

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

The following cases have been set for trial during the **MARCH** trial term beginning on **Monday, March 1, 2010**, through **Friday, April 2, 2010**, in the Sam Gibbons United States Courthouse, 801 N. Florida Avenue, Courtroom #13A, Tampa, FL, before **the Honorable James S. Moody, Jr.**

The cases are listed in the order in which they will be tried, although experience indicates that at times cases may be called out of order. For the convenience of counsel, the names of all counsel are furnished so that counsel may keep themselves informed of the progress of the cases listed prior to their own. **IT IS EXPECTED THAT ALL CASES WILL BE REACHED DURING THIS TRIAL TERM.** Cases not reached will automatically be rolled over to the next trial term calendar.

Exhibit and Witness Lists shall be electronically filed before the start of trial. All Exhibits are to be premarked in accordance with the attached Instructions. M.D. Fla. Rule 3.07.

**JURY TRIALS:** NO LATER than the morning of the first day of trial, counsel shall electronically file proposed voir dire, jury instructions, and verdict forms, serve copies on opposing counsel, and provide the courtroom deputy with a copy for use by the Judge. **Counsel shall provide the Court with a diskette or CD containing your jury instructions and verdict form in WordPerfect format.**

**CIVIL CASES:** Counsel are reminded of their obligation to file Trial Briefs and, if applicable, Proposed Findings of Fact and Conclusions of Law, in accordance with the deadlines set forth in the Court's Case Management and Scheduling Order entered in each respective case.

Counsel and pro se parties shall advise the Court promptly of any development subsequent to the entry of this Order which would in any way affect the trial of this case. Settlements must be entered before 12:00 p.m. on the Friday before the start of trial. If the Court is not notified of settlement before a jury is called, the parties will be assessed jury costs.

**CRIMINAL CASES:** Written plea agreements must be filed by 4:00 p.m. on the Wednesday before the start of trial. All guilty pleas must be ACCEPTED by the Magistrate Judge before 12:00 p.m. the Friday before the start of trial, unless permission is specially granted from the Court. If an extraordinary situation arises, the Court may accept guilty pleas after the 12:00 p.m. deadline under the following conditions:

(1) The plea will be open, and (2) the Defendant will NOT receive credit for acceptance of responsibility at the time of sentencing, unless good cause is shown.

If you have any questions regarding Judge Moody's trial calendar, you may call Courtroom Deputy Sara Boswell at 813-301-5697 or Judicial Assistant Leslie Norberg at 813-301-5680.

Dated: February 16, 2010

For the Court,

*Sara Boswell*

Sara Boswell, Deputy Clerk

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

**HONORABLE JAMES S. MOODY, JR.**  
COURTROOM 13A, THIRTEENTH FLOOR  
SAM M. GIBBONS COURTHOUSE



**MARCH TRIAL CALENDAR**

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**CASE NO. 1**  
**JURY TRIAL - SPANISH interpreter required**  
**USA**  
**vs.**  
**Carlos Melgar (detained)**

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**Case No.: 8:09-cr-188-T-30AEP**  
**2 days**  
**AUSA Amanda Kaiser, 274-6000**  
**AFPD Howard Anderson, 228-2715**

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**CASE NO. 2**  
**JURY TRIAL**  
**USA**  
**vs.**  
**Mario Byrd\* (detained)**

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**Case No.: 8:09-cr-417-T-30MAP**  
**5 days**  
**AUSA Matthew Perry, 274-6000**  
**Bjorn Brunvand, 727/446-7505**

**\*Plea agreement filed. A change of plea hearing is set for 2/25/10.**

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**CASE NO. 3**  
**JURY TRIAL**  
**USA**  
**vs.**  
**Jimmy Lee Frost\* (bond/detained)**  
**Steven Gray Whidden\***

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**Case No.: 8:09-cr-430-T-30TBM**  
**1 - 2 days**  
**AUSA Maria Chapa Lopez, 274-6000**  
**Rosanne Brady, 832-3921**  
**Dirk Weed, 414-0078**

**\*Defendant Jimmy Frost has been granted bond by the Court. The bond paperwork and order have not been filed. Defendant Steven Whidden has an active arrest warrant pending.**

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**CASE NO. 4**  
**JURY TRIAL - Date certain: 3/15/10**  
**USA**  
**vs.**  
**Quinton Norris (detained)**  
**Delroy Holmes\* (detained)**  
**Stephen Burrell (detained)**

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**Case No.: 8:09-cr-440-T-30TGW**  
**3 - 4 days**  
**Jeffrey Downing, 274-6000**  
**John Fernandez, 249-2334**  
**Brent Armstrong, 727/524-3755**  
**Anne Borghetti, 727/502-0300**

**\*Defendant Delroy Holmes is set for a change of plea hearing on 2/25/10.**

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**CASE NO. 5**  
**JURY TRIAL - SPANISH interpreter required**  
**USA**  
**vs.**  
**Jose Gerardo Perez-Gomez (detained)**  
**Hugo Alejandro Perez-Pineda (detained)**  
**Dafnis Aubdiel Campos-Perez (detained)**

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**Case No.: 8:09-cr-490-T-30EAJ**  
**2 - 3 days**  
**AUSA Maria Chapa Lopez, 274-6000**  
**Eric Kuske/Darlene Barror**  
**AFPD Alec Hall, 228-2715**  
**Victor Martinez, 289-0600**

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MARCH TRIAL CALENDAR continued

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<b>CASE NO. 6</b> <b>JURY TRIAL - <u>SPANISH interpreter required</u></b> <b>USA</b> vs. <b>Juan Jose Maurice Zuniga (detained)</b> <b>Oscar Edinis Baca-Perez* (detained)</b>	<b>Case No.: <u>8:09-cr-540-T-30MAP</u></b> <b>1 ½ - 2 days</b> <b>AUSA Donald Hansen, 274-6000</b>  <b>Cynthia Lakeman, 238-4466</b> <b>Daniel Hernandez, 875-9694</b>
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**\*Defendant Juan Zuniga is set for a change of plea hearing of 2/25/10. Defedant Oscar Baca-Perez has signed a plea agreement and is scheduled for a change of plea hearing on 2/25/10.**

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<b>CASE NO. 7</b> <b>JURY TRIAL</b> <b>USA</b> vs. <b>Henry Wells (bond)</b>	<b>Case No.: <u>8:09-cr-576-T-30EAJ</u></b> <b>3 days</b> <b>AUSA Amanda Kaiser, 274-6000</b>  <b>AFPD Howard Anderson, 228-2715</b>
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<b>CASE NO.8</b> <b>BENCH TRIAL - <u>Date certain: 3/29/10</u></b> <b>USA</b> vs. <b>David W. Goldston</b>	<b>Case No.: <u>8:06-cv-1873-T-30TBM</u></b> <b>3 days</b> <b>Bruce Russell, 202/514-5900</b>  <b>Pro Se, 863/602-0353</b>
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<b>CASE NO. 9</b> <b>BENCH TRIAL* - <u>Date certain: 3/1/10</u></b> <b>Klein &amp; Heuchan, Inc.</b>  vs. <b>CoStar Realty Information, Inc., et al.</b>	<b>Case No.: <u>8:08-cv-1227-T-30EAJ</u></b> <b>2 - 3 days</b> <b>Brian Aungst, J. Paul Raymond and</b> <b>Jeffrey Gibson, 727/441-8966</b>  <b>Matthew Oppenheim, Sanya Kerksiek,</b> <b>William Guerrant, Jr., William Sansone</b>  <b><u>*Case is protected from trial on 3/5/10, 3/12/10, 3/29/10 and 3/30/10.</u></b>
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<b>CASE NO. 10</b> <b>JURY TRIAL - <u>Date certain: 3/22/10</u></b> <b>Pegasus Imaging Corporation</b>  vs. <b>Allscripts Healthcare Solutions, Inc.</b>	<b>Case No.: <u>8:08-cv-1770-T-30EAJ</u></b> <b>5 days</b> <b>David Ferrentino, Patrick Traber,</b> <b>Richard Harrison, 223-5351</b>  <b>Guy McConnell, Michael Hooker229-</b> <b>3333, Swain Wood, J. Christopher</b> <b>Jackson, 919/829-7394</b>
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**UNITED STATES DISTRICT COURT**  
**Middle District of Florida**  
United States Courthouse  
Tampa, Florida 33602

NOTICE TO COUNSEL

REGARDING TRANSCRIPT(S) FROM COURT REPORTER

If transcripts are desired to be ordered, especially daily, hourly, or expedited, counsel must contact Judge Moody's official court reporter, Sherrill Jackson, PRIOR to the commencement of the trial or hearing. Please be aware that the reporter needs to secure other reporters and/or editing personnel to cover the court's docket and prepare transcript on deadline.

Financial arrangements and payment MUST be made to the court reporter before the proceeding begins. Please contact Ms. Jackson at 813/301-5041, United States Courthouse, 801 N. Florida Avenue, Tampa, FL 33602. Payments should be made to: SLJ of Tampa, Inc. (Sherrill Jackson's corporate account).

Counsel shall furnish to the court reporter case cites, technical, medical and specialized terminology pertinent to the case, proper names, and copies of documents that are read into the record.

**UNITED STATES DISTRICT COURT**  
**Middle District of Florida**  
Office of the Clerk  
United States Courthouse  
Tampa, Florida 33602

Sheryl L. Loesch  
Clerk

NOTICE TO COUNSEL

INSTRUCTIONS REGARDING THE PRE-MARKING OF EXHIBITS

Local rule 3.07 requires each party to obtain from the Clerk, in advance of trial, tabs or labels for pre-marking and identification of each exhibit proposed to be offered in evidence, or otherwise tendered to any witness during trial. To assist you in this regard, copies of Court-approved Exhibit Lists and Exhibit Tags are attached for your use. The case number and style should be appropriately inserted on these forms which may then be reproduced on your office copier in such quantities as required.

Prior to pre-marking exhibits, counsel should select the appropriate "party specific" tag from the attachments. These tags are designed to assist counsel and the Court in controlling and managing exhibits throughout the trial.

Counsel should consecutively number each exhibit tag and staple the exhibit tag to the upper right corner of each exhibit. Thereafter, counsel should prepare the Exhibit List and provide a description of each consecutively numbered exhibit, and sub-exhibit, sufficient to identify it throughout trial.

Composite exhibits should be identified by using the main exhibit's sequential number and an alphabetical suffix to identify the composite portions of the exhibit: e.g., if the main exhibit is number 20 and there are two sub-parts to the exhibit, then the main exhibit should be numbered 20/A, the first sub-part numbered 20/B, and final sub-part numbered 20/C.

Local Rule 3.07(b) requires counsel to furnish copies of their Exhibit List to all other counsel at the commencement of trial.

**NOTE:** These instructions are purposely general in nature and are intended to supplement the Local Rules and any other instructions issued by the trial judge. Accordingly, counsel shall be responsible for ensuring that any additional requirements established by the trial judge are also met.

SHERYL L. LOESCH, CLERK

Attachments





U.S. District Court  
Middle District of Florida

**GOVERNMENT'S EXHIBIT**

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