

United States District Court
for the District of Wyoming

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

SEP 23 2008

Stephan Harris, Clerk
Cheyenne

UNITED STATES OF AMERICA,)
)
 Plaintiff(s),)
)
 vs.)
)
)
 NATHANIEL SOLON,)
)
 Defendant(s).)

Case No. 2:07-CR-0032-CAB-1

ORDER RULING ON OUTSTANDING MOTIONS

This matter came before this Court on several motions by both parties. The Court held a hearing on the matter on September 17, 2008. James C. Anderson represented the Government and Thomas R. Smith represented the Defendant. Pursuant to this Court's oral ruling at the close of the hearing, the Court **ORDERS** the following:

DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA [docket no. 77]

Pursuant to this Court's oral ruling, this Motion is **GRANTED**. Defendant's guilty plea is withdrawn and a plea of not guilty has been entered.

DEFENDANT'S MOTION TO DISMISS [docket no. 88]

Pursuant to this Court's oral ruling, this Motion is **DENIED**.
DEFENDANT'S MOTION FOR ORDER SETTING TRIAL [docket no. 85]

Pursuant to this Court's oral ruling, the trial in the above-

named matter is hereby set for Monday, November 3, 2008 beginning at 1:30 p.m.

GOVERNMENT'S MOTION IN LIMINE - CHARACTER EVIDENCE [docket no. 47]

Pursuant to this Court's oral ruling, this Motion is **DENIED** at this point in time. The Government, however, may renew its Motion at a later time.

DEFENDANT'S MOTION IN LIMINE TO PRECLUDE GOVERNMENT FROM SHOWING CHILD PORNOGRAPHY TO THE JURY [docket no. 87]

Pursuant to this Court's oral ruling, this Motion is **DENIED**.


DEFENDANT'S MOTION FOR CLARIFICATION OF COURT'S ORDER REGARDING EXPERT [docket no. 86] and **EX PARTE NOTICE TO THE COURT REGARDING SPECIFIC COST ESTIMATE FOR EXPERT SERVICES** [docket no. 76]

Pursuant to this Court's oral ruling at hearing, this Court **FINDS** and **ORDERS** the following:

1. Defendant's expert, Tammy Loehrs, will sign and swear to an affidavit itemizing expenses incurred on behalf of the Defendant prior to this Court's order requiring pre-authorization of expert expenses. Subsequent to receiving this affidavit, this Court will scrutinize and approve reasonable expenses incurred.
2. This Court will authorize the four hours that Defense Counsel has stated is necessary for pretrial preparation at Loehrs's current rate.

3. This Court also authorizes payment for the time that Loehrs spends testifying in Court at her current rate.
4. This Court authorizes the payment of travel expenses incurred as a result of Loehrs traveling to Wyoming to testify.
5. This Court will not authorize the payment of Loehrs's travel time at her current rate. This Court will, however, take under advisement the authorization of payment of travel time in the event that Loehrs agrees to reduce her current rate for travel time.
6. This Court will not authorize the payment of Loehrs to sit with the Defendant throughout trial and give advice at her current rate. This Court will, however, take under advisement the authorization of this payment in the event that Loehrs agrees to reduce her current rate for assistance to the Defendant during trial.

Dated this 23rd day of September, 2008.


UNITED STATES DISTRICT JUDGE