

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

Case No. 6:17-cr-15-Orl-37KRS

JARVIS WAYNE MADISON

ORDER

Before the Court is Defendant's Unopposed Renewed Third Motion for Discovery of Information Concerning the Confection and Creation of the Jury Venire pursuant 28 U.S.C. § 1867(f).¹ (Doc. 291 ("**Motion**").) In this Motion, defense counsel seeks nine categories of information regarding the recently filled 2017 Master and Qualified Jury Wheels. (*See id.* at 2-4.) On referral, Magistrate Judge Spaulding recommends that the Court grant the Motion in part and deny it in part. (Doc. 293 ("**R&R**").)

The parties did not object to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no clear error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

¹ 28 U.S.C. § 1867(f) provides that the Court may disclose "[t]he contents of records or papers used by . . . the clerk in connection with the jury selection process. . . pursuant to the district court plan or as may be necessary in preparation or presentation of a motion" challenging the jury selection process under 28 U.S.C. § 1867(a).

1. U.S. Magistrate Judge Karla R. Spaulding's Report and Recommendation (Doc. 293) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. Defendant's Unopposed Renewed Third Motion for Discovery of Information Concerning the Confection and Creation of the Jury Venire (Doc. 291) is **GRANTED IN PART AND DENIED IN PART** as set forth in the Report and Recommendation.
3. In accordance with the R&R, on or before Monday, **July 2, 2018**, the Clerk is **AUTHORIZED** to provide counsel with the JS-12 Report, AO-12 Report, and the MJW-2017 Status Report for the 2017 Master and Qualified Jury Wheels in the Orlando Division.
4. In accordance with the R&R, the Clerk is also **AUTHORIZED** to "provide the completed List for jurors who failed to appear [identified by juror participant number] during the early months of the 2017 Qualified Jury Wheels for the Orlando Division (including the action taken) within 10 days of completion of that List." (Doc. 293, p. 4.)
5. Counsel, their experts, and the parties are **DIRECTED** to hold all information and materials they review, inspect, copy, or otherwise receive from the Clerk pursuant to Court Orders in strict confidence and to not divulge any such information or materials to any other person without first receiving the Court's approval.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 18, 2018.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record