

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION



UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 v.)
)
 GEORGE TERRANCE BESSER,)
)
 Defendant.)

Case No. 1:04-CR-165
Honorable Robert Holmes Bell
**PRETRIAL CONFERENCE
SUMMARY ORDER**

Following the initial pretrial conference conducted in this matter, it is hereby ordered:

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements [Rule 16(a)(1)(A)]

There are no oral statements as defined in Rule 16(a)(1)(A).
 There are the following written records of oral statements:
1/11/05 IN Mexico; TO FBI IN L.A. 1/11/05
the substance of which has been disclosed to defense counsel or will be by _____.

2. Written or Recorded Statements [Rule 16(a)(1)(B)]

There are no written or recorded statements or grand jury testimony of defendant.
 There are the following written or recorded statements or grand jury testimony.
1) VIDEO OF SEMINAR 5/19+20/01
2) 6 AUDIO TAPES OF TELEPHONE CALLS JUN-JULY 1997
All written or recorded statements have been disclosed or will be by APPT W/ AUSA.

B. Defendant's Prior Record [Rule 16(a)(1)(D)]

The Government has made due inquiry and is not aware of any prior criminal record.
 The Government has disclosed defendant's prior criminal history.
 The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects [Rule 16(a)(1)(E)]

The Government has no documents, tangible objects, or physical evidence required to be disclosed.
 The Government has the following documents, tangible objects, and physical evidence:
 Controlled Substances: _____ Drug Paraphernalia
 Records: _____ Drug Records
 See Attached Inventory
 Other: _____

They have been made available for inspection and copying by defense counsel.
 Defense counsel should make arrangements with _____.

D. Reports of Examinations and Tests [Rule 16(a)(1)(F)].

- The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- The Government has or expects to have reports of the following examinations and tests:
 - Drug Analysis Handwriting Fingerprints
 - Other _____

E. Reciprocal Discovery

- The government seeks reciprocal discovery.

F. Other Discovery Matters: _____

G. Discovery Obligation. All parties shall comply with Rule 16, Federal Rules of Criminal Procedure, including the requirement pertaining to expert witnesses. If any party discovers additional information required to be disclosed under Rule 16, it is to advise opposing counsel, in writing, regarding that information. The parties must also be prepared to comply with the provisions of Rule 26.2 at trial.

H. Notice Under FRE 404(b).

- The defendant requests disclosure pursuant to FRE 404(b).
- The Government does does not presently intend to introduce 404(b) evidence.
- The Government will provide pretrial notice of 404(b) evidence by _____

II. MOTIONS [RULE 12]

A. The following defense motions are filed or contemplated:

B. Defendant must file all Rule 12(b) motions no later than 3 weeks from today's date, unless by leave of court.

III. TRIAL

A. This is a jury _____ non-jury trial.

B. Length of trial excluding jury selection is estimated at 4-6 WEEKS (200 WITNESSES)

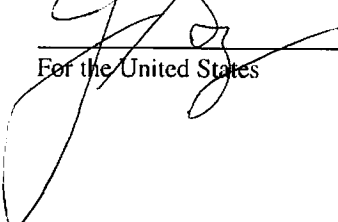
IV. MISCELLANEOUS

A. Defense counsel shall explain to the defendant the plea negotiation process, including the effect of any limitation by the U.S. Attorney on the time to accept plea offers.

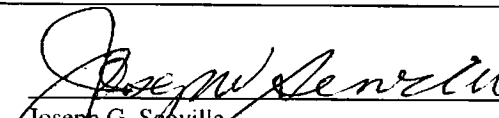
B. Other: _____

Dated: 2/2/05

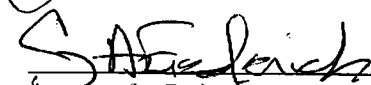
Approved in form and substance:



For the United States



Joseph G. Scoville
United States Magistrate Judge



Attorney for Defendant



Defendant

Discovery Items – George T. Besser

1: 04 CR 165

1. **Oral Statements**
 - 1-11-05 statement to authorities

2. **Written or Recorded Statements**
 - a. Video tape of seminar on 5-19 and 5-20-01.
 - b. 6 audio tapes of phone conversations and messages between defendant and others in June and July 1997.

3. **Documents and Tangible Objects**
 - a. Fingerprints, photographs, and handwriting exemplars of co-defendants
 - b. Bank and Financial Institution Records
 - c. Tax Records of Defendants
 - d. Search Warrant Affidavit
 - e. Search Warrant Records
 - f. Records Provided by Employees and Associates of Access Financial
 - g. Records provided by Victims
 - h. Records provided by Defendants
 - i. Records of purchases of assets and expenditures
 - j. Western Union Records
 - k. Records of Wire Transfers
 - l. Health Insurance records
 - m. Workman's Compensation Records
 - n. Mortgage and Loan application documents
 - o. Bankruptcy and other Court Documents
 - p. Currency Transaction Reports
 - q. MLC International Records
 - r. Other Misc. Records