

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

2 2002
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UNITED STATES OF AMERICA)
)
 v.) **Criminal No. 02-37-A**
)
JOHN PHILLIP WALKER LINDH)

ORDER

The matter is before the Court on defendant's April 24, 2002 response to the government's motion for an extension of time to complete discovery. As the government's motion for an extension of time was granted by Order dated April 23, 2002—the original discovery deadline—defendant's response, filed the day after the original discovery deadline, is properly construed as a motion for reconsideration of the April 23, 2002 Order. *See United States v. Lindh*, Criminal No. 02-37-A (E.D. Va. Apr. 23, 2002) (Order). In the motion for reconsideration, defendant argues (i) that an extension of the discovery deadline should not be granted with respect to the government's obligation, pursuant to Rule 16(a)(1)(C), Fed. R. Crim. P., to produce evidence intended for use in its case in chief, and (ii) that if the discovery deadline is extended, the remainder of the dates and deadlines set forth in the February 15, 2002 Scheduling Order, including the August 26, 2002 trial date, should be amended accordingly. *See United States v. Lindh*, Criminal No. 02-37-A (E.D. Va. Feb. 15, 2002) (Scheduling Order).

Because there is no good cause to do so, it is hereby **ORDERED** that defendant's motion for reconsideration of the April 23, 2002 Order extending the discovery deadline is **DENIED**.

It is further **ORDERED** that, because there is no good cause to do so, defendant's request

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to extend the remainder of the dates and deadlines set forth in the February 15, 2002 Scheduling Order, including the trial date, is **DENIED**.

It is further **ORDERED**, however, that the government is **DIRECTED** to file a memorandum by 5:00 p.m., Wednesday, May 1, 2002, advising the Court (i) the status of discovery, including the quantity of materials already produced, (ii) what discovery materials remain to be produced and (iii) how promptly production of these remaining discovery materials can be accomplished.

The Clerk is directed to send a copy of this Order to all counsel of record.

/S/

Alexandria, VA
April 25, 2002

T.S. Ellis, III
United States District Judge