

# United States Court of Appeals

Eleventh Circuit

56 Forsyth Street, N.W.

Atlanta, Georgia 30303

Thomas K. Kahn  
Clerk

In Reply, Give Number  
Of Case and Names of Parties

March 2, 2004

TO ALL COUNSEL OF RECORD

Re: No. 01-16485 - United States v. Deborah Stanford, etc.

Dear Counsel:

For the purposes of the upcoming en banc rehearing in the above-referenced case, the court desires for counsel to focus their briefs on the following issues:

1. **For purposes of this Court's decision regarding issue no. 2 below, did the district court either explicitly or implicitly find that Stanford while talking with the agents had changed her story concerning the source of the cash;**
2. **Was the district court correct to conclude that the government had established probable cause to believe that the cash was connected to any illegal drugs or drug transactions, within the meaning of 21 U.S.C. § 881(a)(6), a conclusion which shifted the burden to Stanford to prove by a preponderance of the evidence that the cash derived from a legitimate source or that she was an innocent owner.**

Appellant's opening en banc briefs shall be filed in the Clerk's Office in Atlanta by 5:00 p.m., Thursday, April 1, 2004. Appellee's en banc briefs shall be filed in the Clerk's Office in Atlanta within thirty (30) days after service or not later than Monday, May 3, 2004 by 5:00 p.m. Any reply brief by the Appellant must be filed in the Clerk's Office in Atlanta by **3:00 p.m.** within fifteen (15) days after service or not later than Tuesday, May 18, 2004. An original and eighteen (18) copies of the en banc briefs should be filed (appellant's in blue covers, appellee's in red covers and any reply in gray covers). **NO EXTENSIONS WILL BE GRANTED.** The parties are expected to insure that all other parties receive a copy of their en banc briefs before the close of business on the day of filing (facsimile, email, etc.). **NO TIME FOR MAILING SHALL BE ALLOWED.**

**All counsel** are requested to file sixteen (16) copies of their original opening panel briefs, record excerpts and supplemental authorities prior to 5:00 p.m., Thursday, April 1, 2004.

In addition to providing the required number of paper copies of briefs, all parties are required to upload the en banc brief and ensure the original opening panel briefs have been uploaded, in electronic format to the court's Web site as described in 11<sup>th</sup> Cir. R. 31-5.

Oral argument will be conducted before the en banc court on Tuesday, June 15, 2004, in Atlanta, Georgia, commencing at 9:00 a.m. Twenty (20) minutes per side will be allotted for oral argument.

Sincerely,

THOMAS K. KAHN, Clerk

By:

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Matt Davidson  
Calendar Clerk

cc : Douglas L. Williams, Esq. via facsimile 305.539.8724  
Madeline R. Shirley, Esq. Via facsimile 305.536.7214