

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal No. 2018-30
	)	
PAUL GIRARD, SHAQUAN PRENTICE,	)	
ROBERT BROWN, WAHILLI JAMES,	)	
SHAQUIELLE CORREA, JAMES CRUZ,	)	
KAREEM HARRY, TYLER EUGENE,	)	
ETHERNEAL SIMON, SHERMYRA GUMBS,	)	
WAYNE BELLILLE,	)	
	)	
Defendants.	)	

ATTORNEYS:

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ORDER

GÓMEZ, J.

On April 25, 2019, a grand jury returned a Fourth Superseding Indictment in this matter. In general, the Fourth Superseding Indictment lays out a vast and wide-ranging criminal conspiracy that is alleged to have involved multiple armed robberies and multiple drug trafficking operations along with various murders, attempted murders, and assaults in furtherance of those endeavors. In sum, the Fourth Superseding Indictment charges the eleven defendants in this matter with forty-seven criminal counts.

"The scope of the district court's discretion to manage trials before it is and must be particularly broad. . . . District courts have wide-ranging control over management of their dockets, the courtroom procedures, and the admission of evidence." *United States v. Janati*, 374 F.3d 263, 273 (4th Cir. 2004). For example, "district courts have discretion to require separate trials for criminal defendants charged in a single indictment." *Janati*, 374 F.3d at 273. Such discretion in managing trials allows district courts to ensure the effective administration of the criminal justice system. See, e.g., *United States v. Higgs*, 713 F.2d 39, 44 n.6 (3d Cir. 1983) (noting that, while the "government is not automatically required to

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make [pretrial] disclosure [of the names of its cooperating witnesses], the district court, within its discretion, may order such disclosure to ensure the effective administration of the criminal justice system").

Moreover, Federal Rule of Criminal Procedure 18 requires that the court set the place of trial "with due regard for the convenience of the defendant, any victim, and the witnesses, and the prompt administration of justice." See Fed. R. Crim. P. 18. Significantly, Federal Rule of Criminal Procedure 2 provides that the federal rules of criminal procedure should be interpreted "to provide for the just determination of every criminal proceeding, to secure simplicity in procedure and fairness in administration, and to eliminate unjustifiable expense and delay." See Fed. R. Crim. P. 2. Having reviewed the Fourth Superseding Indictment and the entire record in this matter, the Court finds that it is appropriate to sever this case in the interest of simplicity, fairness, the prompt administration of criminal justice, and judicial economy. Consequently, the Court will sever the defendants in this matter into two groups for trial. The first group shall be comprised of Etherneal Simon, Wayne Bellille, Shermyra Gumbs, and Wahilli James. The second group shall be comprised of Paul Girard,

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Shaquan Prentice, Robert Brown, Shaquielle Correa, Tyler Eugene, Kareem Harry, and James Cruz.

The premises considered, it is hereby

ORDERED that a jury trial in this matter is hereby **SCHEDULED** to commence promptly at 9:00 a.m. on December 9, 2019 as to the following defendants: Etherneal Simon, Wayne Bellille, Shermyra Gumbs, and Wahilli James; it is further

ORDERED that a jury trial in this matter is hereby **SCHEDULED** to commence promptly at 9:00 a.m. on January 13, 2020 as to the following defendants: Paul Girard, Shaquan Prentice, Robert Brown, Shaquielle Correa, Tyler Eugene, Kareem Harry, and James Cruz; and it is further

ORDERED that Bellille's motion to sever, ECF No. 508, is **MOOT**.

S_____
Curtis V. Gómez
District Judge