

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 2:23-cr-7

Plaintiff,

v.

Hon. Robert J. Jonker

NATHAN WEEDEN

Defendant(s).

**GOVERNMENT'S
INITIAL PRETRIAL CONFERENCE
SUMMARY STATEMENT**

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))

There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).

There are the following written records of oral statements:

FBI interviews 4/24/18, 10/29/20, 9/8/21

The substance of which

has been disclosed to defense counsel.

will be disclosed to defense counsel by July 12, 2023.

2. Written or Recorded Statements (Rule 16(a)(1)(B))

There are no written or recorded statements or grand jury testimony of defendant.

There are the following written or recorded statements or grand jury testimony:

FBI interviews 10/29/20, 9/8/21

Recording of defendant's "vetting" interview by "The Base" 6/9/2019

All written or recorded statements

have been disclosed to defense counsel.

will be disclosed to defense counsel by July 12, 2023.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- The Government has made due inquiry and is not aware of any prior criminal record.
- The Government has disclosed defendant's prior criminal history.
- The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- The Government has no documents, tangible objects, or physical evidence required to be disclosed.
- The Government has the following documents, tangible objects, and physical evidence:
 - Drug Paraphernalia Drug Records Inventory (attached)
 - Controlled Substances: _____
 - Records: _____ MTU firearms check in/out records
 - Firearms: _____
 - Other: _____ Photos, chats, audio and video recordings, iPhone extraction
- The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
 - State
 - Federal:
 - Case No. NJ 20-mj-2125 Re: Google accounts
 - Case No. MIW 2:20-mj-53 Re: iPhone
 - Case No. _____ Re: _____
- They have been made available for inspection and copying by defense counsel.
- Defense counsel should make arrangements with:
_____ SA John Fortunato or SA Aaron Erkinen, FBI

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- The Government has or expects to have reports of the following examinations and tests:
 - Drug Analysis Handwriting Fingerprints
 - DNA Firearms/Nexus Gun Operability
 - Computer Forensics Other: _____ Cell phone extraction (Cellebrite)

E. Reciprocal Discovery

- The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- The Government does not presently intend to introduce 404(b) evidence.
- The Government does presently intend to introduce the following 404(b) evidence:

2018 investigation re: online bomb threats (Identity, Motive)

- The Government will provide pretrial notice of 404(b) evidence by _____ .

G. Other Discovery Matters

II. TRIAL

A. The Government requests a jury non-jury trial.

B. The length of trial excluding jury selection is estimated at 1 week .

III. MISCELLANEOUS

The parties acknowledge that if the case is appropriate for expedited resolution, a joint motion for expedited sentencing shall be filed within 14 days of arraignment.

The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.

The Government is aware of the following potential conflicts:

Government's plea negotiation policy:

No concessions for pleas entered less than two weeks before final pretrial conference.

Date June 30, 2023

Nils R. Kessler
Counsel for the United States