

1 BENJAMIN B. WAGNER  
United States Attorney  
2 RICHARD J. BENDER  
Assistant U.S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, California 95814  
4 Telephone: (916) 554-2700

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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA, ) CASE NO. 2:12-cr-0079 MCE  
12 )  
Plaintiff, )  
13 v. ) **STIPULATION AND ORDER**  
14 FELIPE SOLIS, ) **CONCERNING DISCOVERY MATERIAL**  
15 Defendant. )  
16 \_\_\_\_\_ )  
17

18 The government is preparing to distribute discovery in the above  
19 captioned case. The bulk of the discovery, including the complaint  
20 affidavit currently under seal<sup>1</sup>, contains witness statements, in one  
21 form or another, of persons who are in custody. If the discovery  
22 material were to be circulated in the institution where those persons  
23 are housed, it would put them at risk of being injured, or at least  
24 threatened to be injured, by other inmates at those institutions.  
25

26 \_\_\_\_\_  
27 <sup>1</sup> The sealing order allows government counsel to give access to  
28 the complaint and complaint affidavit to defense counsel as part of  
the discovery process. The defense has not seen a copy of the  
affidavit as of the time of this Stipulation.



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11 UNITED STATES OF AMERICA, ) CASE NO. 2:12-cr-0079 MCE  
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Plaintiff, )  
13 v. ) **ORDER CONCERNING DISCOVERY**  
14 FELIPE SOLIS, ) **MATERIAL**  
15 Defendant. )  
16 \_\_\_\_\_ )  
17

18 Upon application of the government and with agreement of counsel  
19 for the defense, it is hereby ORDERED that:

20 1. All discovery provided by the government to the defense in  
21 this case, including the complaint affidavit presently under seal,  
22 shall be kept confidential by the attorneys for the defense and their  
23 investigators. The materials shall not be shown or given to other  
24 persons without the written agreement of counsel for the government  
25 or further order of court.

26 2. Notwithstanding the above, the discovery can be shown by  
27 defense counsel or their investigators to the defendant for his  
28 review in their presence.

1 But the defendant shall not be given the material, or copies of the  
2 material, to retain.

3 3. Should defense counsel or defense investigators desire to  
4 interview the in-custody witnesses, arrangements to conduct the  
5 interviews will be made through government counsel and reasonable  
6 steps will be taken to protect the disclosure of the inmates witness  
7 status to other inmates at the institution.

8 4. This protective order shall apply to present defense counsel  
9 and investigators and to any subsequent defense counsel and  
10 investigators. Before any new counsel shall be given the discovery  
11 material, new counsel shall be required to sign a copy of this order,  
12 acknowledging and agreeing to its provisions.

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14 Dated: March 28, 2012

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17 MORRISON C. ENGLAND, JR.  
18 UNITED STATES DISTRICT JUDGE