

Edwin S. Wall, A7446
WALL LAW OFFICE
43 East 400 South
Salt Lake City, Utah 84111
Telephone: (801) 746-0900
Facsimile: (801) 364-3232
Electronic Notice: edwin@edwinwall.com

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
)
 v.)
) Case No. 2:21CR513
 NELDON JOHNSON,)
)
) Hon. JILL PARRISH
 Defendant.)

REQUEST FOR JENCKS ACT MATERIALS

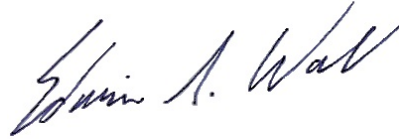
COMES NOW the Defendant, Neldon Johnson, by and through his attorney, Edwin S. Wall, Esq. and requests the government provide the defense with all Jencks Act materials relevant to the trial in the case prior to trial.

In the present case the government has not produced Jencks Act discovery in the possession of the United States. Although not required to produce such discovery unless or until required pursuant to 18 U.S.C §3500, *see also* Fed. R. Crim.P. 26.2 and UDCrimP 16-1, and compulsory discovery is not permitted pursuant to Fed. R. Crim. P. 16(2); the failure of the government to do so is anticipated to place an unreasonable onus on the defense and preclude the ability to adequately, fully and properly prepare for trial. Furthermore, the defense is not

required to produce any witness statements in reciprocal discovery until the United States has produced the Jencks Act materials, *see*, URCrimP. 16-1(e).

If the government waits until after witnesses testify before producing Jencks Act materials it will cause unnecessary delay in the trial proceedings as defense counsel would require sufficient time to review the transcripts and other grand jury materials relevant to the witnesses testimony before proceeding with cross-examination, which may necessitate burdensome recesses in the trial proceedings or continuances.

Respectfully submitted February 4, 2022.


A handwritten signature in black ink that reads "Edwin S. Wall". The signature is written in a cursive, flowing style.

Edwin S. Wall
Attorney at Law

CERTIFICATE OF SERVICE

I, Edwin S. Wall, hereby certify that on February 4, 2022, I served a copy of the forgoing Request for upon counsel for the Plaintiff in this matter, by CM/ECF or by first class mail with sufficient postage prepaid to the following address:

United States Attorneys Office
111 East Main Street, Suite 1800
Salt Lake City, Utah 84111



Edwin S. Wall,
Attorney for the Defendant