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| **UNITED STATES**  **v.**  **Name**  **Rank, Branch** |  | **TRIAL MANAGEMENT ORDER**  **18 Sep 25** |

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| **a. Arraignment (and appointment of victim’s designee if applicable)** | **DD MMM YY** |
| b. Defense request for discovery/expert consultation (From any source) | DD MMM YY |
| c. Government disclosure obligations[[1]](#endnote-2)/written response to Defense  request for discovery/expert consultation | DD MMM YY |
| d. Defense reciprocal disclosure obligations/motions to  compel discovery[[2]](#endnote-3)/motions to compel expert consultation | DD MMM YY |
| e. Government responses to defense motions to compel discovery and  expert consultation | DD MMM YY |
| **f.** **Discovery Status and Expert Consultation 39(a)[[3]](#endnote-4)** | **DD MMM YY** |
| g. Defense lay witness and expert witness request[[4]](#endnote-5) (From any source) | DD MMM YY |
| h. Government response to Defense lay witness and expert  witness request | DD MMM YY |
| i. Notice pursuant to M.R.E.s 304(f)(2), 404(b), 412, 413(b), 414(b)  and R.C.M. 703(d)(3)(A)(ii) | DD MMM YY |
| j. Motions filed[[5]](#endnote-6)\* | DD MMM YY |
| k. Responses to motions**\*** | DD MMM YY |
| l.Written notice of pleas and forum[[6]](#endnote-7)\* | DD MMM YY |
| **m. Article 39(a)** | **DD MMM YY** |
| n. Written notice of certain defenses[[7]](#endnote-8) | DD MMM YY |
| o. Final pretrial matters[[8]](#endnote-9)**\*** | DD MMM YY |
| **p. Trial Dates at Camp Lejeune, NC** | **DD MMM YY** |

**2. Timeliness.** A party shall seek leave of court, prior to the deadline, if it anticipates the need to make a notice or filing after the ordered milestone. If a continuance is necessary, counsel will seek relief as soon as possible.

**3. Victims’ Legal Counsel (VLC) and other Non-Party Counsel**. VLC and other non-party counsel shall file a notice of appearance with the court, stating the court circuit, applicable case caption, name of the respective client (using initials only if the client is a minor), and name, rank, address, phone number and email address of the counsel. The notice shall contain a brief statement as to the qualifications to practice and oath status of the counsel. The notice must be served on all parties, and prior to any 39(a) session at which the VLC desires to be heard. VLC and other non-party counsel’s appearance and filings must be filed in accordance with this Order's milestones, including responses to motions upon which the counsel desires to be heard, and in consideration of the Circuit Rules. Failure to comply with this Order will constitute waiver by the VLC or other non-party counsel's right to be heard, subject to a good cause determination by the Court.

So **ORDERED** this 18th day of September, 2025.

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Military Judge

\*Filed with the Clerk of Court and served on counsel consistent with the NMCTJ Uniform Rules. Trial counsel is responsible for service upon named victims in the absence of a victims’ legal counsel where such service is necessary.

1. Discovery obligations are continuous. R.C.M. 701 & 703 required disclosures: papers accompanying the referred charges; convening and amending orders; statements in the possession of the trial counsel; names and addresses/contact information of witnesses the trial counsel intends to call in the prosecution’s case-in-chief and to rebut certain defenses when notified; notice of records of prior convictions of the accused to be offered on the merits; sentencing information when required; evidence that is favorable to the defense; notice of any immunity or leniency to prosecution witnesses (M.R.E. 301(c)(2)); and notice of the government’s intent to offer expert witness testimony, to include a written summary of the expected expert testimony IAW R.C.M. 703(d)(3)(A)(i). Disclosure of evidence seized from or the property of the accused, if any (M.R.E. 311(d)(1)). Disclosure of evidence of prior identification of the accused, if any (M.R.E. 321(c)(1)). [↑](#endnote-ref-2)
2. Discovery obligations are continuous. Upon request of trial counsel, the defense shall permit the trial counsel to inspect the documents, tangible objects and relevant reports prepared by expert witnesses that it intends to introduce as evidence in its case in chief or of relevant reports prepared by expert witnesses the defense intends to call at trial upon Government compliance with such requests made by the defense. (R.C.M. 701 (b)(3)&(4)). [↑](#endnote-ref-3)
3. This 39(a) is to address any outstanding discovery issues following the Government response to the Defense discovery request. This 39(a) will only be canceled if both parties, in writing, indicate to the Court that all discovery obligations have been complied with and parties are in ***receipt*** of the requested discovery. Otherwise both parties must be prepared to litigate the outstanding discovery issues. [↑](#endnote-ref-4)
4. A proper witness request includes a synopsis of expected testimony sufficient to show its relevance and necessity on the merits or that a witness’ personal appearance is necessary on sentencing. (R.C.M. 703(c)(2)(B)). [↑](#endnote-ref-5)
5. Counsel will litigate all ripe motions on this motions date. [↑](#endnote-ref-6)
6. Note that forum selections of judge alone or members with enlisted representation must be personally signed by the accused or declared on the record. [↑](#endnote-ref-7)
7. Particulars of defenses of alibi, innocent ingestion, lack of mental responsibility, or the defense’s intent to introduce expert testimony as to the accused’s mental condition. (R.C.M. 701(b)(2)). [↑](#endnote-ref-8)
8. Final Pretrial Matters (FPTM) will include: member questionnaires, requests for judicial notice, voir dire, witness list with units, company sized unit, proposed instructions, cleansed charge sheet, findings and sentencing worksheets, and any motions in *limine*. Notice will be provided to the Court and opposing counsel when a party intends the use of electronic media or to take testimony by telephone or video-conferencing. Also required to be included in the FPTM, ***both Trial and Defense Counsel will submit a written assertion that their witnesses have been contacted, are aware of the trial dates and uniform, and have travel arranged, if necessary.*** [↑](#endnote-ref-9)