

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

ATTORNEYS: Dustin Roberts
Carly Marshall

V. CASE NO. 5:21-CR-50014-001

JOSHUA JAMES DUGGAR

DEFENDANT

ATTORNEYS: Justin Gelfand
Travis Story

JUDGE: TIMOTHY L. BROOKS

REPORTER: PAULA BARDEN

COURT CLERK: SHERI CRAIG

**MOTION HEARING MINUTES
September 27, 2021**

TIME	MINUTES
9:35 am	Court Convenes
	Procedural History by the Court
	Defendant moves to withdraw Witness #2 ONLY as to the Motion to Dismiss for Government's Failure to Preserve Potentially Exculpatory Evidence (Doc. 40) - Government responds and requests the entire Motion be dismissed - <i>Witness #2 of Motion Withdrawn</i>
	Testimony on behalf of the Government:
	GW#1 - HSI SA Gerald Faulkner
	GX#1 - Application with Attachments for Search Warrant
	GX#2 - Photograph of Wholesale Motorcars Car Lot
	GX#3 - Recording of Defendant's Interview - played for the Court
	GX#4 - Transcript of GX#3
	GX#5 - Duggar Statement of Rights Form
	GX#6 - Wholesale Motorcars Check made payable to Matthew Waller
	GX#7 - Wholesale Motorcars Check made payable to Randall Steve Berry
	GX#8 - Forensic Examination Summary (5/13-14/19)

	GX#9 - Forensic Examination Summary (5/15/19)
12:02 pm	Lunch
12:55 pm	Reconvene
	GW#1 - HSI SA Gerald Faulkner (continued)
	DX#D - Report of Investigation
	DX#T - Photographs of Wholesale Motorcars Car Lot
	Argument from Counsel - Motion to Suppress Statements and Request for Evidentiary Hearing (Doc. 36) - <i>DENIED by the Court</i>
	Argument from Counsel - Motion to Dismiss for Government's Failure to Preserve Potentially Exculpatory Evidence (Doc. 40) - <i>DENIED by the Court</i>
	Argument from Counsel - Motion to Suppress Photographs of Duggar's Hands and Feet While in Custody (Doc. 38) - <i>DENIED by the Court</i>
	Argument from Counsel - Motion to Dismiss Indictment for Violation of the Appointments Clause (Doc. 39) - <i>DENIED by the Court</i>
	Formal Order to follow
5:23 pm	Court Adjourned