

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 09-22349-CIV-SEITZ/GOODMAN

DARRYL RICHARDSON,

Plaintiff,
v.

UNITED STATES OF AMERICA,

Defendant.

ORDER REQUIRING THE GOVERNMENT

TO COMPLY FULLY WITH ORDER TO SHOW CAUSE (DE# 4)

THIS MATTER is before the Court *sua sponte* in connection with a previous order to show cause entered by Magistrate Judge White.¹ In that order, Magistrate Judge White instructed the government to **“file therewith all documents and transcripts necessary for the resolution of this motion regardless of whether they are in the Court file.”** (DE# 45.)

Both Richardson and the government cite to various trial transcript pages in their motion and response. In a few limited instances, transcript excerpts are filed to support a citation. But more often than not, no transcript excerpt was filed.² (*E.g.*, DE# 8, p. 32 (government’s citation to unspecified cross-

¹ Richardson’s motion was originally referred for a ruling on all pre-trial, non-dispositive matters and a report and recommendations to Magistrate Judge Patrick A. White. (DE# 2.) The referral was subsequently transferred to the Undersigned. (DE# 27.)

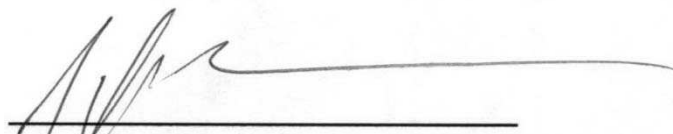
² Magistrate Judge White’s order requires the filing of these transcripts regardless of whether they are already in the criminal court file. But it bears noting that the docket entries on the Court’s CM/ECF system in the underlying criminal case to which the government often cites all appear to only contain a cover page and not a complete transcript. Therefore, the filing of these

examination testimony).) The Undersigned operates under the belief, in general, that if a transcript is important enough to be cited in a filing, it qualifies as “necessary for the resolution of the motion.” Consequently, the government is hereby ordered to file, within **fourteen (14)** days of this Order, copies of all documents and transcripts necessary to resolve Richardson’s motion.

At a bare minimum, this should include all documents and transcript excerpts cited by the government in its filings. The government may simply file complete transcripts in lieu of excerpts if that is less burdensome or it believes that the Court will benefit from examining the greater context of any cited excerpts. Consistent with Magistrate Judge White’s original order, the filing should also include any necessary excerpts cited by Richardson but not already filed.

In addition, the government is also ordered to respond to Richardson’s latest motion to supplement (DE# 36) within **ten (10) days** of this Order.

DONE AND ORDERED, in Chambers, in Miami, Florida, this 8th day of July, 2011.



Jonathan Goodman
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
The Honorable Patricia A. Seitz
All counsel of record
Darryl Richardson, *pro se*

transcripts is, at least in this case, not merely an exercise. It is actually required for resolution of Richardson’s motion.