

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 22-86
)	
CHARLES HUNTER HOBSON,)	Judge Robert J. Colville
)	

PRETRIAL ORDER IN CRIMINAL CASE

AND NOW, this 19th day of May, 2025, the Court **HEREBY ORDERS** as follows:

A. Final Pretrial Orders

1. **Jury Selection & Trial.** Jury selection is set for **February 3, 2026, at 9:00 a.m.** in Courtroom 8C, 8th Floor, United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. The Court intends for opening statements to take place on **February 9, 2026 at 9:00 a.m.**, regardless of whether jury selection is completed early.

It is further ORDERED that the extension of time caused by this continuance (May 6, 2025 to February 3, 2026) be deemed excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) because the failure to grant such continuance would unreasonably deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court shall conduct a final pretrial conference in this case on **February 2, 2026, at 9:00 a.m.**

3. **Exchange of Witness Lists and Exhibits.**

a. The government shall file with the Court a list of trial witnesses, under seal, listing separately the witnesses it will call and the witnesses it may call if needed (other

than purely for impeachment or rebuttal). For each witness listed the government shall provide an offer of proof explaining the substance of the witness' testimony. The offers of proof shall be no more than one (1) double-spaced page with twelve (12) point font. Said witness list and offers of proof shall be due by **January 5, 2026, at 9 a.m.**

- b. Defendant shall file with the Court, under seal, his list of trial witnesses, excluding defendant, listing separately the witnesses he will call and the witnesses he may call if needed (other than purely for impeachment or rebuttal). For each witness listed Defendant shall provide an offer of proof explaining the substance of the witness' testimony. The offers of proof shall be no more than one (1) double-spaced page with twelve (12) point font. Said witness list and offers of proof shall be due by **January 12, 2026, at 9 a.m.**
- c. All exhibits must be exchanged and marked in advance of trial. Exhibits shall be exchanged by the parties by **December 19, 2025, at 9 a.m.** The parties shall identify disputed exhibits to each other by **January 12, 2025, at 9 a.m.** The parties shall prepare a Joint Exhibit Binder containing the parties' exhibits prior to trial. The Government's exhibits shall be marked numerically, and the Defendant's exhibits shall be marked alphabetically. The Government shall submit two (2) copies of the Joint Exhibit Binder to the Court by **February 2, 2026, at 9 a.m.** A binder of disputed exhibits may be provided to the Court by each party on the same date (**February 2, 2026, at 9 a.m.**). The parties should be prepared to collect the joint and disputed exhibit binders at the conclusion of trial.

Before deliberations begin, it is counsels' responsibility to prepare two (2) exhibit binders containing all admitted exhibits that will be provided to the jury for purposes of deliberations.

- e. Voluminous data shall be presented by summary exhibits pursuant to Fed. R. Evid. 1006, and voluminous exhibits shall be redacted to eliminate irrelevant material (which shall remain available for examination by opposing counsel). Where copies of documents are offered, the originals shall be available for examination, unless waived by stipulation.
- f. Counsel shall provide each other with their respective witness lists by January 19, 2026. *See* Section B(6) Witness List, *infra*, pg. 7.

4. **Jencks Act - Impeachment Materials - Rule 404(b).** The government shall provide defense counsel with copies of any *Brady/Giglio* impeachment materials not previously disclosed by **January 5, 2026, at 9 a.m.**, and any additional evidence of defendant's uncharged conduct which the Government intends to introduce at the trial pursuant to Federal Rule of Evidence 404(b) which was not previously disclosed, on or before **January 5, 2026, at 9 a.m.** The Government shall provide Rule 609 notice on or before **January 5, 2026, at 9 a.m.** The government is encouraged to provide all Jencks Act materials prior to the pretrial conference.

5. **Motions.** The parties shall file all remaining motions and motions in limine, including motions under Fed. R. Evid. 104(a), and motions to limit or sever issues, together with supporting briefs or memoranda of law, by **January 5, 2026, at 9 a.m.** Responses shall be filed by **January 19, 2026, at 9 a.m.** All briefs supporting or opposing such motions are limited to 15 pages.

6. **Proposed Jury Instructions & Verdict Slips.** Counsel shall meet in an attempt to agree on a joint set of proposed substantive jury instructions regarding the offenses charged and their elements, the theory of the defense, and any matters particular or unique to this case. The parties shall exchange proposals by **December 19, 2025, at 9 a.m.** After said meeting, and on or before **January 12, 2026, at 9 a.m.** counsel shall file a proposed verdict slip and a unified (meaning one) combined set of proposed instructions, and shall e-mail a copy of the proposed instructions and verdict slip in Microsoft Word format to the law clerk assigned to the case at **tyler.klein@pawd.uscourts.gov**. The filed set of instructions shall include both the agreed upon instructions and the proposed instructions to which the parties have not agreed. Each agreed upon instruction shall include the following notation at the bottom: “This proposed instruction is agreed upon by the parties.” Each instruction to which the parties have not agreed shall indicate at the bottom the name of the party proffering the instruction, and a brief explanation as to the basis of the opposing party’s objection. The parties need not submit “boilerplate” or standard civil jury instructions, **but shall summarily propose the inclusion of such instructions**, including any requested preliminary instructions, by identifying such instructions by Chapter and Number in their submissions. Proposed instructions by different parties shall be grouped together (i.e., instruction should be matched with counter instructions).

A charging conference will be held, at which time a ruling will be made on each disputed point for charge and a copy of the Court’s proposed charge will be supplied to counsel. Counsel are required to state objections to the proposed charge at the charging conference and to supply the alternate language, together with case authority.

The Court will not accept separate proposed jury instructions from the parties.

7. **Voir Dire.** Counsel are permitted to request to supplement the standard questions provided that the proposed supplemental voir dire questions are submitted to the Court in writing by **January 12, 2026, at 9 a.m.** Voir dire questions will be asked by the Court, with as many questions as possible asked of the panel en banc. Individual voir dire will be limited in the interest of conserving time.

The government shall have six (6) peremptory challenges and the defense shall have ten (10) peremptory challenges. Each side shall have two challenges for four alternate jurors.

8. **Joint Stipulations.** The parties shall exchange proposed stipulations by **January 5, 2026, at 9 a.m.** The parties shall file joint authenticity stipulations by **January 19, 2026, at 9 a.m.** The parties shall file joint factual stipulations by **January 26, 2026, at 9 a.m.** All possible stipulations shall be made as to:

- a. Facts;
- b. Issues to be decided;
- c. The authenticity and admissibility of exhibits;
- d. Expert qualifications and reports; and,
- e. Deposition testimony to be read into the record.

Counsel shall meet at a mutually convenient time and place to produce the joint stipulation in time for filing as ordered.

9. **Neutral Summary of Indictment.** The parties shall exchange their proposed neutral summaries of the indictment by **January 5, 2026, at 9 a.m.** The parties shall file a neutral summary of the indictment and a brief statement of the defense which will be read to the jury to introduce the trial and to be read to the venire before jury selection by **January 19, 2026, at 9 a.m.**

10. As the parties have already exchanged disclosures of experts to the extent they intend to rely on such evidence; no additional expert disclosure deadlines are necessary.

B. Trial Procedure

1. **Trial Hours/Days.** Court is in trial session, unless otherwise ordered by the Court, Monday through Friday, 9:00 a.m. to 4:30 p.m., with breaks where appropriate. On trial days, counsel must be available at 8:30 a.m. (or earlier, if necessary, to ensure that trial commences on time) and after the jury has been dismissed for the day to meet with the Court concerning scheduling, anticipated trial issues, and to obtain advance rulings on evidentiary or other issues.

2. **Exhibits.** Because counsel will have previously marked and exchanged all exhibits and provided a copy to the Court, it will not be necessary during the trial to show exhibits to opposing counsel prior to using them.

3. **Approaching the Witness.** It will not be necessary for counsel to request permission to approach a witness.

4. **Opening Statement and Closing Argument.** The Court suggests thirty (30) minutes is permitted to each side for opening and closing statements, depending on the complexity of the case. Counsel may use exhibits or charts in opening statement provided that the same have been provided to opposing counsel beforehand and either agreement was reached or the Court has ruled upon the matter.

5. **Side Bar Conferences.** Side bars shall be permitted when warranted, upon the direction of the Court. However, counsel should be considerate of jurors' time. Counsel should anticipate matters to be discussed outside of the jurors' presence and raise them either at the

beginning or end of each trial day.

The Court will be available at **8:30 a.m.** each morning to address evidentiary and other issues. It is the responsibility of counsel to notify other counsel of the need for a conference at **8:30 a.m.** and all other counsel will be expected to be present at the appointed time for argument. It is the Court's strong preference not to delay the proceedings to respond to last minute requests for conferences to discuss matters which, in the exercise of reasonable diligence, could have been heard at a morning conference.

6. **Witness List.** By **January 19, 2026**, counsel shall provide opposing counsel with a complete witness list, and shall further provide opposing counsel and the Court throughout the trial with the actual list of the next day's witness by 5:00 p.m. in the order they are expected to be called. The same procedure will be employed by both sides at the end of each trial day. Counsel should be sure that they have adequate witnesses to fill the time allotted each day.

7. **Examination of Witnesses Out of Sequence.** Where appropriate, witnesses may be examined out of sequence upon request of a party. Witnesses may be examined in any order to which counsel agree. For example, counsel could agree that expert witnesses for each side will testify in succession. The Court prefers that all testimony from a witness be drawn out in one sitting, as opposed to a witness being recalled.

8. **Testifying Officers and Agents.** All testifying law enforcement officers and agents shall have any reports or declarations they have prepared or used to refresh their recollections with them on the witness stand. All witnesses who will testify about the content of documents will review those documents prior to taking the stand and be prepared to answer questions about document contents based on their prior reading.

9. **Use of Courtroom Technology.** The parties are invited to use trial presentation technology, courtroom technology, and trial exhibit summaries (pursuant to Rule 1006 of the Federal Rules of Evidence), to the fullest extent possible in all cases. Should the parties require training or other information on use of the courtroom technology, the parties are strongly encouraged to contact the Western District's Information Technology Department as early as possible so as to be appropriately prepared at time of trial, as well as to identify any potential technical issues at the earliest possible juncture. The Court notes that, while the Western District has an IT Department, the Court's Chambers staff itself, while familiar with the general nature of the technology, does not include IT professionals. Again, counsel are expected to contact the IT Department sufficiently ahead of trial so that many, if not all, potential issues can be addressed before trial commences. Where unexpected and unforeseeable technical issues arise, the Court will work with the parties to address the same. As a precautionary notice, the Court notes that, in prior trials, it has experienced some difficulty with counsel being able to consistently share images on all available screens. This can be the result of the system becoming overloaded or a faulty connection between counsel's equipment and the Courtroom technology. Again, the Court expects the parties to be prepared in the event of technical difficulties, and to take reasonable efforts to test their equipment's capabilities ahead of trial.

Unsecured, wireless internet access is available in the Courtroom. Counsel are expected to make arrangements to share major AV devices (projectors, jumbo screens, etc.).

10. **Note Taking.** Jurors are permitted to take notes and are provided with juror notebooks to do so. The notes will be retained by the Courtroom Deputy Clerk during trial and deliberations, and will be destroyed once a verdict has been rendered

11. **Jury Questions.** All written questions submitted by the jury are supplied to counsel. Counsel and the Court will meet to discuss and hopefully agree on a reply. The jury is then summoned to the Courtroom in most cases and the verbal reply is given to them. A written reply is provided where appropriate.

12. **Jury Instructions.** A copy of the jury instructions shall be provided to the jury for use during its deliberations.

13. **Jury Access to Exhibits.** Unless otherwise advised by counsel or ruled by the Court, it will be assumed that all admitted exhibits will be sent out with the jury.

14. **Courtroom Opportunities for Newer Lawyers.** For reference, the Court directs the parties to its “Statement Regarding Courtroom Opportunities for Newer Lawyers,” which can be found on the Court’s website, and the Court’s general willingness to allow and accommodate the participation of newer lawyers in courtroom proceedings.

/s/Robert J. Colville
Robert J. Colville
United States District Judge

cc: counsel of record