

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
El Paso Division**

UNITED STATES OF AMERICA)	
)	Case No. EP-07-CR-87
v.)	
)	The Honorable Kathleen Cardone
LUIS POSADA CARRILES)	

Government's Trial Preparation Filing

The United States of America, by and through Michael J. Mullaney, Acting U.S. Attorney, and John W. Van Lonkhuyzen and Paul Ahern, Trial Attorneys, pursuant to the Court's *Standard Trial Preparation Order for Criminal Cases* and the *Scheduling Order* for this case (D.E. # 19), respectfully informs the Court as follows:

1. Length of trial. It is anticipated that presentation of the Government's case in chief will take approximately three to four full days.
2. Proceedings required prior to trial. The Government has filed an Omnibus Motions in Limine (D.E. # 70), a Motion in Limine Regarding Defendant's Relationship with the Central Intelligence Agency (D.E. # 71), and a Motion for a *Garcia* Hearing (D.E. # 72). The undersigned Trial Attorneys will endeavor to consult with opposing counsel and resolve such motions before trial. The Government will ask the Court to rule on any unresolved matters before voir dire begins.
3. Request for Expert Witnesses. The Government will call officers and agents from DHS, ICE, CIS, CBPS, ATF and FBI. While these agents will not be testifying in an "expert" capacity, each may testify concerning matters that relate to their experience and training as a law enforcement officer. For example, the Government may call any of the Agents involved in this

case as experts on matters related to illegal entry, including but not limited to matters such as false documents, methods of entry, types of immigration documents and their purposes, etc. To the extent that this could be construed as “expert” testimony, the Defense is placed on notice. The Government may also call translators, a document examiner and fingerprint experts from DHS or other agencies. The Government may call a rebuttal mental health expert if the defense presents a mental health or related expert. **The Government requests notice of any and all experts that the Defendant intends to call in connection with this case.**

4. Stipulations.

The Government has met with defense counsel, and has reached agreement in principle on some foundation stipulations. The Government continues to negotiate with defense counsel on other stipulations.

5. Requested Voir Dire Questions.

The Government’s Request for Voir Dire by the Court and Proposed Voir Dire Questions for the Jury Panel was filed on April 27, 2007 (D.E. # 69).

6. Requested Charge.

The Government’s Proposed Jury Instructions were filed on April 26, 2007 (D.E. # 66).

Respectfully submitted,

MICHAEL J. MULLANEY
ACTING UNITED STATES ATTORNEY

/s/ John W. Van Lonkhuyzen
/s/ Paul Ahern

By:

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Certificate of Service

I hereby certify that, on April 27, 2007, I caused a copy of the foregoing pleading to be served upon Arturo V. Hernandez, counsel for Luis Posada Carriles, by electronic mail.

/s/ John W. Van Lonkhuyzen

John W. VanLonkhuyzen