

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO
Plaintiff,

vs.

TIMOTHY BUSFILED,
Defendant.

D-202-CR-2026-00405

SCHEDULING ORDER (TRACK 3, NEW CALENDAR)

THIS MATTER came before the Court on March 10, 2026 for a scheduling conference. The State appeared by Collin Brennan and the Defendant appeared through Amber Fayerberg.

This case has been assigned to Track 3.

IT IS HEREBY ORDERED:

1. The parties have a continuing duty to disclose and make available supplemental discovery within **FIVE (5)** days of the receipt of such information.
2. All parties shall produce the results of any scientific evidence on or before **12/11/26**.
3. All requests for interviews of witnesses on the other party's initial witness list shall be made within fourteen (14) days after the issuance of this scheduling order. If a party files a new witness list adding new witnesses, any requests to interview those witnesses shall be made no later than seven (7) days after the new witness list is served on the requesting party.
4. All witness interviews shall be completed on or before **2/1/27**.
5. Pretrial motions shall be filed on or before **3/1/27**
6. Responses to pretrial motions shall be filed on or within ten calendar (10) days of the filing of the original motion, whichever occurs sooner. Failure to file a written response shall be deemed, for purposes of deciding the motion, an admission of the facts stated in the motion. Any written reply shall be filed within five (5) calendar days of the response.
7. Any pretrial Evidentiary Hearing (*where requested*) shall be scheduled during or before the week of **4/5/27**. If an Evidentiary Hearing is required, any party filing a motion must submit a Request for Evidentiary Hearing which complies with Rule 5-601(E). A copy of any filed motion shall be emailed to the TCAA at the time of the filing of the motion(s).

8. All parties shall file notice with the Court of any requirement for Language Access Services on or before **4/22/27**.
9. The parties shall submit any plea agreement, in writing, to the Court on or before **4/22/27**.
10. If a party intends to introduce dangerous physical evidence, as defined by the Second Judicial Court's Dangerous Physical Evidence Policy, policy Number 2025-SJDC-002, at trial, that party must notify the Court and all other parties at the pre-trial conference/docket call. Failure to provide timely notice that the party intends to introduce dangerous physical evidence at trial may result in a reprimand or a financial sanction to the attorney or the attorney's office.
11. Docket Call (also the final Pretrial Conference) is scheduled for **APRIL 22, 2027 @ 8:45 AM AND IS THE DEADLINE TO ENTER INTO A PLEA AGREEMENT. THE DEFENDANT MUST BE PRESENT.**
12. The parties shall file their final **trial witness list, motions in limine and jury instructions** on or before **4/22/27**.
13. The trial is scheduled for a trailing docket starting on **MAY 10, 2027 and ending on MAY 28, 2027** which is within 365 days of the triggering event in this case. This is a three week trailing docket and trial may commence on any day during the trailing docket.
14. The parties shall notify the Court immediately if changes in the presentation of the case could impact the number of estimated days for trial. The trial is expected to last approximately **2-4 WEEKS**.

If a party fails to comply with the dates outlined in this Scheduling Order, the Court shall impose sanctions. Sanctions may include, but are not limited to, dismissal with or without prejudice, suppression or exclusion of evidence, a monetary fine imposed upon a party's attorney, or a monetary fine imposed on the attorney's employing office with appropriate notice to the office and opportunity to be heard.

An extension of the time limits imposed by this Scheduling Order may be granted by the Court for good cause, so long as the extension would not result in an extension of the trial date. It shall not be assumed that substitution of counsel alone constitutes good cause for an extension of time.

IT IS SO ORDERED.



JOSEPH MONTANO
DISTRICT COURT JUDGE, DIV. XXVI