

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 05-394 (RBW)
)	
I. LEWIS LIBBY,)	
)	
Defendant.)	
_____)	

ORDER

Currently before the Court is the defendant’s Motion to Continue the Trial Date (“Def.’s Mot.”) and his Notice Regarding Motion to Continue Trial Date (“Def.’s Notice”). For the reasons set forth below, the Court grants in part and denies in part the defendant’s request.

On February 3, 2006, this Court set January 8, 2007, as the date on which trial of this action will commence. February 3, 2006 Order. The defendant seeks a two-week continuance of this trial date in order to avoid a possible conflict with another commitment of one of his attorneys. Specifically, the defendant represents that one of his attorneys is scheduled to commence a criminal trial on September 11, 2006, in the Northern District of California, and that “deliberations in the California case might not be completed until late November or early December—assuming there are no unforeseen delays.” Def.’s Notice at 4. While this Court appreciates the defendant’s concern that the trial in California could cause a scheduling conflict that affects this trial, after carefully reviewing the trial schedule for the trial in California provided by the defendant and after consultation with the chambers of the judge in the District Court in California who will preside over defense counsel’s other case, this Court believes that

any conflict is quite remote. Nonetheless, the Court will continue the trial date for one week to further ensure that there will be no conflict. Accordingly, it is hereby this 8th day of September, 2006,

ORDERED that the defendant's motion is **GRANTED IN PART AND DENIED IN PART**. It is further

ORDERED that jury selection shall begin on January 16, 2007, with the trial commencing immediately thereafter. It is further

ORDERED, as set forth in the Court's February 3, 2006 scheduling order, that the parties shall file motions in limine regarding any evidentiary issues they believe will be contested at trial by October 26, 2006, oppositions shall be filed by November 9, 2006, and replies shall be filed by November 15, 2006. It is further

ORDERED, as set forth in the Court's February 3, 2006 scheduling order, that proposed voir dire questions and jury instructions shall be submitted to the Court by November 13, 2006.

SO ORDERED.

REGGIE B. WALTON
United States District Judge