

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:18-cr-00296-JPH-TAB
)	
NFA SAIDOU DOUMBOUYA)	
a/k/a BLACK)	
a/k/a BIG BOY)	
a/k/a SAEED,)	-01
MAMADOU DJELO DIALLO)	
a/k/a DJELO,)	-02
IBRAHIMA DIALLO)	
a/k/a SANDALY,)	-03
MAMADOU MAGANE)	
a/k/a 50,)	-04
SOULEYMANE CAMARA)	
a/k/a SOLO,)	-05
ANDERSON TEJADA ROSSIS,)	-09
)	
Defendants.)	

ORDER

Defendant Ibrahima Diallo has filed a motion to continue the November 10, 2020 final pretrial conference and December 7, 2020 jury trial, arguing "that it would be unsafe to conduct a trial in December" with all Defendants because of the COVID-19 pandemic. Dkt. 445. The government and Defendant Souleymane Camara oppose the motion; the other Defendants join it. *Id.* at 3–4.


District courts have broad inherent authority to actively manage criminal trials. *See United States v. Wingate*, 128 F.3d 1157, 1161 (7th Cir. 1997); *United States v. Warner*, 506 F.3d 517, 521-22 (7th Cir. 2007) (Posner, Kanne,

Williams, JJ., dissenting from the denial of rehearing *en banc*). For the reasons set forth in the motion to continue, the Court intends to sever some defendants' trials and conduct two jury trials with three defendants in each trial.¹ See *United States v. Morales*, 655 F.3d 608, 619, 624 (7th Cir. 2011); *United States v. Delatorre*, 522 F.Supp.2d 1034, 1049–57 (N.D. Ill. 2007). The first trial shall begin as scheduled on December 7, 2020, and the second trial shall be scheduled to begin as soon thereafter as the Court's calendar allows.

No later than **November 2, 2020**, the government **shall designate** the defendants that it proposes be included in the December 7, 2020 trial, considering efficiency and fairness. See *Delatorre*, 522 F.Supp.2d at 1056. Defendants have until **November 4, 2020 to file any responses**. The motion to continue remains pending. Dkt. 445.

SO ORDERED.

Date: 10/28/2020


James Patrick Hanlon
United States District Judge
Southern District of Indiana

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¹ At the November 10, 2020, final pretrial conference, the Court will discuss the health and safety related precautions that will be in place for each trial.

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