADDIOTIONAL PRELIMINARY STEPS PRIOR TO SURRENDER OF EXHIBITS TO THE DEFENSE AND MOTION FOR ADDITIONAL RELIEF - by pet w/cs | gnm | | | |
| 02/03/99 | 90 | ORDER - that petitioner may filed his response to the preliminary report to including 2/1/99 (Daniel, Clerk) cc: all counsel ent. 02/03/99 | gnm | | | |
| 02/11/99 | 91 | REPLY OF THE UNITED STATES TO PETITONER'S RESPONSE TO ITS PRELIMINARY REPORT AND REQUEST FOR AUTHORIZATION TO CONDUCT ADDITIONAL PRELIMINARY STEPS PRIOR TO THE SURRENDER OF EXHIBITS TO THE DEFENSE - by USA w/cs cc to Judge Fox | gnm | | | |
| 02/18/99 | 92 | RESPONSE OF THE UNITED STATES TO PETITIONER'S MOTION FOR ADDITIONAL RELIEF - by USA cc to Judge Fox with proposed order | gnm | | | |
| 03/01/99 | 93 | PETITIONER'S REPLY TO THE RESPONSE OF THE UNITED STATES TO PETITIONER'S MOTION FOR ADDITIONAL RELIEF - by pet w/cs cc to Judge Fox | gnm | | | |
| 03/09/99 | -- | NOTICE OF HEARING -Motions hearing set for Tuesday, March 23, 1999 at 2:00 p.m. in Wilmington, 2nd Floor, Courtroom #1 before Judge Fox | gnm | | | |
| 3/16/99 | 94 | NOTICE OF APPEARANCE - by Andrew Good w/cs | anh | | | |
| *3/19/99 | 95 | NOTICE OF APPEARANCE - by Barry Scheck w/cs | anh | | | |
| **3/26/99 | 96 | ORDER - granting the motion for production of exemplars for appropriate DNA testing; the parties are to report in writing to the court regarding the persons or laboratory qualified to be selected by the court to conduct the testing by APRIL 7, 1999; in addition, the government is to appropriately prepare all exhibits and exemplars as specified by this order by MAY 17, 1999. (FOX) OB#17, p.200 c:served. | | | | |
| 4/7/99 | 97 | JEFFREY R. MacDONALD'S REPORT CONCERNING SELECTION OF AN INDEPENDENT LABORATORY - by deft. w/cs | ah | | | |
| 4/9/99 | -- | TRANSCRIPT OF MARCH 23, 1999, MOTION HEARING | ah | | | |
| 4/13/99 | 98 | NOTICE OF FILING - by govt. w/cs | ah | | | |
| 4/14/99 | 99 | ORDER - directing the employment of the AFIP as the independent laboratory, the governemtn is directed to enter into appropriate financial arrangements with the AFIP and make such part of the record, and directing MacDonald to execute a document as set forth in paragraph five of this order (FOX) OB#18, p.35 c:served. | ah | | | |
| 4/28/99 | 100 | MacDONALD'S WAIVER CONCERNING DEFENSE EXPERTS' ACCESS TO OBSERVE DNA TESTING PROCEDURES - by dft. w/cs c:Fox | ah | | | |
| 5/11/99 | 101 | MOTION TO WITHDRAW REQUEST FOR AUTHORIZATION TO CONDUCT ADDITIONAL PRELIMINARY STEPS - by USA w/cs c:Fox | ah | | | |
| 5/14/99 | 102 | PHOTOGRAPHIC SUBMISSIONS NOTICE OF FILING - by USA w/cs c:Fox (exhibits in gray expandable folders) | ah | | | |
| 5/18/99 | 103 | ORDER - allowing the motion by USA to withdraw request for authorization to conduct additional steps (FOX) OB#18, p.143 c:served. | ah | | | |

** 3/23/99 MOTION HEARING before Judge Fox in Wilmington
C.R. Jo Bush

Interval (per Section II) ah

Start Date End Date

Ltr. Total Code Days

