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U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

MAR 05 1990

ROBERT A. SHANNON, CLERK
BY _____
RDW

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA :
VS. : CR 90-20003-01
GEORGE S. ACKERSON : JUDGE VERON

RULING ON MOTIONS FOR DISCOVERY

This matter comes before the Court on motions of George S. Ackerson for discovery.

Defendant's motion for disclosure of exculpatory evidence has several sections which are ruled upon as follows: Sections 1(a) and 1(h) - 1(m) are DENIED as defendant is not entitled to this information under Rule 16 or applicable case law. Sections 1(b) - 1(d) are DENIED except to the extent that such material constitutes Brady material. Sections 1(e) - 1(g) are GRANTED as the Government has no objection to these requests. Section 1(n) is DENIED except to the extent that such evidence constitutes Brady material. Section 1(o) is MOOT as the information is of public record in the Clerk's office. Section 1(p) is MOOT as the Government states that no such information exists. Section 2 is DENIED in its entirety except to the extent that such information constitutes Jencks material. Sections 3, 4, 6 and 7 are GRANTED as the Government has no opposition to these requests. Section 5 is DENIED as such information is specifically protected from discovery under Rule 16. Sections 8, 9, 10, 11, 12 and 13 are DENIED except to the extent that they are discoverable under Rule 16 or Brady or Jencks or will be introduced by the Government at trial. All exculpatory material

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shall be turned over by the Government as soon as it comes into the Government's possession. All Jencks material shall be turned over the evening prior to the day of the anticipated testimony of a witness.

In regard to defendant's motion for information regarding prior bad acts, the Government, if it intends to introduce Rule 404(B) material, is ORDERED to make a proffer to the Court of what it seeks to introduce by either oral motion or a motion in limine.

Defendant's motion for discovery and inspection has several sections which are ruled upon as follows: Sections 1 - 4, 6 and 9 are GRANTED as the Government has no objection to these requests. Section 5 is GRANTED except that defendant is not entitled to material that the Government has relied on in returning the indictment. Sections 7, 8 and 10 are DENIED as the defendant is not entitled to this information under Rule 16 or case law. Section 11 is DENIED unless the witness testifies at trial at which time his grand jury testimony becomes Jencks material. Section 12 is DENIED as defendant is not entitled to anything beyond Brady, which has already been dealt with. Section 13 is MOOT as any plea agreements are of record in the Clerk of Court's office.

THUS DONE AND SIGNED in chambers in Lake Charles, Louisiana
this 5th day of March, 1990.

COPY SENT

DATE 3 5 90

BY lv

TO

Regan (usa)
Cage (usa)
Canaday

Earl E. Veron

EARL E. VERON
UNITED STATES DISTRICT JUDGE