

WILKES GETS HIS SUBPOENAS

Whooboy. It must be Duke stir day. Seth Hettena reports that Judge Burns just signed off on Wilkes' subpoenas.

No wonder Judge Burns is pissed. Carolyn Delaney, the federal prosecutor in Sacramento who was given the task of investigating the pre-trial leak in the Brent Wilkes case, has filed a declaration indicating what steps she failed to take to find out the nothing she didn't bother to learn.

Here's what Delaney says:

After reviewing the foregoing materials, I concluded that an investigation in the circumstances of this case was unlikely to succeed in identifying the source of any improper disclosure. Leak investigations are among the most difficult investigations to conduct. The disclosures reported here both in press accounts and by defense counsel lacked any signature information. In addition, several dozen individuals were involved in the indictment review process, and months had passed prior to my appointment, making it exceedingly unlikely that I could determine when each person first learned of particular information and who else knew. Experience has taught me that leak investigations in such circumstances are rarely successful.

Hettena suggests Delaney may have judged DOJ to be really uninterested in discovering who the leakers are. Given that Hettena himself is one of the people who should expect to get his subpoena shortly, I wonder what he means by that.