

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,
Plaintiff,

-v.-

Crim. Case No. 78-367

JUAN MANUEL CONTRERAS SEPULVEDA,
et al.,

Defendants.
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MOTION TO SEVER DEFENDANT
IGNACIO NOVO SAMPOL

Defendant Ignacio Novo Sampol respectfully moves this Court, pursuant to Rule 14 of the Federal Rules of Criminal Procedure, for a severance of his trial from that of his co-defendants.

The basis for this application is that Ignacio Novo Sampol would suffer substantial prejudice if he were to be tried jointly with his co-defendants, for the following reasons:

1. The charges against his co-defendants are substantially different and substantially more serious than the charges against him;

2. The indictment and the statements of the United States Attorney indicate that the government possesses substantially more evidence against his co-defendants than against him;

3. The crimes underlying the counts of the indictment in which he is not named are generating and will continue to generate considerable publicity, endangering his right to a fair trial; and

4. Since one of the defendants named in the more serious charges in this indictment is Ignacio Novo Sampol's brother, the jury in a joint trial would be inclined to consider the evi-

dence against the brother as incriminatory of Ignacio Novo Sampol by virtue of their fraternal relationship, thereby depriving this defendant of his right to be adjudged solely on the basis of the evidence pertinent to the charges in which he is named.

WHEREFORE, counsel respectfully moves this Court for an order pursuant to Rule 14, severing Ignacio Novo Sampol from his co-defendants and granting him a separate trial.

Respectfully submitted,

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ORDER

This matter having come before the Court on Ignacio Novo Sampol's Motion For a Severance, whereupon the Court having considered the motion, the memoranda filed in support thereof and in opposition thereto and having further considered the argument of counsel it is by the Court this ____ day of _____, 1978,

ORDERED, that Ignacio Novo Sampol's Motion For a Severance be, and the same hereby is, granted.

J U D G E