

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. [REDACTED]

[REDACTED],

Defendant.

ORDER FOR DEFENDANT'S CUSTODIAL ACCESS
ELECTRONICALLY STORED DATA

On the 24th day of October, 2016, the parties came before this Court on [REDACTED] motion for custodial access to electronically stored data. [REDACTED] asks this Court to Order her custodians, the United States Marshals Service, to arrange for her to have access to a secured laptop computer at CoreCivic, where she is currently housed, in order to allow the confidential review of documentary evidence. This matter is set for trial on [REDACTED] [REDACTED] and the documentary discovery in this multi-count fraud is voluminous. In order to adequately review material in preparation for trial, independent and secure access to electronically stored material is necessary. The Court notes that similar arrangements have been in place in other federal holding facilities within the district.

This secured laptop will be provided by her attorneys from the Federal Public Defender's office and inspected and approved by the U.S. Attorney's office. The FPD is responsible for maintenance and neither the U.S. Marshal nor CoreCivic is responsible for the content or condition of the equipment.

The laptop would meet certain prerequisites agreed upon by the parties: The defense will provide a laptop with only certain programs installed that allow review of material but no alteration or additions. A separate note-taking function will allow the defendant to take and store notes to share with counsel, but none of the other data can be altered. The Wi-Fi card is physically removed from the computer. Network and Bluetooth communications will be disabled. Once a review session is completed, the computer automatically refreshes to its previous state, removing any modifications to settings or files.

Certain data, including protected discovery from the United States Attorney's Office, will be loaded onto the laptop hard drive. The computer note-taking file will be accessible only to [REDACTED] and her attorneys. The intent of this program is to reduce the possibility that written information will be unsecured within the facility. [REDACTED] will be individually subject to the protective Order entered by this Court regarding personal identification and other sensitive material.

The United States Marshal is hereby ordered to make arrangements for Leavenworth CoreCivic to take possession of the laptop and charging cord, with operating instructions from the FPD. It is further ordered that [REDACTED] shall be allowed at least ten hours per week to review electronically-stored data in a secure and confidential manner. This review will occur in a room that is occupied solely by the defendant. The United States Marshal and CoreCivic will coordinate with the Federal Public Defender regarding to the transfer of equipment and material.

It is so ORDERED.

Dated: [REDACTED]

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE