

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA

v.

CARLOS COLON, et al.

No. 3:14-cr-00085 (JAM)

ORDER RE BRIEFING, DISCOVERY, EVIDENTIARY HEARING, AND TRIAL DATE

In accordance with yesterday's evidentiary hearing, the Court enters the following orders:

1. *Motion to Suppress Oral Statements Made at Police Headquarters*. In light of the Government's intent to use these statements, if at all, solely for the purpose of impeaching Mr. Mendez's testimony on cross-examination, this motion (Doc. #33) is denied as moot. *See United States v. Havens*, 446 U.S. 620, 627–28 (1980).
2. *Motion for Discovery (Doc. #34)*. This motion is denied as moot, because the Government has agreed to produce all of the requested discovery.
3. *Motions to Dismiss Indictment and for Discovery*. In light of the testimony presented at the evidentiary hearing and the Court's colloquy with counsel, any party may file supplemental briefing on or before Tuesday, October 14, 2014, with respect to defendants' Joint Motion for Dismissal of Indictment (Doc. #37) and related Joint Motion for Discovery (Doc. #36). The Government shall promptly make available, as requested, any evidence relating to the text message from CI-1 to the FBI about which there was testimony at the hearing.
4. *Motions re Statements of Defendants in Law Enforcement Vehicles*. With respect to defendants' motions relating to defendants' video-recorded statements while in law

enforcement vehicles at the scene of their arrest, the Government shall file by October 14, 2014, any response to defendants' Fourth Amendment arguments. The Court grants the motion of defendant Mendez for discovery (Doc. #73), and the Government shall permit any defense counsel to examine and photograph the vehicles in which any defendant was located when subject to post-arrest video-recording.

5. *Joinder of Motions.* Any defendant wishing to join any pre-trial motion filed by another defendant must promptly file a written statement joining the motion.
6. *Continued Evidentiary Hearing.* The Court shall convene on Monday, October 20, at 10 a.m. for a continuation of the evidentiary hearing and oral argument on pending pretrial motions.
7. *Jury Selection Date and Scheduling Teleconference.* The Court will shortly convene a scheduling teleconference re trial dates and to determine whether the parties wish to seek a continuance from the jury selection date of November 3, 2014.

It is so ordered.

Dated at Bridgeport this 30th day of September, 2014.

/s/

Jeffrey Alker Meyer
United States District Judge