

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

NO. 3:07CR192-B

RICHARD F. "DICKIE" SCRUGGS
DAVID ZACHARY SCRUGGS
SIDNEY A. BACKSTROM

DEFENDANTS

ORDER RESETTING SENTENCING HEARING

On motion of the defendant Richard F. Scruggs, advising the court that on the sentencing date previously set herein, the defendant's lead counsel John W. Kecker has a trial setting in the United States District Court for the Central District of California scheduled to begin on July 1, 2008, said trial scheduled prior to the sentencing date set herein, the sentencing hearing for Richard F. Scruggs is reset for June 27, 2008, at 10:00 a.m. Mr. Richard F. Scruggs' counsel advises that the defense counsel for Sidney A. Backstrom also waives the notice requirement of Rule 32(e)(2), Federal Rules of Criminal Procedure, and requests his sentencing be reset for June 27, 2008 also. Mr. Scruggs' counsel also advises the court that co-defendant David Zachary Scruggs does not waive his notice under Rule 32(e)(2) and, therefore, his sentencing will remain on July 2, 2008, at 10:00 a.m. The court is advised that the prosecuting attorneys have no scheduling problems with the new sentencing date.

All other deadlines listed in the Amended Order Setting Sentencing Hearing herein remain unchanged.

ORDERED AND ADJUDGED this, the 3rd day of June, 2008.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.
SENIOR UNITED STATES DISTRICT JUDGE