

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF ILLINOIS
 EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
V.)	05 CR 1001
)	Honorable James F. Holderman
ALBERT OLATUNJI SOFUNWA)	Judge Presiding

MOTION TO PRESERVE HANDWRITTEN NOTES
OF GOVERNMENT AGENTS

NOW COMES ALBERT SOFUNWA, by and through his attorney Kaaren M. Plant and hereby moves this Honorable Court to order the Government to preserve all notes taken by government agents during interviews of the Defendant or any witnesses.

1. Pursuant to 18 U.S.C. Section 3500, the government must produce al witness statements in its' possession which relate to subject matter as to which the witness has testified. Notes of a witness interview may constitute Jencks Act material and whether such notes must be produced is for the decision of the court. Such notes are also discoverable pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and Rule 16 of the Federal Rules of Criminal Procedure.

WHEREFORE, the Defendant requests this Court to enter an order requiring the government to preserve all notes taken by agents during interviews of witnesses and the Defendant.

Respectfully submitted,

s/ Kaaren M. Plant

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CERTIFICATE OF SERVICE

I hereby certify that the Foregoing Defendant's Motion to Preserve Handwritten Notes of Government Agents was served on May 15, 2006, in accordance with Fed. R. Crim. P. 49 and the General Order on Electronic Case Filing (ECF) pursuant to the District Court's system as to ECF filers.

s/ Kaaren M. Plant

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