

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY BARTUNEK,

Defendant.

8:17CR28

ORDER

This matter is before the Court on defendant Gregory Bartunek's ("Bartunek") *pro se* Renewed Motion to Compel (Filing No. 530). Bartunek reports his prior counsel, Andrew Wilson ("Wilson"), has not complied with the Court's February 6, 2024, Order (Filing No. 515) requiring Wilson to provide to Bartunek certain materials contained in Wilson's case file. Asserting "[t]here is no indication that Wilson sent" those materials as ordered, Bartunek asks that Wilson be held in contempt unless he "can show that he complied with the Court's order."

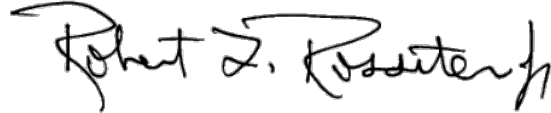
In response, Wilson filed a Notice of Compliance (Filing No. 536) indicating that he complied with the Court's order by mailing "a copy of Bartunek's file documents, copied to and contained on CDs, per the Order." Wilson's notice is consistent with Bartunek's own description of his interaction with his Unit Manager in prison. In asking the Court to reconsider its ruling on his motion to compel, Bartunek advised the Court that Wilson sent Bartunek "a USB stick" but "that inmates are not allowed to have such devices." Bartunek's Unit Manager told Bartunek she would follow up with Wilson to have the information sent in a more-suitable form. Apparently, she succeeded as Wilson states he subsequently sent CDs, which ostensibly should be accessible to Bartunek.

In light of the foregoing, Bartunek's Renewed Motion to Compel (Filing No. 530) is denied as moot.

IT IS SO ORDERED.

Dated this 5th day of April 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge