

STATE OF WISCONSIN,

Plaintiff,

MANITOWOC COUNTY  
STATE OF WISCONSIN  
**FILED**

vs.

OCT 27 2006

Case No. 05 CF 381

STEVEN A. AVERY,

Defendant,

**CLERK OF CIRCUIT COURT**

**PRETRIAL SCHEDULING ORDER**

A scheduling conference having been held in the above captioned matter on October 19, 2006,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. **Motions in Limine.** Any further Motions in Limine shall be filed on or before **DECEMBER 15, 2006.**
2. **Pending Motions.** (a) The State has until **OCTOBER 23, 2006** in which to submit a reply brief on the Defendant's Motion to Suppress Based on Multiple Executions of a Search Warrant.  
 (b) The State will have until **OCTOBER 30, 2006** to respond in writing to the Defendant's Motion to Exclude Jail Statement and Tapes filed on October 3, 2006. The Defendant shall have until **NOVEMBER 6, 2006** to submit a reply.  
 (c) The court will consider the following pending motions resolved by stipulation, unless the court hears otherwise on or before **DECEMBER 1, 2006:**
  - (1) State's Motion Regarding Admissibility of DNA Evidence filed June 16, 2006.
  - (2) State's Motion in Limine re: Defendant's Wrongful Conviction filed June 15, 2006.
  - (3) State's Motion in Limine re: Defendant's Number of Prior Convictions filed June 15, 2006.
  - (4) State's Motion in Limine re: Defendant's Felony Status filed June 15, 2006.
  - (5) State's Motion in Limine re: Defendant's Statements to Other Inmates filed June 15, 2006. (If the parties do not reach agreement on this issue, the State is to submit a brief in support of its motion by December 1, 2006.)
  - (6) Defendant's Motion re: Wrongful Conviction and Lawsuit Evidence filed July 14, 2006.

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(1)

(d) The court will consider the following pending motion resolved by stipulation, unless the court hears otherwise on or before **DECEMBER 15, 2006**:

- (1) State's Motion in Limine re: Teresa Halbach History filed June 15, 2006.
- (2) State's Motion in Limine for Sequestration Order.

(e) The State shall notify the court on or before **DECEMBER 15, 2006** whether or not it intends to pursue its Motion for a Jury View filed June 15, 2006.

3. **Jury Selection Process.** (a) The court shall prepare a written questionnaire which will be completed by the jury panel as part of general voir dire. The parties shall submit any questions proposed for inclusion in this questionnaire on or before **DECEMBER 1, 2006**. There will be no oral questioning as part of general voir dire.

(b) The court and the parties shall individually voir dire a sufficient number of jurors in the random order selected by computer until a jury from which peremptory challenges are to be exercised has been selected. The parties shall submit to the court questions proposed to be asked during individual voir dire on or before **DECEMBER 1, 2006**.

(c) The written questionnaires shall be completed by the members of the jury panel in court on **JANUARY 29, 2007**. Individual voir dire shall continue on the first scheduled day for trial, **FEBRUARY 5, 2007**. Jury selection shall take place at the Manitowoc County Courthouse.

4. **Discovery.**

(a) **General Discovery Deadline.** All discovery for which a specific deadline has not otherwise been set shall be completed on or before **DECEMBER 15, 2006**.

(b) **Witnesses.**

1. Each party shall identify and provide the names of all nonexpert witnesses to the other party on or before **DECEMBER 15, 2006**.


2. The State shall provide to the defense the identity of any expert witnesses the State intends to call, along with copies of reports of any such expert, on or before **DECEMBER 15, 2006**.

3. The defense shall provide to the State the identity of any expert witnesses the defense intends to call, along with copies of reports of any such expert, on or before **JANUARY 5, 2007**.

4. The State shall provide to the defense the identity of any rebuttal expert witness the State intends to call, along with copies of reports of any such expert, on or before **JANUARY 19, 2007**. The State may request additional time if necessary, based the nature of any proposed but previously unanticipated testimony of any named defense expert.

5. **"Denny" Evidence.** Should the defense seek to offer any *Denny*-type evidence relating to any third party other than Brendan Dassey, the defense shall provide to the State the identity of any third party the defense intends to claim is responsible for any of the crimes charged against the defendant on or before **JANUARY 5, 2007**. Should the defense elect to provide any such evidence, the State may seek an extension of its **JANUARY 19, 2007** deadline for identifying experts and reports.
6. **Proposed Jury Instructions.** The parties shall each provide the court with proposed Jury Instructions on or before **JANUARY 19, 2007**.
7. **Opening Statement Visual Aids.** Should either party decide to use a PowerPoint presentation or other visual aid as part of that party's Opening Statement which includes anything other than text, that party shall provide the other party with any such visual aids on or before **JANUARY 19, 2007**.
8. **Further Hearings.**
  - (a) **Status Conference.** The court will conduct a Status Conference at the Calumet County Courthouse on **DECEMBER 20, 2006 at 1:00 p.m.** The agenda will be determined at a later date. (h)
  - (b) **Motion Hearing.** The court will conduct a hearing on any remaining disputed motions on **JANUARY 19, 2007 at 9:00 a.m.** This hearing will be conducted at the Manitowoc County Courthouse. (h)

BY THE COURT:

  
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Patrick L. Willis  
Circuit Court Judge

MANITOWOC COUNTY CIRCUIT COURTS

1010 South 8th Street  
Manitowoc, Wisconsin 54220  
Fax 920-683-2796

FAX COVER SHEET

Date 10/25/06 Pages 5

RE: Avery Sched Order

TO: D. Strang / J. Buting / Ken Klatz / Tom Fallon

FAX NO. 608-257-5764 / 262-821-5599 / 920-849-1464 / 608-267-2778

FROM: Robin, B.L. (Judge P.L. Willis)

MESSAGE:

If you have a problem receiving this transmission, please call 920-683-4042 as soon as possible.

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 \*\*\* ACTIVITY REPORT \*\*\*  
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ST. TIME	CONNECTION TEL	CONNECTION ID	NO.	MODE	PGS.	RESULT
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*10/22 08:08			5527	AUTO RX ECM	1	OK 00'44
*10/23 10:05	812623675938		0225	TRANSMIT ECM	17	OK 02'45
10/23 10:18			5528	AUTO RX ECM	1	OK 00'18
10/23 10:56			5529	AUTO RX ECM	1	OK 00'21
10/23 13:24	9209942741		5530	MEMORY RX ECM	2	OK 00'50
10/23 13:48	814142231817		0226	TRANSMIT ECM	6	OK 00'57
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10/24 19:20			5535	AUTO RX ECM	1	OK 00'57
10/25 08:03	816082575764	H. B. & S. S.C. <i>Strang</i>	0231	TRANSMIT ECM	5	OK 01'33
10/25 08:05	812628215599	<i>Buling</i>	0232	TRANSMIT ECM	5	OK 01'31
10/25 08:07	819208491464	<i>Kratz</i>	0233	TRANSMIT ECM	5	OK 01'57
10/25 08:09	816082672778	<i>Fallen</i>	0234	TRANSMIT ECM	5	OK 00'46

(5)