

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-64

**RONALD H. VAN DEN HEUVEL and
KELLY Y. VAN DEN HEUVEL,**

Defendants.

**ORDER GRANTING DEFENDANTS' MOTIONS TO DISCLOSE
FED. R. EVID. 404(B) EVIDENCE**

Defendants Ronald and Kelly Van Den Heuvel have moved this Court for an order requiring the United States to disclose its intent to use Fed. R. Evid. 404(b) evidence at trial. The United States does not oppose these motions, and states that it will provide the defense “reasonable notice of evidence that arguably falls within Rule 404(b).” *See* Letter response from United States, ECF No. 133. Accordingly, the Court will grant the defendants’ motions. No later than **ten days** prior to the start of trial, the United States shall provide to the defense notice of evidence it intends to use at trial that arguably falls within Fed. R. Evid. 404(b).

NOW, THEREFORE, IT IS HEREBY ORDERED that Ronald H. Van Den Heuvel’s Motion to Disclose F.R.E. 404b Evidence, ECF No. 95, is **GRANTED**.

IT IS FURTHER ORDERED that Kelly Van Den Heuvel's Motion for Disclosure of Intent to Use Evidence of Other Crimes, Wrongs, or Acts under Federal Rules of Evidence 404(b), ECF No. 104, is **GRANTED**.

Your attention is directed to 28 U.S.C. § 636(b)(1)(A), Fed. R. Crim. P. 59(a), and E.D. Wis. Gen. L. R. 72(c), whereby written objections to any order herein, or part thereof, may be filed within fourteen days of service of this Order or prior to the Final Pretrial Conference, whichever is earlier. Objections are to be filed in accordance with the Eastern District of Wisconsin's electronic case filing procedures. Failure to file a timely objection with the district judge shall result in a waiver of a party's right to appeal. If no response or reply will be filed, please notify the Court in writing.

Dated at Milwaukee, Wisconsin, this 5th day of September, 2017.

BY THE COURT:

s/ David E. Jones

DAVID E. JONES

United States Magistrate Judge