

SUPERIOR COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX

PEOPLE OF THE VIRGIN ISLANDS,  
PLAINTIFF,  
  
V.  
  
WALEED HAMED,  
DEFENDANT.

CASE No. SX-15-CR-353

TRACK 3:  
270 DAYS TO DISPOSITION

SCHEDULING ORDER

The Defendant having been arrested on November 25, 2015, advised of his rights on November 25, 2015, and arraigned on November 25, 2015; and the matter having been assigned to the Honorable Harold W. L. Willocks of the Superior Court of the Virgin Islands;

It is ORDERED as follows:

1. This case is assigned to Track Three (3).
2. All notices of appearances shall be filed no later than five (5) days after entry of this order.
3. The pre-trial conference addressing all discovery matters and pre-trial motions is scheduled for March 4, 2016, at 9:00 a.m., in Courtroom No. 206.
4. The People shall provide initial discovery within twenty-one (21) days of arraignment.
5. All pre-trial motions shall be filed within thirty (30) days of arraignment, with oppositions due fifteen (15) days thereafter, and any replies due within seven (7) days of any opposition.
6. The People's final and best plea offer shall be extended not less than twenty (20) days before the date of the pre-trial conference, but the Court strongly encourages the People to extend their plea offers at the earliest possible stage of proceedings.

7. If a plea agreement is reached prior to any scheduled conference or hearing, the parties shall notify the Court in advance that the case is ready for presentation of a plea agreement at, or prior to, the next scheduled conference or hearing.

8. The People and counsel for Defendant shall provide written responses to the below questions at the pre-trial conference:

- a. Are there any Federal Rules of Criminal Procedure 12 (b) Motions?
- b. Has Federal Rules of Criminal Procedure 12.1 notice been given? (if applicable)?
- c. Has Federal Rules of Criminal Procedure 12.2 notice been given? (if applicable)?
- d. Has Federal Rules of Criminal Procedure 12.3 notice been given? (if applicable)?
- e. Are there any discovery issues?
- f. What date was the discovery submitted?
- g. Are there any pending motions and any motions *in limine*? Parties shall be prepared to present arguments thereon at the pre-trial conference.
- h. Are there any amendments to the Information or Complaint?
- i. Are there any anticipated affirmative defenses, including any alibi defense, or lesser included offenses?
- j. Who are potential witnesses, and are there any perceived problems in obtaining their presence?
- k. List of expert witnesses, including, but not limited to the proposed expert, names, addresses, and curriculum vitae.
- l. What is the expected length of trial?
- m. Are there any potential stipulations of fact, stipulated testimony, depositions, or stipulations regarding the foundation for, or the authentication or admissibility of, any evidence?
- n. Are there any anticipated evidentiary issues, including but not limited to issues involving:
  - i. judicial notice pursuant to Fed. R. Evid. 201,

- ii. other crimes evidence pursuant to Fed. R. Evid. 404(b),
  - iii. other character evidence pursuant to Fed. R. Evid. 404(a), 405, 406, or 412-415,
  - iv. prior convictions of the Defendant or witnesses pursuant to Fed. R. Evid. 609,
  - v. evidence of character and conduct of witnesses, including personnel or disciplinary records of law enforcement officers pursuant to Fed. R. Evid. 607 and 608,
  - vi. scientific or forensic evidence,
  - vii. expert witness testimony pursuant to Fed. R. Evid. 702-705, including challenges to the basis of the expert opinion or "ultimate issue" testimony,
  - viii. demonstrative evidence pursuant to Fed. R. Evid. 901, 902, and 1001-1007,
  - ix. hearsay exceptions pursuant to Fed. R. Evid. 803, 804, and 807, and
  - x. Fed. R. Evid. 1008 issues that require a preliminary determination by the Court;
- o. Is Defendant eligible to receive an enhanced mandatory sentence pursuant to the habitual criminal statute, 14 V.I.C. §§ 61, 62, and whether the People intend to file for enhanced mandatory sentencing in the event of a conviction?
- p. What other problems or concerns exist?

9. Defendant shall appear at all proceedings in this matter.

10. By signing below, Defendant acknowledges his obligation to appear at all proceedings in this matter and acknowledges having been advised of the dates enumerated in this Order.

  
\_\_\_\_\_  
DEFENDANT'S SIGNATURE

Date: 1/25/15, 2015

11. While these dates may be amended at the Court's discretion, the parties should assume these dates will not be extended absent a showing of good cause, pursuant to Super. Ct. R. 10 and 10.1.

12. Any party's failure to proceed as **ORDERED** will result in the Court imposing appropriate sanctions.



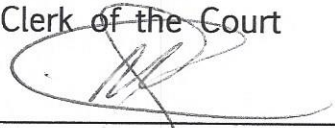
13. Copies of this Order shall be directed to Defendant, the Office of the Attorney General, and counsel of record for Defendant.

Dated: November 25, 2015



HON. MAGISTRATE JESSICA GALLIVAN  
OF THE SUPERIOR COURT  
OF THE VIRGIN ISLANDS

ATTEST:  
ESTRELLA GEORGE,  
Acting Clerk of the Court



By: \_\_\_\_\_  
Court Clerk Supervisor *ll*

*11/25/15*

CERTIFIED TO BE A TRUE COPY  
THIS *25<sup>th</sup>* day of *Nov* 20 *15*  
*Estrella H. George*  
CLERK OF THE COURT  
By \_\_\_\_\_ Court Clerk *ll*