

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201

07-CR-E

JACK B. WEINSTEIN
SENIOR JUDGE

May 15, 2008

Peter G. McCabe, Secretary
Committee on Rules of Practice and Procedure
of the Judicial Conference of the United States
Administrative Office of the United States Courts
Thurgood Marshall Federal Judicial Center Building
Washington, D.C. 20544

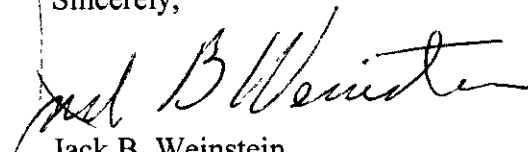
Re: Suggested Amendment to Rule 11 of the Federal Rules of Criminal Procedure

Dear Secretary McCabe:

While taking a guilty plea from a defendant today, I noticed that the current version of Rule 11 of the Federal Rules of Criminal Procedure does not require the court to inform the defendant of his or her right to compel the production of documents. *See* Fed. R. Crim. P. 11(b)(1)(E); *see also* Fed. R. Crim. P. 17 (c)(1) (“A subpoena may order the witnesses to produce books, papers, documents, data, or other objects the subpoena designates.”)

I would suggest that Rule 11(b)(1)(E) be amended to include this right in addition to those already listed. Doing so would be simple: adding “and the production of documents” after “to compel the attendance of witnesses” would suffice.

Sincerely,



Jack B. Weinstein
U.S. Senior District Judge

cc: Raymond J. Dearie, Chief Judge
of the United States District Courts
for the Eastern District of New York