

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE**

**CRIMINAL ACTION NO. 3:06MJ-230  
UNITED STATES OF AMERICA,**

**PLAINTIFF,**

**vs.**

**STEVEN D. GREEN,**

**DEFENDANT.**

**ORDER**

Defendant Steven D. Green having moved the Court for an order preserving evidence, the United States having responded thereto, the defendant being satisfied with the response of the United States and the representations contained therein, and the Court being sufficiently advised,

**IT IS ORDERED AND ADJUDGED** that the Court accepts the representations of the United States that it recognizes and honors its obligation to preserve and disclose to the defense any discoverable evidence or material in its possession, custody or control, in compliance with all applicable procedural rules and federal common law and that 1) it will comply with its obligations under Fed. R. Crim. P. 16, as well as Fed. R. Crim. P. 6(e), 7(f), and 17 if and to the extent circumstances arise under which the United States must provide evidence or information under any of these rules; 2) it understands and abides by its disclosure obligations under 18 U.S.C. §3500 and the principles of Brady v. Maryland, 373 U.S. 83 (1963); 3) it intends to preserve items having actual evidentiary value, to the extent that those items would not be destroyed or consumed by any scientific tests which might be conducted by the government; 4) it will preserve material evidence ‘that might be expected to play a significant role in the suspect’s; 5) it will not intentionally destroy or discard

any item having evidentiary value within its possession, custody, or control, or which would constitute exculpatory evidence to which the defendant is entitled; and 6) the Court may presume that any agent of the United States, whether military or civilian, will properly discharge their official duties regarding the preservation of records, documents and evidence.

**IT IS FURTHER ORDERED AND ADJUDGED** that in light of said representations and the defendant's satisfaction with same, the motion is overruled as moot.