

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

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SCANNED

Case No. CR02-350(A)-AHM

Date and Filed: September 26, 2003

PRESENT: THE HONORABLE A. HOWARD MATZ, JUDGE

Stephen Montes
Deputy Clerk

Nancy Smith-Wells
Court Reporter

Elena Duarte/Jason Gonzalez
Assistant U.S. Attorney

Interpreter: N/A

USA v. (DEFENDANT(S) PRESENT):

ATTORNEY(S) PRESENT FOR DEFENDANT(S):

(1) STEVEN WILLIAM SUTCLIFFE
 Custody Bond O/R

(1) David R. Reed - Stand-By Counsel
 Appointed Retained

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SEP 30 2003

PROCEEDINGS: STATUS CONFERENCE

Cause called; appearances made.

Court, counsel, defendant, and security representatives (R.A. Martin, Supervisor USM, Troy Hesselrode, USM, Deputy-in-Charge, Sinclair Alston, Jr., CSO, and Michael Austin, Supervisor CSO), as well as Court Telecommunications Chief, James Settle confer regarding logistics and procedures for the upcoming trial.

Court acknowledges technical error and omission in previous warnings to defendant regarding waiver of his right to counsel. Court offers to allow defendant to have counsel appointed and questions *pro se* defendant regarding Mr. Reed. Court finds that defendant wants an attorney and, therefore, appoints David R. Reed, Esq., 3699 Wilshire Boulevard, Suite 850, Los Angeles, California 90010; telephone 310-854-5246; and facsimile 760-674-0224 as counsel of record for defendant Steven William Sutcliffe. Court reiterates and expands admonitions concerning defendant's duty to cooperate with Mr. Reed and risk of waiving his right to counsel in future.

Court and counsel also confer regarding the status of the electronic evidence/data. Court orders the clerk to contact all prior defense counsel and instruct them to file, *in camera* and under seal, status reports regarding what, if any, expert testimony, assistance, and/or work-product they have obtained in this action and where is it? Court also orders the Clerk of the Court to provide maximum, immediate assistance to counsel in order to duplicate the electronic data. Court also orders Government to obtain another copy of the electronic data, as much as possible.

Given the status of the electronic data, the Court indicates that defendant cannot fairly be expected to proceed to trial on September 30, 2003. Government states that based on its last calculation, the current TMAX is October 10, 2003. Court and counsel confer regarding new trial date. The Court continues the trial from September 30, 2003 to **October 7, 2003 at 8:00 a.m.**

z/bk