

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

BRANDON HAYNES,
WILLIE WILSON,
DONTE EDWARDS,
ANTHONY GADSOON,
JOE POWELL,
NATASHA WOLFE,
GALEN MALAMUTE,
ANDRA ALI TAYLOR.

Defendants.

Case No. 4:11-cr-0010-RRB

ORDER DENYING MOTIONS
AT DOCKETS 164, 156, and 210

Before the Court at **Docket 164** is Defendant **Donte Edwards**, with a Motion to Dismiss Counts 1, 2, 3, and 4 of the Indictment due to insufficiency of the evidence. The Government opposed at Docket 192. The Magistrate Judge submitted a Report and Recommendation at Docket 262 in which he recommended denying the motion and Defendant filed his objections at Docket 278.

The Court has reviewed all of the relevant documents and, despite Defendant's objections, finds the Report and Recommendation of the Magistrate Judge to be convincing. It is therefore adopted

in its entirety. Based thereon, the Motion to Dismiss at **Docket 164** is **DENIED**. It remains for trial to determine the sufficiency of the Government's evidence.

At **Docket 156** Defendant Powell filed a Motion to Sever which Defendant Edwards joined at **Docket 210** and which the Government opposed at Docket 189. The Magistrate Judge recommended denying the motion in his Report and Recommendation at Docket 238. Defendant filed his objections at Docket 276. Again, the Court finds the Magistrate Judge's recommendation persuasive. The Motion to Sever at **Docket 156** and Joinder at **Docket 210** are therefore **DENIED** for the reasons set forth by the Magistrate Judge. Moreover, it is the Court's view that any prejudice that might occur as a result of joinder can be addressed by way of an explicit jury instruction which the Court invites the Defendant to submit.

IT IS SO ORDERED.

ENTERED this 21st day of September, 2011.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE