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IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	Case No. 10-CR-60066-HO
Plaintiff,)	
)	UNITED STATES' MOTION FOR
v.)	RECIPROCAL DISCOVERY
)	PURSUANT TO FED.R.CRIM.P.
STEVEN DWIGHT HAMMOND and)	16(b) AND 26.2
DWIGHT LINCOLN HAMMOND,)	
)	
Defendants.)	

The United States of America, by Dwight C. Holton, United States Attorney for the District of Oregon and Kirk A. Engdall and Frank R. Papagni, Jr., Assistant United States Attorneys, respectfully moves this Court for an Order requiring Defendants Steven Dwight Hammond and Dwight Lincoln Hammond, by and through their

attorneys, Lawrence Matasar and Marc Blackman, to timely provide to the government reciprocal discovery in compliance with Rules 16(b) and 26.2 of the Federal Criminal Rules of Procedure (Fed.R.Crim.P.). The Government has complied with its constitutional and statutory duties of discovery, and remains cognizant of its continuing duty to comply.

Rule 16(b)(1)(A) requires Defendants to disclose to the Government all documents and tangible items in their possession or control that they intend to introduce as evidence at trial. Defendants must also disclose to the Government examinations, test reports or reports prepared by expert witnesses that Defendants intend to offer. Fed.R.Crim.P. 16(b)(1)(B).

If Defendants intend to offer evidence under Rules 702, 703 and 705 of the Federal Rules of Evidence (FRE), the Government requests a written summary of such testimony pursuant to Rule 16(b)(1)(C).

Since the Government has and will continue to provide defendants, and their legal counsel with copies of statements of witnesses it intends to call at trial, the Government requests defendants reciprocate by providing it with copies of any witness statements in Defendants' possession. Fed.R.Crim.P. 26.2(f).

If such statements are provided pretrial, it will be unnecessary for the Government to move for production of such statements after the witness has testified

and should avoid the need for a recess to examine such statements. Fed.R.Crim.P. 26.2(a)-(d).

In addition to the above request, the Government also hereby adopts in its request for reciprocal discovery, the items listed in Defendants' First Motion For Discovery filed in this case on April 28, 2011.

Respectfully submitted this 24th day of May, 2011.

DWIGHT C. HOLTEN
United States Attorney

/s/ Frank R. Papagni, Jr.
FRANK R. PAPAGNI, JR.
Assistant United States Attorney

/s/ Kirk A. Engdall
KIRK A. ENGDALL
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