

TERMED

**U.S. District Court  
District of Colorado (Denver)  
CRIMINAL DOCKET FOR CASE #: 1:00-cr-00481-WYD All Defendants**

Case title: USA v. Lavallee, et al  
Related Case: 1:07-cv-00803-WYD

Date Filed: 11/02/2000  
Date Terminated: 11/21/2003

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Assigned to: Judge Wiley Y.  
Daniel

Appeals court case numbers:  
'04-1538', 03-1138, 03-1314,  
03-1522, 04-1000

**Defendant (1)**

**Mike Lavallee**  
*TERMINATED: 11/21/2003*

represented by **Thomas James Hammond**  
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Email: [hammondlaw@solucian.com](mailto:hammondlaw@solucian.com)  
*TERMINATED: 06/24/2003*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

18:242.F DEPRIVE CIVIL  
RIGHTS  
(2s)

**Disposition**

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:242.F DEPRIVE CIVIL  
RIGHTS  
(8s)

18:242.F DEPRIVE CIVIL  
RIGHTS  
(10s)

**Disposition**

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

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Assigned to: Judge Wiley Y.  
Daniel

Appeals court case numbers:  
'04-1540', '09-1275' 'USCA',

03-1138, 03-1310, 03-1523,  
04-1000

**Defendant (2)**

**Rod Schultz**

*TERMINATED: 11/21/2003*

represented by **Boston H. Stanton , Jr.**

Boston H. Stanton, Jr, Attorney at Law  
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303-377-2757

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*TERMINATED: 06/26/2003*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: CJA Appointment*

**James S. Covino**

James S. Covino, P.C.

6426 South Quebec Street

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*TERMINATED: 06/26/2003*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: CJA Appointment*

**Neil E. MacFarlane**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: CJA Appointment*

**Pending Counts**

18:241.F CONSPIRACY  
AGAINST RIGHTS OF  
CITIZENS

(2s)

**Disposition**

**Highest Offense Level**

**(Opening)**

Felony

**Disposition**

**Terminated Counts**

18:241.F CONSPIRACY  
AGAINST RIGHTS OF  
CITIZENS

(8s)

**Highest Offense Level**

**(Terminated)**

Felony

**Complaints**

None

**Disposition**

Assigned to: Judge Wiley Y. Daniel  
Appeals court case numbers: 03-1138,  
04-1000

**Defendant (3)**

**Ken Shatto**  
*TERMINATED: 06/24/2003*

represented by **E. Richard Toray**  
Gerash Steiner, P.C.  
1775 Sherman Street  
#1650  
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303-830-0630  
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Email: [rtoray@springersteinberg.com](mailto:rtoray@springersteinberg.com)  
*TERMINATED: 07/18/2001*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Neil E. MacFarlane**  
(See above for address)  
*TERMINATED: 06/24/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1)

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(3s)

18:242.F Deprivation of Rights Under  
Color of Law  
(4)

18:242.F Deprivation of Rights Under  
Color of Law  
(9)

**Disposition**

counts dismissed by the Court

counts dismissed by the Court

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

Assigned to: Judge Wiley Y. Daniel  
Appeals court case numbers: 03-1138,  
04-1000

**Defendant (4)**

**David Pruyne**  
*TERMINATED: 06/24/2003*

represented by **Daniel T. Smith**  
Daniel T. Smith, Attorney at Law  
1900 Grant Street  
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Denver, CO 80203  
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*TERMINATED: 06/24/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1)

**Disposition**

counts dismissed by the court

18:242.F Deprivation of Rights Under  
Color of Law  
(5)

counts dismissed by the court

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(6s)

counts dismissed by the court

18:242.F Deprivation of Rights Under  
Color of Law  
(9)

counts dismissed by the court

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

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Assigned to: Judge Wiley Y. Daniel  
Appeals court case numbers: 03-1138,  
03-1301, 03-1515, 04-1000

**Defendant (5)**

**Robert Verbickas**  
*TERMINATED: 11/21/2003*

represented by **Robert Verbickas**  
47 Stillson Road  
Southbury, CT 06488  
PRO SE

**Brian K. Holland**  
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Email: [brian@rechtkornfeld.com](mailto:brian@rechtkornfeld.com)  
*TERMINATED: 11/21/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1)

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(7s)

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(10s)

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

**Disposition**

**Disposition**

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Assigned to: Judge Wiley Y. Daniel  
Appeals court case numbers: 03-1138,  
04-1000

**Defendant (6)**

**Brent Gall**  
*TERMINATED: 06/24/2003*

represented by **Daniel Joseph Sears**  
Daniel J. Sears, P.C.  
1801 Broadway  
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303-292-0110  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1)

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(3s)

18:242.F Deprivation of Rights Under  
Color of Law  
(4)

**Disposition**

count dismissed by the court

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

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Assigned to: Judge Wiley Y. Daniel

Appeals court case numbers: 03-1138,  
04-1000

**Defendant (7)**

**James Bond**  
*TERMINATED: 06/24/2003*

represented by **Richard James Banta**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1)

18:241.F CONSPIRACY AGAINST  
RIGHTS OF CITIZENS  
(1s)

18:242.F Deprivation of Rights Under  
Color of Law  
(7)

**Disposition**

counts dismissed by the court

counts dismissed by the court

18:242.F DEPRIVE CIVIL RIGHTS  
(8s)

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

**Plaintiff**

**USA**

*TERMINATED: 11/21/2003*

represented by **Karl N. Gellert**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*TERMINATED: 11/21/2003*  
*LEAD ATTORNEY*  
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**Robert E. Mydans**  
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*TERMINATED: 11/21/2003*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/02/2004	1598	RESPONSE by USA as to Robert Verbickas re 1590 Motion to Set Verbickas' Motion for Release Pending Appeal (Blakely v. Washington) For Hearing (ecm, ) (Entered: 11/04/2004)
11/02/2004	1599	NOTICE OF ATTORNEY APPEARANCE Barbara Kay Bosserman appearing for USA. (ecm, ) (Entered: 11/04/2004)
11/10/2004	1600	MOTION For Appointment Under CJA or in the Alternative, For Leave to Withdraw by Neil MacFarlane re Rod Schultz. (ecm, ) (Entered: 11/16/2004)
11/12/2004	1601	MEMORANDUM referring 1600 MOTION to Appoint CJA Counsel filed by Rod Schultz to Magistrate Judge Boyd N. Boland by Judge Wiley Y. Daniel on

		11/12/04. (ecm, ) (Entered: 11/18/2004)
11/15/2004	1602	MOTION for Extension of Time to Respond to Govt Motion by Rod Schultz. (ecm, ) (Entered: 11/19/2004)
11/15/2004	1603	RESPONSE to Motion by Rod Schultz to 1592 Motion for Reconsideration of Order Directing Prosecutor's to Appear and Be Questioned (ecm, ) (Entered: 11/19/2004)
11/16/2004	1604	ORDER; GRANTING 1602 Motion for Extension of Time to Respond as to Rod Schultz (2) to/including 11/15/04. Signed by Judge Wiley Y. Daniel on 11/15/04. (ecm, ) (Entered: 11/22/2004)
11/17/2004	1605	MINUTE ORDER; GRANTING 1600 Motion to Appoint CJA Counsel Neil E. MacFarlane appointedfor Rod Schultz by Magistrate Judge Craig B Shaffer on 11/17/04. (ecm, ) (Entered: 11/22/2004)
11/17/2004	1606	CJA 20 : Appointment of Attorney Neil E. MacFarlane for Rod Schultz . Signed by Magistrate Judge Craig B Shaffer on 11/17/04. (ecm, ) (Entered: 11/24/2004)
11/22/2004	1607	RESPONSE to the Govt's Submission of Declarations Concerning Searches for the April 5, 1996 Videotape and Change Discovery of the April 6, 1996 Videotape by Rod Schultz (ecm, ) (Entered: 11/30/2004)
11/30/2004	1608	MINUTE ORDER by Judge Wiley Y. Daniel DENYING as MOOT 1589 Motion o Supplement Record on Appeal as to Robert Verbickas (5); record has been supplemented. (nmb, ) (Entered: 12/06/2004)
12/03/2004	1609	ORDER; DENYING w/o prej. 1590 Motion to Set Motion for Release Pending Appeal (Blakely v. Washington) for Hearing as to Robert Verbickas . Signed by Judge Wiley Y. Daniel on 12/3/04. (ecm, ) (Entered: 12/09/2004)
12/04/2004		TEXT ENTRY ONLY; Defendant has filed a Notice of appeal; terminating 1592 Motion for Reconsideration as to Rod Schultz (2) (ecm, ) (Entered: 10/06/2005)
12/06/2004	1611	Minute Entry for Post-Trial Motions Hearing before Judge Wiley Y. Daniel : as to Mike Lavallee, and Rod Schultz; defts' presence waived; witnesses; exhibits; DENYING 1537 Motion for New Trial filed by Rod Schultz, and DENYING 1564 Amended Motion for New Trial filed by Rod Schultz; written order to follow; exhibits returned to counsel. (Court Reporter Kara Spitler.) (nmb, ) (Entered: 12/13/2004)
12/06/2004		ORDER pursuant to motions hearing minutes; DENYING 1537 Motion for New Trial as to Rod Schultz (2); and DENYING 1564 Amended Motion for New Trial as to Rod Schultz (2). (nmb, ) (Entered: 12/13/2004)
12/07/2004	1613	CJA 20 : Authorization to Pay Brian Holland as to Robert Verbickas. Voucher # 041215/141 (SUPPRESSED) . Signed by Judge Wiley Y. Daniel on 12/7/04. (ecm, ) (Entered: 12/16/2004)
12/07/2004	1614	ORDER GRANTING 1613 CJA 20 – Authorization to Pay as to Robert Verbickas (SUPPRESSED) . Signed by Judge Wiley Y. Daniel on 12/7/04. (ecm, ) (Entered: 12/16/2004)
12/10/2004	1615	ORDER; DENYING 1537 Motion for New Trial filed by Rod Schultz and 1564 Amended Motion for New Trial filed by Rod Schultz and DENYING deft Mike Lavallee's Motion For New Trial (wherein he joined deft Schultz's motions for new trial). Signed by Judge Wiley Y. Daniel on 12/9/04. (ecm, ) (Entered: 12/17/2004)
12/13/2004	1612	TRANSCRIPT of Hearing on Defts Motions For New Trial, Day 2 as to Mike Lavallee, Rod Schultz held on 12/6/04 before Judge Wiley Y. Daniel. Prepared by: Kara Spitler. Pages: 310. (certified copy) (ecm, ) (Entered: 12/15/2004)
12/17/2004	1616	NOTICE OF APPEAL by Mike Lavallee re 1615 Order on 12/10/04. Fee Status: CJA. Notice mailed to all counsel on 12/20/04. Designation due by 1/5/2005. Transcript Order Form due by 1/5/2005. (djs, ) (Text Modified on 12/21/2004 to correct fee status to CJA) (gms, ). (Entered: 12/20/2004)



12/20/2004	1617	NOTICE OF APPEAL by Rod Schultz re 1615 Order on 12/10/04. Fee Status: CJA. Notice mailed to all counsel on 12/21/04. Transcript Order Form due by 1/6/2005. (djs, ) (Entered: 12/21/2004)
12/21/2004	1618	LETTER to USCA and all counsel advising that the appeal was previously processed in error as retained counsel. Appeal is CJA and no fee is required re Mike Lavalley's 1616 Notice of Appeal. (djs, ) (Entered: 12/21/2004)
12/22/2004	1619	USCA Case Number as to Mike Lavalley 04-1538 for 1616 Notice of Appeal, filed by Mike Lavalley. (djs, ) (Entered: 12/27/2004)
12/27/2004	1620	USCA Case Number as to Rod Schultz 04-1540 for 1617 Notice of Appeal filed by Rod Schultz. (djs, ) (Entered: 12/28/2004)
01/04/2005	1621	TRANSCRIPT ORDER FORM filed by appellant Rod Schultz for hearing on motion for new trial held on 10/4/04 and 12/6/04 re 1617 Notice of Appeal. (djs, ) (Entered: 01/06/2005)
01/04/2005	1622	DESIGNATION OF RECORD ON APPEAL by Rod Schultz re 1617 Notice of Appeal. (djs, ) (Entered: 01/06/2005)
01/14/2005	1623	MOTION to Set Defendant's Motion for Release Pending Appeal (Blakely v. Washington) for Hearing by Robert Verbickas. (ecm, ) (Entered: 01/19/2005)
01/27/2005	1624	ORDER by Judge Wiley Y. Daniel as to Robert Verbickas; GRANTING 1590 Motion To Set Defendant's Motion for Release Pending Appeal For Hearing filed by Robert Verbickas; 1547 Motion for Release Pending Appeal (Blakely v. Washington) filed by Robert Verbickas is set for Hearing on 3/10/2005 11:00 AM before Judge Wiley Y. Daniel; def't's brief re: impact of Supreme Court's decision due 2/9/05; govt response 2/25/05. (nmb, ) (Entered: 01/28/2005)
02/09/2005	1625	BRIEF Regarding the Application of US v. BOOKER and FANFAN v. US by Robert Verbickas (ecm, ) (Entered: 02/11/2005)
02/17/2005	1626	MOTION to Join Defendant Verbickas' Motion for Release Pending Appeal (Blakely v. Washington) For Hearing by Mike Lavalley. (ecm, ) (Entered: 02/23/2005)
02/23/2005	1627	MINUTE ORDER; GRANTING 1626 Motion to Join Defendant Verbickas Motion to Set Defendant Verbickas Motion for Release Pending Appeal For Hearing as to Mike Lavalley (1) (ecm, ) (Entered: 02/25/2005)
02/25/2005	1628	BRIEF by USA re: 1625 Brief Regarding the Application of US v. BOOKER to Vermickas Motion for Release Pending Appeal filed by Robert Verbickas (ecm, ) (Entered: 03/02/2005)
03/04/2005	1629	MOTION Authorization of Funds for Additional Computer Technology Services and for Payment Despite Late Submission - S. Corp by Mike Lavalley. (ecm, ) (Entered: 03/09/2005)
03/04/2005	1630	MOTION for Authorization of Funds for Additional In-Court Computer Technology Services and For Payment Despite Late Submission - Mr. Mercier by Mike Lavalley. (ecm, ) (Entered: 03/09/2005)
03/04/2005	1631	MOTION to Participate in the Hearing on Co-Defendant Verbickas' Motion for Release Pending Appeal and MOTION to Excuse Defendant's Appearance by Rod Schultz. (ecm, ) (Entered: 03/09/2005)
03/07/2005	1632	RESPONSE by Robert Verbickas to 1628 Gov't's Brief Regarding the Application of US v. BOOKER to Verbickas' Motion for Release Pending Appeal (ecm, ) (Entered: 03/10/2005)
03/08/2005	1633	MINUTE ORDER; GRANTING 1631 Motion to Excuse as to Rod Schultz (2); GRANTING 1631 Motion to Participate in the Hearing on Co-Defendant Verbickas' Motion For Release Pending Appeal and Request that Rod Schultz Appearance be Waived as to Rod Schultz (2) by Judge Wiley Y. Daniel (ecm, ) (Entered: 03/11/2005)

03/08/2005	1634	NOTICE Of New Cases by USA as to Robert Verbickas (mjb, ) (Entered: 03/11/2005)
03/09/2005	1635	MOTION for Leave to Appear By Video Conference For Hearing. Attorney: Thomas J. Hammond., by Mike Lavallee. (mjb, ) (Entered: 03/11/2005)
03/10/2005	1636	Minutes of Hearing on Motion for Release Pending Appeal before Judge Wiley Y. Daniel: deft Robert Verbickas present; deft Rod Schultz appearance was waived; deft Mike Lavallee appears via telephone; witnesses; ORDER: DENYING 1547 MOTION For Release Pending Appeal filed by Robert Verbickas; to the extent deft Mike LaVallee and Rod Schultz have joined in the motion, the motion is DENED w/o prej.; (Court Reporter Gwen Daniel.) (ecm, ) (Entered: 03/14/2005)
03/10/2005	1637	ORDER; DENYING 1547 Motion for Release Pending Appeal as to Robert Verbickas (5); Signed by Judge Wiley Y. Daniel on 3/10/05. (ecm, ) (Entered: 03/14/2005)
03/10/2005		TEXT ENTRY ONLY; Please refer to doc. #1636: terminating 1635 Motion for Leave to Appear, Motion for Hearing as to Mike Lavallee (1); hearing held this date (ecm, ) (Entered: 10/06/2005)
03/14/2005	1638	Record on Appeal consisting of volumes I–III transmitted to US Court of Appeals as to Rod Schultz re 1617 Notice of Appeal. (djs, ) (Entered: 03/14/2005)
03/15/2005	1639	ORDER by Judge Wiley Y. Daniel DENYING 1547 MOTION For Release Pending Appeal filed by Robert Verbickas; as to Mike Lavallee, Rod Schultz, to the extent defts have joined in the motion, their requests are DENIED w/o prej.(nmb, ) (Entered: 03/18/2005)
03/22/2005	1640	ORDER of USCA (certified copy) to supplement the record on appeal as to 1617 Notice of Appeal. USDC clerk shall supplement the record on appeal by 4/1/05. (djs, ) (Entered: 03/24/2005)
03/28/2005	1641	Supplemental Record on Appeal volume V transmitted to United States Court of Appeals as to Mike Lavallee and Robert Verbickas re 1487 Notice of Appeal and 1509 Notice of Appeal. (djs, ) (Entered: 03/29/2005)
03/28/2005	1643	CJA 21: Authorization to Pay Computer (Hardware/Software/Systems) for Expert Services as to Mike Lavallee (SUPPRESSED); Voucher# 050401/55; SEE CJA SUPERVISING ATTORNEY . Signed by Judge Wiley Y. Daniel on 3/28/05. (mjb, ) (Entered: 04/19/2005)
03/28/2005	1644	CJA 21 ORDER granting 1629 Motion and granting 1630 Motion For Authorization Of Funds For Additional Computer Technology Services And For Payment Despite Late Submission as to Mike Lavallee (1); Voucher #050401/56. Signed by Judge Wiley Y. Daniel on 3/28/05. (mjb, ) (Entered: 04/19/2005)
03/29/2005	1642	NOTICE of Change of Address as to attorney Brian K. Holland (nmb, ) (Entered: 03/30/2005)
04/12/2005	1649	CJA 21: Authorization to Pay Computer (Hardware/Software/Systems) as to Mike Lavallee for Expert Services (SUPPRESSED); Voucher# 050513/53; SEE CJA SUPERVISING ATTORNEY . Signed by Judge Wiley Y. Daniel on 4/12/05. (mjb, ) (Entered: 05/23/2005)
04/19/2005	1650	CJA 21 ORDER as to Mike Lavallee granting 1630 MOTION for Authorization of Funds for Additional In–Court Computer Technology Services and For Payment Despite Late Submission filed by Mike Lavallee (SUPPRESSED) . Signed by Judge Wiley Y. Daniel on 4/19/05. (mjb, ) (Entered: 05/23/2005)
05/17/2005	1645	MOTION to Vacate under 28 U.S.C. 2255 ( Civil Action 05–D–899.) by Rod Schultz. (bpm, ) (Entered: 05/18/2005)
05/17/2005	1651	MOTION for Leave to Proceed in Forma Pauperis by Rod Schultz. (nmb, ) (Entered: 05/23/2005)
05/18/2005	1646	TRANSCRIPT ORDER FORM filed by appellant by Mike Lavallee for proceedings held on 10/4/04 and 12/6/04 re 1616 Notice of Appeal. (Transcript of 10/4/04 was previously filed on 10/13/04 and the transcript of 12/6/04 was

		previously filed on 12/13/04) (djs, ) (Entered: 05/19/2005)
05/18/2005	1647	DESIGNATION OF RECORD ON APPEAL by Mike Lavallee re 1616 Notice of Appeal. (djs, ) (Entered: 05/19/2005)
05/20/2005	1648	Record on Appeal volumes I &II transmitted to US Court of Appeals as to Mike Lavallee re 1616 Notice of Appeal. (djs, ) (Entered: 05/20/2005)
05/20/2005	1652	ORDER DENYING 1645 Motion to Vacate (2255) as to Rod Schultz (2)signed by Judge Wiley Y. Daniel on 5/20/05. (nmb, ) (Entered: 05/26/2005)
05/20/2005	1653	JUDGMENT as to defendant Rod Schultz; Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 USC 2255 is denied w/o prej. (nmb, ) (Entered: 05/26/2005)
06/08/2005	1654	ORDER of USCA (certified copy) dated 6/8/05 directing USDC to supplement the record on appeal as to Robert Verbickas re 1509 Notice of Appeal. (djs, ) (Entered: 06/10/2005)
06/15/2005	1655	Supplemental Record on Appeal consisting of supplemental volume VI transmitted to US Court of Appeals as to Robert Verbickas re 1487 Notice of Appeal. (djs, ) (Entered: 06/15/2005)
08/10/2005	1656	TRANSCRIPT ORDER FORM filed by Rod Schultz re 1617 Notice of Appeal. All transcripts requested are already on file in USDC. (djs, ) (Entered: 08/11/2005)
08/12/2005	1658	ORDER of USCA (certified copy) directing USDC to supplement the record on appeal by 8/22/05 as to Rod Schultz re 1617 Notice of Appeal. (djs, ) (Entered: 08/16/2005)
08/15/2005	1657	ORDER (MANDATE) of USCA (certified copy) dated 8/15/05 dismissing the appeal as to Mike Lavallee re 1616 Notice of Appeal. (djs, ) (Entered: 08/16/2005)
08/18/2005	1659	Supplemental Record on Appeal volume I transmitted to US Court of Appeals as to Rod Schultz re 1617 Notice of Appeal. (djs, ) (Entered: 08/18/2005)
09/12/2005	1660	Replacement for Supplemental Record on Appeal volume I transmitted to US Court of Appeals as to Rod Schultz re 1617 Notice of Appeal. (djs, ) (Entered: 09/12/2005)
10/21/2005	1661	MOTION For New Trial Based On Newly Discovered Evidence by Rod Schultz. (mjg, ) (Entered: 10/25/2005)
12/05/2005	<u>1667</u>	Exparte Document (Attachments: # <u>1</u> Attachment A)(nrutl, ) (Entered: 12/28/2005)
12/19/2005	<u>1662</u>	MINUTE ORDER re 1661 MOTION for New Trial filed by Rod Schultz; Government responses due by 1/6/2006 (mjg, ) (Entered: 12/20/2005)
12/21/2005	<u>1663</u>	RESPONSE to Motion by USA as to Rod Schultz re 1661 MOTION for New Trial <i>extension of time to respond to Schultz motion for new trial</i> (Mydans, Robert) (Entered: 12/21/2005)
12/22/2005	<u>1664</u>	MOTION to Amend/Correct <u>1663</u> Response to Motion filed by USA, by USA as to Rod Schultz. (Mydans, Robert) (Entered: 12/22/2005)
12/22/2005	<u>1665</u>	MINUTE ORDER; GRANTING <u>1664</u> AMENDED MOTION for Extension of Time to Respond to Schultz Motion for New Trial filed by USA; Responses due 1/20/2006 by Judge Wiley Y. Daniel (ecm, ) (Entered: 12/23/2005)
12/22/2005	1666	TEXT ENTRY ONLY; Please refer to doc. #1665: granting <u>1664</u> Motion to Amend/Correct as to Rod Schultz (2) by USA (ecm, ) (Entered: 12/23/2005)
01/20/2006	<u>1668</u>	RESPONSE to Motion by USA as to Rod Schultz re 1661 MOTION for New Trial <i>Based on Newly Discovered Evidence</i> (Attachments: # <u>1</u> # <u>2</u> Affidavit # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> )(Mydans, Robert) (Entered: 01/20/2006)
02/04/2006	<u>1669</u>	MOTION for Extension of Time to File <i>Reply</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 02/04/2006)

02/06/2006	<u>1670</u>	MINUTE ORDER re <u>1669</u> MOTION for Extension of Time to File Reply filed by Rod Schultz: Dft Rod Schultz has until 2/7/06, in which to file a reply to govt's response to dft's motion for new trial (mjg, ) (Entered: 02/06/2006)
02/06/2006	<u>1671</u>	REPLY TO RESPONSE to Motion by Rod Schultz re <u>1664</u> MOTION to Amend/Correct <u>1663</u> Response to Motion filed by USA, (MacFarlane, Neil) (Entered: 02/06/2006)
03/22/2006	<u>1672</u>	MANDATE of USCA (certified copy) issued on 3/22/06 affirming the USDC judgment as to Mike Lavallee, Rod Schultz, Robert Verbickas re 1487 Notice of Appeal, 1492 Notice of Appeal, 1509 Notice of Appeal, 1616 Notice of Appeal, 1491 Notice of Appeal. (Attachments: # <u>1</u> 03-1515# <u>2</u> 03-1515 Continued# <u>3</u> 03-1522, 04-1538# <u>4</u> 03-1522, 04-1538 Continued# <u>5</u> 04-1000, 03-1515, 03-1523# <u>6</u> 04-1000, 03-1515, 03-1523 Continued)(djs, ) (Entered: 03/23/2006)
05/16/2006	<u>1673</u>	MANDATE of USCA (certified copy) issued on 5/16/06 as to Rod Schultz re 1617 Notice of Appeal. USCA judgment dated 2/28/06 affirming the judgment of the USDC. (Attachments: # <u>1</u> Continued)(djs, ) (Entered: 05/17/2006)
05/23/2006	<u>1674</u>	NOTICE of Disclosure by USA as to Mike Lavallee, Rod Schultz, Ken Shatto, David Pruyne, Robert Verbickas, Brent Gall, James Bond (Attachments: # <u>1</u> )(Mydans, Robert) (Entered: 05/23/2006)
05/31/2006	1675	Appeal Record Returned as to Rod Schultz: volumes I-III and supplemental volume I returned re: 1617 Notice of Appeal. Text Only Entry - No Document Attached (djs, ) (Entered: 06/02/2006)
05/31/2006	1676	Appeal Record Returned as to Robert Verbickas: volumes 1-89 (volume 7 sealed) returned re: 1509 Notice of Appeal, 1360 Notice of Appeal, 1034 Notice of Appeal. Text Only Entry - No Document Attached (djs, ) (Entered: 06/02/2006)
05/31/2006	1677	Appeal Record Returned as to Mike Lavallee: volumes I-II returned re: 1616 Notice of Appeal. Text Only Entry - No Document Attached (djs, ) (Entered: 06/02/2006)
06/08/2006	<u>1678</u>	RESPONSE by Rod Schultz re: <u>1674</u> Notice (Other) filed by USA, (MacFarlane, Neil) (Entered: 06/08/2006)
08/24/2006	<u>1679</u>	ORDER denying 1661 Motion for New Trial as to Rod Schultz (2); and denying <u>1678</u> Motion for Discovery. Signed by Judge Wiley Y. Daniel on 8/24/06. (mjg, ) (Entered: 08/25/2006)
04/19/2007	<u>1680</u>	MOTION to Vacate, Set Aside, Or Correct Sentence under 28 U.S.C. 2255 by Rod Schultz. (Attachments: # <u>1</u> A# <u>2</u> B# <u>3</u> C# <u>4</u> D part 1# <u>5</u> D part 2)(mjg, )Civil case 1:07-cv-00803 opened. Modified on 4/20/2007 to indicate correct filing date of 4/19/07 (mjg2, ). (Entered: 04/20/2007)
04/27/2007	<u>1681</u>	ORDER as to Rod Schultz re <u>1680</u> MOTION to Vacate under 28 U.S.C. 2255 filed by Rod Schultz: United States Attorney on or before 5/11/07, shallfile an answer or other pleading directed to the Motion pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings. Signed by Judge Wiley Y. Daniel on 4/27/07. (mjg, ) (Entered: 04/30/2007)
05/08/2007	<u>1682</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>1681</u> Order, Terminate Deadlines and Hearings,, by USA as to Rod Schultz. (Mydans, Robert) (Entered: 05/08/2007)
05/08/2007	<u>1683</u>	MOTION to Amend/Correct <i>Entry of Appearance</i> by USA as to Rod Schultz. (Mydans, Robert) (Entered: 05/08/2007)
05/08/2007	<u>1684</u>	MOTION to Amend/Correct <i>AMENDED ENTRY OF APPEARANCE</i> by USA as to Rod Schultz. (Mydans, Robert) (Entered: 05/08/2007)
05/08/2007	1685	Docket Annotation re: <u>1683</u> MOTION to Amend/Correct Entry of Appearance Text Only Entry - no document attached - Please ignore docket #1683, a duplicate document was re-filed on 5/8/07 titled "SECOND AMENDED ENTRY OF APPEARANCE", please refer to docket #1684; Also please note docket entries 1683 & 1684 are not motions, wrong event used. (mjg, ) (Entered: 05/09/2007)

05/09/2007	<u>1686</u>	MINUTE ORDER granting <u>1682</u> Motion for Extension of Time to File Response to Dfts Motion to Vacate, Set Aside, or Correct Sentence: The United States has until Monday, June 18, 2007, in which to file its response as to Rod Shultz. (mjg, ) (Entered: 05/09/2007)
06/18/2007	<u>1687</u>	RESPONSE in Opposition by USA as to Rod Schultz re <u>1682</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>1681</u> Order, Terminate Deadlines and Hearings,,, <u>1680</u> MOTION to Vacate under 28 U.S.C. 2255 (Attachments: # <u>1</u> )(Mydans, Robert) (Entered: 06/18/2007)
06/28/2007	<u>1688</u>	MOTION to interview trial jurors and for stay re <u>1687</u> Response in Opposition, by Rod Schultz. (MacFarlane, Neil) (Entered: 06/28/2007)
08/03/2007	<u>1689</u>	MOTION to Appoint Counsel by Robert Verbickas, Pro Se. (mjg, ) (Entered: 08/03/2007)
10/02/2007	<u>1690</u>	ORDER denying <u>1689</u> Motion to Appoint Counsel as to Robert Verbickas (5). Signed by Judge Wiley Y. Daniel on 10/2/07. (mjg, ) (Entered: 10/02/2007)
10/02/2007	<u>1691</u>	Certificate of Service as to Robert Verbickas re <u>1690</u> Order on Motion to Appoint Counsel. (mjg, ) (Entered: 10/02/2007)
01/02/2008	<u>1692</u>	MOTION to Appoint Counsel for Writ of Coram Nobis by Robert Verbickas, Pro Se. (mjg, ) (Entered: 01/02/2008)
03/19/2008	<u>1693</u>	ORDER denying <u>1692</u> Motion to Appoint Counsel as to Robert Verbickas (5). Signed by Judge Wiley Y. Daniel on 3/19/08. (mjg, ) (Entered: 03/19/2008)
03/19/2008	<u>1694</u>	Certificate of Service as to Robert Verbickas re <u>1693</u> Order on Motion to Appoint Counsel (mjg, ) (Entered: 03/19/2008)
10/30/2008	<u>1695</u>	ORDER denying <u>1688</u> Motion for Leave to Interview Trial Jurors and to Stay the Proceedings until Such Interviews Can Be Completed as to Rod Schultz: Defendant may, however, file a reply in support of his Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 within 20 days of this Order. Signed by Chief Judge Wiley Y. Daniel on 10/30/08. (mjg, ) (Entered: 10/31/2008)
11/17/2008	<u>1696</u>	MOTION for Extension of Time to File Response/Reply as to <u>1695</u> Order on Motion for Miscellaneous Relief, by Rod Schultz. (MacFarlane, Neil) (Entered: 11/18/2008)
11/24/2008	<u>1697</u>	MOTION to Amend/Correct <i>Filing of Wrong Document</i> by Rod Schultz. (Attachments: # <u>1</u> Mot for extension of time)(MacFarlane, Neil) (Entered: 11/24/2008)
11/24/2008	<u>1698</u>	MINUTE ORDER granting <u>1697</u> Motion to Amend/Correct Motion Out of Time as to Rod Schultz (2): Defendant is granted leave to file a corrected motion for extension of time. Defendant's original Motion for Extension of Time [Doc. # 1696] is DENIED AS MOOT. (mjg, ) (Entered: 11/24/2008)
11/25/2008	<u>1699</u>	MOTION for Extension of Time to File <i>amended</i> by Rod Schultz. (Attachments: # <u>1</u> order)(MacFarlane, Neil) (Entered: 11/25/2008)
11/26/2008	<u>1700</u>	MINUTE ORDER granting in part and denying in part <u>1699</u> Motion for Extension of Time to File as to Rod Schultz (2): Defendant seeks an extension of time to file a responsive pleading regarding his Motion for Leave to Interview Trial Jurors. That motion was denied by Order of 10/30/08. Accordingly, the request for an extension of time to file a responsive pleading as to that motion is DENIED AS MOOT. However, the 10/30/08, Order indicated that Defendant could, if he wished, file a reply to the Government's response to Defendant's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255. To the extent that Defendant may seek an extension of time of time to file that reply, this request is GRANTED. Defendant has up to and including Monday, December 1, 2008, in which to file a reply brief. (mjg, ) (Entered: 11/26/2008)
11/30/2008	<u>1701</u>	Reply by Rod Schultz to <i>Order of Oct. 30, 2008</i> (MacFarlane, Neil) (Entered: 11/30/2008)

12/16/2008	<u>1702</u>	MOTION for Reconsideration of <i>Order denying Leave to Interview Trial Jurors</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 12/16/2008)
12/30/2008	<u>1703</u>	MOTION for Stay of <i>Proceedings to Permit Defendant to Present Additional Information</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 12/30/2008)
12/31/2008	<u>1704</u>	MOTION to Amend/Correct <i>Motion to Stay Proceedings</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 12/31/2008)
01/21/2009	<u>1705</u>	MINUTE ORDER by Chief Judge Wiley Y. Daniel granting <u>1703</u> Motion for Stay and granting <u>1704</u> Motion to Correct Motion for Stay of Proceedings as to Rod Schultz (2); The proceedings related to Defendant's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 are stayed until Tuesday, 2/10/09 in order to allow Defendant to present additional information to the Court as referenced in the motions. (mjg, ) (Entered: 01/22/2009)
02/10/2009	<u>1706</u>	REPLY TO RESPONSE to Motion by Rod Schultz re <u>1704</u> MOTION to Amend/Correct <i>Motion to Stay Proceedings</i> (Attachments: # <u>1</u> Affidavit)(MacFarlane, Neil) (Entered: 02/10/2009)
06/17/2009	<u>1707</u>	ORDER denying <u>1680</u> Motion to Vacate (2255) and denying Motion for Reconsideration of Order Denying Leave to Contact Trial Jurors as to Rod Schultz (2), by Chief Judge Wiley Y. Daniel on 6/17/09. (mjg, ) Civil Case 1:07-cv-00803-WYD closed. Modified on 6/18/2009 to include additional information denying "Motion for Reconsideration of Order Denying Leave to Contact Trial Jurors" (mjg2, ). (Entered: 06/17/2009)
06/26/2009	<u>1708</u>	NOTICE OF APPEAL as to <u>1707</u> filed by Rod Schultz. (MacFarlane, Neil) Modified on 6/29/2009 to create a link to the order being appealed. (bjrsl, ). (Entered: 06/26/2009)
06/26/2009	<u>1709</u>	MOTION for Certificate of Appealability by Rod Schultz. (MacFarlane, Neil) (Entered: 06/26/2009)
06/29/2009	<u>1710</u>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <u>1708</u> Notice of Appeal as to Rod Schultz to the U.S. Court of Appeals. (CJA; COA Pending) (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Preliminary Record including Notice of Appeal)(bjrsl, ) (Entered: 06/29/2009)
06/30/2009	<u>1711</u>	USCA Case Number 09-1275 for <u>1708</u> Notice of Appeal filed by Rod Schultz. (bjrsl, ) (Entered: 07/01/2009)
07/06/2009	<u>1712</u>	ORDER denying <u>1709</u> Motion for Certificate of Appealability as to Rod Schultz (2) by Chief Judge Wiley Y. Daniel on 07/06/09. (bjrsl, ) (Entered: 07/06/2009)
07/09/2009	<u>1713</u>	MOTION for Extension of Time to File Response/Reply by Rod Schultz. (MacFarlane, Neil) (Entered: 07/09/2009)
07/17/2009	<u>1714</u>	MOTION for Reconsideration of <i>Order Denying Certificate of Appealability</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 07/17/2009)
08/05/2009	<u>1715</u>	TRANSCRIPT ORDER FORM re <u>1708</u> Notice of Appeal by Rod Schultz. (MacFarlane, Neil) (Entered: 08/05/2009)
08/05/2009	<u>1716</u>	DESIGNATION OF RECORD ON APPEAL re <u>1708</u> Notice of Appeal by Rod Schultz. (MacFarlane, Neil) (Entered: 08/05/2009)
08/05/2009	<u>1717</u>	DESIGNATION OF RECORD ON APPEAL re <u>1708</u> Notice of Appeal <i>Dist. Ct. Criminal Docket</i> by Rod Schultz. (MacFarlane, Neil) (Entered: 08/05/2009)
08/11/2009	<u>1718</u>	MINUTE ORDER granting <u>1713</u> Defendant's Motion for Extension of Time to Respond to Denial of Certificate of Appealability as to Rod Schultz (2): The Government shall file a response to Defendant's Motion for Reconsideration of Denial of Application for Certificate of Appealability by Friday, 8/21/09, by Chief Judge Wiley Y. Daniel on 8/11/09. (mjg, ) (Entered: 08/11/2009)
08/13/2009	<u>1719</u>	REPORTER TRANSCRIPT ORDER FORM filed by Kara Spitler; Transcripts ordered 10/04/04; 12/06/04 as to <u>1708</u> Notice of Appeal by Rod Shultz. All transcripts previously filed. (bjrsl, ) (Entered: 08/17/2009)

08/17/2009	<u>1720</u>	Transmitted Record on Appeal to US Court of Appeals re <u>1708</u> Notice of Appeal as to Rod Schultz. Volume Number(s): 1 – 4. USCA case no. 09–1275. (Attachments: # <u>1</u> Docket Sheet)(bjrsl, ) (Entered: 08/17/2009)
08/18/2009	<u>1721</u>	ORDER of USCA as to Rod Schultz re <u>1708</u> Notice of Appeal. Meil MacFarlane is appointed as attorney of record for appellant. USCA case no. 09–1275. (bjrsl, ) (Entered: 08/19/2009)
08/20/2009	<u>1722</u>	MOTION for Extension of Time to File Response/Reply as to <u>1713</u> MOTION for Extension of Time to File Response/Reply by USA as to Rod Schultz. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Mydans, Robert) (Entered: 08/20/2009)
08/20/2009	<u>1723</u>	ORDER granting <u>1722</u> Motion for Extension of Time to File Response/Reply as to Rod Schultz (2), Responses due by 9/1/2009, by Chief Judge Wiley Y. Daniel on 8/20/09. (tllsl, ) (Entered: 08/20/2009)
09/01/2009	<u>1724</u>	RESPONSE in Opposition by USA as to Rod Schultz re <u>1714</u> MOTION for Reconsideration of <i>Order Denying Certificate of Appealability</i> (Mydans, Robert) (Entered: 09/01/2009)
09/30/2009	<u>1725</u>	ORDER of USCA as to Rod Schultz re <u>1708</u> Notice of Appeal. Appellant's motion to supplement the record is granted. District court to supplement the record on appeal with the transcripts outlined in the attached motion within 10 days. USCA case no. 09–1275. (bjrsl, ) (Entered: 10/01/2009)
10/07/2009	<u>1726</u>	Transmitted Supplemental Record on Appeal to US Court of Appeals re <u>1708</u> Notice of Appeal as to Rod Schultz. Supplemental Volume Numbers: I – VII. (Original Transcripts) USCA case no. 09–1275.(bjrsl, ) (Entered: 10/07/2009)
01/06/2010	<u>1727</u>	Minute ORDER denying as moot <u>1714</u> MOTION for Reconsideration of <i>Order Denying Certificate of Appealability</i> filed by Rod Schultz(2) in light of the fact that the 10th Circuit granted a certificate of appealability on 12/22/09, by Chief Judge Wiley Y. Daniel on 01/06/10. (bjrsl, ) (Entered: 01/06/2010)
03/08/2010	<u>1728</u>	ORDER of USCA as to Rod Schultz re <u>1708</u> Notice of Appeal. Appellee's motion to supplement the record is granted. District court is directed to supplement the record on appeal with documents # 1537, 1538, 1552, 1564, 1567, 1587, 1594, 1611, 1615, 1617, 1645, 1652, 1653, 1661 and 1706. USCA case no. 09–1275. (bjrsl, ) (Entered: 03/09/2010)
03/12/2010	<u>1729</u>	Transmitted Record on Appeal to US Court of Appeals re <u>1708</u> Notice of Appeal as to Rod Schultz. Volume Number: Supplemental Volume 8. USCA case no. 09–1275. (bjrsl, ) (Entered: 03/12/2010)
07/08/2010	<u>1730</u>	USCA Order and Judgment as to Rod Schultz re <u>1708</u> Notice of Appeal: The judgment of the district court is affirmed. (USCA Case No. 09–1275) (This document is not the Mandate) (bjrsl, ) (Entered: 07/08/2010)
09/08/2010	<u>1731</u>	MANDATE of USCA as to Rod Schultz re <u>1730</u> USCA Order/Opinion/Judgment, <u>1708</u> Notice of Appeal : Affirmed.(USCA Case No. 09–1275) (bjrsl, ) (Entered: 09/08/2010)
12/06/2010	<u>1732</u>	Letter from U.S. Court of Appeals regarding Petition for Writ of Certiorari which was filed on 11/24/10 re <u>1708</u> Notice of Appeal as to Rod Schultz; assigned Supreme Court No. 10–7714 ( Appeal No. 09–1275) (bjrsl, ) (Entered: 12/07/2010)
01/10/2011	<u>1733</u>	Letter from U.S. Court of Appeals regarding Petition for Writ of Certiorari which was denied re <u>1708</u> Notice of Appeal as to Rod Schultz; assigned Supreme Court No. 10–7714 ( Appeal No. 09–1275) (bjrsl, ) (Entered: 01/11/2011)