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8 Attorneys for Ryan W. Payne

9 UNITED STATES DISTRICT COURT
 10 DISTRICT OF NEVADA

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 12 UNITED STATES OF AMERICA,)
)
 13 Plaintiff,)
)
 14 vs.)
)
 15 RYAN W. PAYNE,)
)
 16 Defendant.)
)

2:16-cr-046-GMN-PAL

**EMERGENCY MOTION FOR
 HEARING ON STATUS OF PENDING
 MATTERS (ECF NOS. 291, 331, 442)**

17
 18 **Certification:** This Motion is timely filed.

19 Defendant RYAN W. PAYNE, through his counsel, SHARI L. KAUFMAN,
 20 WILLIAM CARRICO, and RYAN NORWOOD, Assistant Federal Public Defenders, moves for
 21 a hearing to address the status of certain critical matters pending before this Court. The attached
 22 Memorandum of Points and Authorities is submitted in support of this request.

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 24

1 DATED this 22nd day of June, 2016.

2 RENE VALLADARES
3 Federal Public Defender

4 By: /s/ Shari L. Kaufman
5 SHARI L. KAUFMAN
6 Assistant Federal Public Defender

7 By: /s/ William Carrico
8 WILLIAM CARRICO
9 Assistant Federal Public Defender

10 By: /s/ Ryan Norwood
11 RYAN NORWOOD
12 Assistant Federal Public Defender

1 **Memorandum of Points and Authorities**

2 Defendant Ryan Payne and 18 co-defendants are charged in a 16-count superseding
3 indictment that includes four forfeiture allegations. ECF No. 27. The charges stem from an
4 alleged standoff with law enforcement agents near Bunkerville, Nevada in April 2014. *Id.* This
5 case is scheduled for trial in February of 2017. ECF No. 321, pp. 12-13. The pretrial motion
6 deadline is October 3, 2016. ECF No. 321, p. 13.

7 The following matters, among numerous others, are fully briefed and currently awaiting
8 decision from this Court:

- 9
- 10 • Defendant Ryan W. Payne’s Motion to Dismiss, ECF No. 291
Government’s Response in Opposition, ECF No. 383
Defendant Ryan W. Payne’s Reply in Support of Motion to Dismiss, ECF No. 418
 - 11 • Memorandum Opposing Entry of Protective Order, ECF No. 331
 - 12 • Defendant Ryan W. Payne’s Motion to Compel Electronic Access to Legal
13 Materials and the Ability to Communicate Telephonically with Defense
Counsel in a Confidential Manner, ECF No. 442
14 Government’s Response to Defendant Ryan Payne’s Motion to Compel Electronic
Access to Legal Materials, ECF No. 517
15 Reply to Government’s Response to Defendant’s Motion to Compel Electronic
Access to Legal Material, ECF No. 517

16 These pending matters must be resolved so that Mr. Payne can have meaningful contact
17 with his Nevada defense team and begin reviewing the voluminous discovery in this case, the
18 necessary precursors to the defense team’s timely preparation of pretrial motions and
19 development of a trial defense. A status hearing would aid in resolving the issues raised. Indeed,
20 when responding to Mr. Payne’s request for access to discovery and to his defense counsel in the
21 Nevada case, the government agreed that “this matter is best resolved in a pretrial conference with
22

1 the Court (as opposed to Motion).”¹ ECF No. 517, p. 2. Mr. Payne thus requests this Court hold
2 a status hearing on the above identified matters at the Court’s earliest convenience.

3 Dated this 22nd day of June, 2016.

4 Respectfully Submitted,

5 RENE VALLADARES
6 Federal Public Defender

7 By: /s/ Shari L. Kaufman
8 SHARI L. KAUFMAN
9 Assistant Federal Public Defender

10 By: /s/ William Carrico
11 WILLIAM CARRICO
12 Assistant Federal Public Defender

13 By: /s/ Ryan Norwood
14 RYAN NORWOOD
15 Assistant Federal Public Defender

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¹ The government also stated it “does not, at this time, take a position on the relief requested
23 in the Motion or the basis upon which it is sought.” ECF No. 517, p. 2.

