

CASE No. 19-\_\_\_\_\_

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

*In re:* )  
Colorado Springs Fellowship Church, )  
Petitioner. )

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PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF COLORADO  
THE HON. CHRISTINE ARGUELLO  
U.S. DISTRICT JUDGE  
District of Colorado Case Nos.  
1:09-cr-00266-CMA; 1:15-cv-02223-CMA

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PETITION FOR WRIT OF MANDAMUS  
28 U.S.C. § 1651

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STATEMENT AS TO ORAL ARGUMENT:

No Oral argument is Requested

NOTICE OF ATTACHMENT:

All Documents Attached are scanned Searchable PDF Format

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**TABLE OF CONTENTS**

TABLE OF AUTHORITIES

Cases.....	ii
Statutes.....	iii
Rules & Regulations.....	iii
STATEMENT OF JURISDICTION.....	1
STATEMENT OF THE ISSUE.....	2
STATEMENT OF THE CASE.....	3
STATEMENT OF THE FACTS.....	5
SUMMARY OF THE ARGUMENT.....	8
ARGUMENT — REASONS WHY THE WRIT OUGHT BE ISSUED	
1. Standard of Review.....	9
2. Petitioner Satisfies the Criteria for Issuance of a Writ of Mandamus	
a. Petitioner Has No Other Adequate Means to to Secure the Relief Sought.....	10
b. The District Court Has Ignored a Clear and Indisputable Order of this Court.....	11
c. The Petitioner is Entitled to the Relief Sought.....	12
d. On Remand this Matter Should Be Assigned to a Judge Other than Judge Arguello.....	13
RELIEF SOUGHT.....	16
STATEMENT OF COUNSEL REGARDING ORAL ARGUMENT.....	17
CERTIFICATE OF SERVICE.....	18
CERTIFICATE OF COMPLIANCE.....	19

CERTIFICATE OF DIGITAL SUBMISSION.....20

# **TABLE OF AUTHORITIES**

Cases:

<i>Alexander v. Primerica Holdings</i> , 10 F.3d 155 (3d Cir. 1993).....	13
<i>Bridgeport Coalition v. City of Bridgeport</i> , 26 F.3d 280 (2d Cir. 1994).....	12
<i>Bryce v. Episcopal Church</i> , 289 F.3d 648 (10 <sup>th</sup> Cir. 2002).....	15
<i>Cheney v. U.S. Dist. Court for the Dist. of Columbia</i> , 542 U.S. 367 (2004).....	9
<i>Citibank, N.A. v. Fullam</i> , 580 F.2d 82 (3d Cir. 1978).....	11
<i>Cooper Tire &amp; Rubber Co., In re</i> , 520 F.3d 1180 (10 <sup>th</sup> Cir. 2009).....	10
<i>Cotler v. Inter-County Orthopaedic Ass’n, P.A.</i> , 530 F.2d 536 (3d Cir. 1976).....	1
<i>DaimlerChrysler Corp., In re</i> , 294 F.3d 697 (5 <sup>th</sup> Cir. 2002).....	10
<i>Ehrlichman v. Sirica</i> , 419 U.S. 1310 (1974).....	1
<i>Feinberg v. C.I.R.</i> , 808 F.3d 813 (10 <sup>th</sup> Cir. 2015).....	9
<i>Menora v. Illinois High School Ass’n</i> , 527 F. Supp. 632 (N.D. Ill. 1981).....	14
<i>Mitchell v. Maynard</i> , 80 F.3d 1433 (10th Cir. 1996).....	13, 14
<i>O’Rourke v. City of Norman</i> , 875 F.2d 1465 (10th Cir.), cert. denied 493 U.S. 918 (1989).....	13
<i>Qwest Communications Int’l, Inc., In re</i> , 450 F.3d 1179 (10 <sup>th</sup> Cir. 2006).....	9
<i>Sterling-Suarez, In re</i> , 323 F.3d 1 (1 <sup>st</sup> Cir. 2003).....	12
<i>United States v. Aragon</i> , 922 F.3d 1102 (10 <sup>th</sup> Cir. 2019).....	14
<i>United States v. Chapman</i> , 915 F.3d 139 (3d Cir. 2019).....	13
<i>United States v. Jacobs</i> , 855 F.2d 652 (9 <sup>th</sup> Cir. 1987).....	10, 13
<i>United States v. Kemp &amp; Assocs., Inc.</i> , 907 F.3d 1264 (10 <sup>th</sup> Cir. 2018).....	10
<i>United States v. McVeigh</i> , 119 F.3d 806 (10 <sup>th</sup> Cir. 1997).....	9
<i>United States v. Roberts</i> , 88 F.3d 872 (10 <sup>th</sup> Cir. 1996).....	13
<i>United States v. Sanchez-Gomez</i> , — U.S. —, 138 S. Ct. 1532 (2018).....	1, 10
<i>United States v. Sears, Roebuck &amp; Co., Inc.</i> , 785 F.2d 777 (9th Cir. 1986).....	14
<i>United States, In re</i> , — U.S. —, 139 S. Ct. 452 (2018).....	9
<i>Walker v. United States</i> , 761 Fed. App’x 822 (10 <sup>th</sup> Cir. 2019).....	<i>passim</i>
<i>Will v. United States</i> , 389 U.S. 90 (1967).....	9

Statutes:

28 U.S.C. § 1651.....	<i>passim</i>
28 U.S.C. § 455.....	13
28 U.S.C. § 144.....	13, 15

Rules & Regulations:

F.R.App.R. 35.....	3
F.R.App.R. 40.....	3
Rules of the Supreme Court Rule 13.....	3

### **STATEMENT OF JURISDICTION**

The Judges of the United States Court of Appeals for the Tenth Circuit have jurisdiction under 28 U.S.C. § 1651 (the All Writs Act), Article III, Section 2, Clause 2 of the United States Constitution, the common law, and under the Court of Appeals’ inherent supervisory power over the lower courts of this Circuit, to issue a Writ of Mandamus in favor of the Petitioner. *United States v. Sanchez-Gomez*, — U.S. —, 138 S. Ct. 1532, 1540 (2018) (“Supervisory mandamus refers to the authority of the Courts of Appeals to exercise ‘supervisory control of the District Courts’ through their ‘discretionary power to issue writs of mandamus.’” Citation omitted.).

This Court has jurisdiction over the proceedings and actions before the Hon. Christine Arguello of the U.S. District Court for the District of Colorado. *Ehrlichman v. Sirica*, 419 U.S. 1310, 1311 (1974) (“The limited power of a court of appeals, whether by way of mandamus or in its supervisory function over trial courts, must be looked to as the primary source of relief since such courts are in closer touch with the facts and factors presented in the workings of the regular activities of the district courts within a circuit.”).

This Court has jurisdiction over this Writ, as it has the power to “exercise mandamus jurisdiction in aid of [its] appellate jurisdiction . . .” *Cotler v. Inter-County Orthopaedic Ass’n, P.A.*, 530 F.2d 536, 538 (3d Cir. 1976).

Venue of this proceeding is correct as the Petitioner is a not for profit corporate entity whose principal place of business is located in El Paso County, City of Colorado Springs, CO, and the subject Order of the Court of Appeals originated in this Court.

**STATEMENT OF THE ISSUES**

1. The Court of Appeals remanded the matter in *Walker v. United States*, 761 Fed. App'x 822 (10<sup>th</sup> Cir. 2019) (see Attachment 4), finding that the District Court had erred in sealing the transcript, and directing that the transcript in the habeas corpus proceeding be unsealed. As of this date the District Court has failed to do so, even though it is more than five months since this Court's ruling. Should this Court exercise its supervisory authority and order that the aforesaid transcripts be released with all deliberate speed?

2. Whether on remand to the District Court this Court should direct that the matter be remanded to a judge other than Judge Arguello, based upon the comments cited in this Court's opinion as above, as directed against the Petitioner?

### **STATEMENT OF THE CASE**

This Petition merely seeks an Order from this Court directing the lower Court to do what it has already been directed to do. In this Court's Decision and Order of January 23, 2019 (see Attachment 4), it ruled specifically that the lower Court erred when it sealed the entire transcript of the habeas corpus petition of Mr. Walker. This Court found as follows:

the district court abused its discretion by (1) not fully acknowledging the strong presumption in favor of the public right of access, including several factors that heightened the strong presumption in this instance; (2) failing to narrowly tailor its orders restricting access to the record and, relatedly, failing to connect the interests asserted by Mr. Walker to the sealing of the testimony of *each witness* at the § 2255 hearing; and (3) faulting the CSFC for not proposing an alternative to sealing the entire record.

What this Petition for a Writ is NOT about is whether the lower court's transcript should be unsealed or not. That has already been decided by this Court, and any challenge to that ruling, whether it be by a Petition for Panel Rehearing under Rule 40(a)(1) of the Federal Rules of Appellate Procedure, or a Petition for *En Banc* review under Rule 35, or a petition for a writ of *certiorari* to the Supreme Court under Rule 13 of the Supreme Court Rules, is out of time.

Simply stated, all that this Petition seeks is an Order directing the lower Court to do as it has already been directed to do, *viz.*:

On remand, the district court should consider the factors that heighten the public right of access to the transcript of Mr. Walker's § 2255 hearing, address how the interests advanced by Mr. Walker connect to the restriction placed on public access to the testimony of each witness, and consider whether there exists a narrower alternative to restricting access to the full transcript. Finally, because a non-insignificant amount of time has elapsed since the district court restricted access to the judicial records, the district court may need to consider whether circumstances have changed so as to diminish Mr. Walker's interests.

No reason exists on the record for the delay of more than five months (exclusive of the initial order of sealing by the District Court which was dated October 31, 2017 — almost 19 months ago) for the lower Court to have made the requisite analysis and findings as mandated by this Court,

and to have come to the legal conclusion that the transcript of Mr. Walker's habeas proceeding should be unsealed *in toto*, and released to the Petition, as well as that it be made publicly available.

In addition, thereto, the Court of Appeals, in its ruling stated the following:

After announcing Mr. Walker's new sentence, the district court addressed Mr. Walker's relationship with the CSFC and Pastor Banks, a discussion which sheds some light on the restricted documents that we have reviewed but do not discuss in our opinion. In short, the district court noted the control the CSFC and Pastor Banks held over Mr. Walker during the commission of his offense, including how Pastor Banks required Mr. Walker to discontinue communication with his parents if he wanted to remain in the CSFC. The district court also praised Mr. Walker for divorcing himself from the beliefs of the CSFC and questioned whether Pastor Banks espoused values consistent with Christianity. Finally, the district court outlined actions taken by Pastor Banks subsequent to Mr. Walker questioning her divine prophecies, actions which the court had deemed harassing. Included in those actions were Pastor Banks (1) excommunicating Mr. Walker from the CSFC, (2) ordering Mr. Walker's wife and son not to have any further contact with Mr. Walker, and (3) writing Mr. Walker a letter in which she attributed his father's cancer and the proliferation of his own muscle disease to his decision to speak against her and the CSFC by filing his § 2255 motion.

Emphasis added.

It is the position of the Petitioner that these statements, ascribed by this Court to Judge Arguello, exhibit such bias as against the Petitioner, Colorado Springs Fellowship Church, and Pastor Rose Banks, that the matter, on remand, is best reserved, in the interest of justice, to be assigned to another Judge of the District Court for the District of Colorado.

Furthermore, in the Circuit Court's ruling it cited numerous instances where the District Court Judge had made specific comments about the Petitioner herein, demonstrating bias and prejudice as to said Petitioner, necessitating, in the interest of justice, that this matter, on remand, be assigned to another District Judge for the District of Colorado.



### **STATEMENT OF THE FACTS**

On June 9<sup>th</sup>, 2009 the District Court for the District Court of Colorado indicted David Banks, Clinton Stewart, David Zirpolo, Kendrick Branes, Demetrius Harper, and Gary Walker, on numerous charges alleging wire fraud, and other crimes. See *United States v. Banks, et al.*, 1:09-cr-00226-CMA, District Court Dkt. Entry No. 1, Attachment 1. From September 27<sup>th</sup>, 2011 through October 20<sup>th</sup>, 2011 a full jury trial was held, after which all of the named Defendants were found guilty. See District Court Dkt. Entry No. 478. The named Defendants were sentenced to terms of incarceration of from 87 months to 135 months. What is relevant herein is that all of the named Defendants were (and to this date most still are) members of the Petitioner Colorado Springs Fellowship Church.

On October 7<sup>th</sup>, 2015, Defendant Walker filed a petition for a writ of habeas corpus under 28 U.S.C. § 2255. See District Court Dkt. Entry No. 904, Attachment 1. See also *Walker v. United States*, 1:15-cv-02223-CMA, Attachment 2.

From June 12, 2017 to June 16, 2017 the District Court, the Hon. Christine Arguello presiding, held an evidentiary hearing on Walker's application. See *United States v. Banks, et al.*, 1:09-cr-00226-CMA, District Court Dkt. Entry Nos. 1061, 1062, 1063, 1064, Attachment 1. During this entire proceeding the District Court ordered that most of the submitted pleadings be filed under seal. See, e.g., *id.*, at Dkt Entry Nos. 1065, 1066, 1067, 1071.

Following the conclusion of the habeas proceeding, on June 22, 2017, both the Government and Walker moved to restrict public access to the habeas hearing transcript and most of the submitted pleadings. See *United States v. Banks, et al.*, 1:09-cr-00226-CMA, District Court Dkt. Entry Nos. 1072, 1073, 1075, Attachment 1. On February 1<sup>st</sup>, 2018 counsel for the Petitioner herein, moved to intervene, and secure a copy of the transcript of the habeas proceedings. See

*United States v. Banks, et al.*, 1:09-cr-00226-CMA, District Court Dkt. Entry No. 1106, Attachment 1. After so moving, the District Court, the Hon. Christine Arguello presiding, denied the application in full. See *id.* at Dkt. Entry No. 1114.

This ruling was taken up on appeal to this Court (17-1415, 18-1273). See Attachment 3.<sup>1</sup>

On January 23<sup>rd</sup>, 2019 this Court issued a decision in which it (a) made specific observations regarding the District Court's comments regarding the Petitioner herein (i.e., Colorado Springs Fellowship Church), and (b) found that the district court had erred in sealing the transcript, and directed that the lower court, on remand, conduct the necessary hearing to determine what, if any, parts of the transcript should be kept under seal; noting that the general rule is that all trial proceedings are open to the public, and a sealing of a record, and or pleadings is the exception.

Notwithstanding the specific remand to the District Court, as of this date — six months after this Court's ruling — no action has been taken by the District Court.<sup>2</sup>

On June 9<sup>th</sup>, 2019, Counsel herein filed a Motion with the District Court seeking enforcement of this Court's January 23d, 2019 Decision and Order. See *United States v. Banks, et al.*, 1:09-cr-00226-CMA, District Court Dkt. Entry No. 1131, Attachment 5. Neither the Government nor counsel for habeas petitioner Walker ever responded to said motion, and their time to so respond

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<sup>1</sup> Docket No. 17-1415 was Walker's appeal of Judge Arguello's ruling in the habeas. It was consolidated with Docket No. 18-1273 (see Attachment 7), which was the filed appeal on the decision on the Motion to Unseal. All of the relevant Docket Entries for this Petition appear in both the lead appeal case, 17-1415, attached hereto as Attachment 3, and in No. 18-1273 (Attachment 7). The decision of the Court of Appeals was under the lead number of 17-1415. See Footnote "\*", *U.S. v. Walker*, 722 Fed. App'x at 822.

<sup>2</sup> It should be noted that on March 25<sup>th</sup>, 2019, then counsel for the Petitioner, Colorado Springs Fellowship Church, filed a motion with this Court seeking an order to enforce the January 23d, 2019 Decision and Order. See 18-1273, Doc. No. 10635055. On March 25<sup>th</sup>, 2019, this Court, in a one-line Order, denied the Motion. See *id.*, Doc. No. 10635444.

in opposition thereto, has run. Yet, the District Court has failed to rule (on this unopposed motion), or even schedule a Hearing on said Motion.

On July 2d, 2019, Counsel filed a request with the District Court as to the status of said Motion. See Attachment 6. Dkt. Entry No. 1134. No answer to that letter request has been received as of this date.

Considering the fact that the lower court made certain gratuitous comments regarding the Petitioner herein that had no bearing on the Walker *habeas* case, and served to harm the reputation and interests of the Petitioner, Colorado Springs Fellowship Church (and continue to do so), and that the direction from this Court was clear and unmistakable, the facts of this case merit the mandamus relief sought herein.

**SUMMARY OF THE ARGUMENT**

The Petitioners need to have their grievances properly adjudicated by the District Court. And, properly adjudicated in a fair and impartial manner before an unbiased adjudicator.

This court has set forth that the lower court abused its discretion in denying the motion to unseal the transcript in the Walker habeas proceeding. And, the Court of Appeals has directed the lower court as to the proper method of making any final decision on what parts — if any — of the lower court proceeding should be kept from the Petitioner (and the public).

At the same time the lower court has demonstrated a bias as against the Petitioner, and it's Pastor (Rose Banks) which necessitates remand and a reassignment to another judge.

For these reasons the relief sought should be granted with all deliberate speed.

**ARGUMENT — REASONS WHY THE WRIT OUGHT BE ISSUED**

1. Standard of Review

The All Writs Act allows a federal court of appeals to issue a writ of mandamus directing a district court to enforce a specific duty. 28 U.S.C. § 1651(a). It is an “extraordinary” remedy designed to confine a court to its proper authority or to require it to undertake a clearly articulated duty. *Will v. United States*, 389 U.S. 90, 95 (1967). The party seeking relief under the Act must satisfy three requirements:

- (1) The Petitioner must not have any other method of obtaining relief;
- (2) The Petitioner must show that he has a “clear and indisputable” legal right to relief; and
- (3) The Petitioner must convince the court that the “writ is appropriate under the circumstances.”

*In re United States*, — U.S. —, 139 S. Ct. 452 (2018); *Cheney v. U.S. Dist. Court for the Dist. of Columbia*, 542 U.S. 367, 380-81 (2004) (quotation omitted).

In addition thereto, for the Circuit Court to intervene by way of the All Writs Act, the Petitioner must demonstrate that the granting of the Writ will serve the interests the justice. *Feinberg v. C.I.R.*, 808 F.3d 813, 815 (10<sup>th</sup> Cir. 2015).

This Circuit has further identified what it has terms as “nonconclusive guidelines” (see *United States v. McVeigh*, 119 F.3d 806, 810 (10<sup>th</sup> Cir. 1997) (*per curiam*)) in determining if the granting of the Writ is appropriate, *viz.*,

- (1) whether the party has alternative means to secure relief; (2) whether the party will be damaged in a way not correctable on appeal; (3) whether the district court's order constitutes an abuse of discretion; (4) whether the order represents an often repeated error and manifests a persistent disregard of federal rules; and (5) whether the order raises new and important problems or issues of law of the first impression.

*In re Qwest Communications Int’l, Inc.*, 450 F.3d 1179, 1184 (10<sup>th</sup> Cir. 2006).

See also *United States v. Kemp & Assocs., Inc.*, 907 F.3d 1264, 1279 (10<sup>th</sup> Cir. 2018); *In re Cooper Tire & Rubber Co.*, 520 F.3d 1180, 1187 (10<sup>th</sup> Cir. 2009).

Similarly, the Courts of Appeals have supervisory authority over the District Courts in their respective geographic jurisdictions. See *United States v. Sanchez-Gomez*, *supra*, 138 S. Ct. at 1540. As such, it is incumbent on them, when the facts and law so demonstrate it, that a case, on remand, be re-assigned to another district court judge. See, e.g., *In re DaimlerChrysler Corp.*, 294 F.3d 697 (5<sup>th</sup> Cir. 2002) (Court of Appeals grants writ of mandamus to reassign case to different district court judge based upon the hostile environment in the lower court, and to preserve the impartiality required in a judicial proceeding; *id.* at 701); *United States v. Jacobs*, 855 F.2d 652 (9<sup>th</sup> Cir. 1987) (speaking of “the court of appeals’ traditional power to reassign [to a different district court judge on remand]”, *id.* at 658 n. 3).

## 2. Petitioner Satisfies the Criteria for Issuance of a Writ of Mandamus

### a. Petitioner Has No Other Adequate Means to Secure the Relief Sought

As is set forth *supra*, this Court remanded the matter regarding the sealing of the record to the lower Court in January — almost six months ago. Notwithstanding the filing of a motion on June 9<sup>th</sup>, 2019, more than six weeks ago, the District Court has not done anything to comply with this Court’s ruling. And, as observed already, neither the Government nor counsel for Mr. Walker have interposed any opposition to the motion to unseal.

The Petitioner has few, if any, avenues to pursue to achieve its desired goal — compliance with the January 23d, 2019 Court of Appeals’ decision. This is especially so, if the lower court, exercises its perceived bias by delaying the application of this Court’s ruling. See discussion regarding reassignment *infra*.

All that the Petitioner is seeking is a fair opportunity to present its case as to why the record below should be made available to itself (and the public at large). The parameters of such a test have been set out by this Court in its January 23d decision.

Hence, remand to the lower Court with a date certain for the necessary proceedings is necessary to achieve the justice and impartiality that the Petitioner merits.

b. The District Court Has Ignored a Clear and Indisputable Order of this Court

In its Decision and Order of January 23d, 2019, this Court made the following observation and finding:

Where access to Mr. Walker's filings was restricted *ab initio*, the issue of restricting access to the record proceeded in a quasi-*ex parte* manner, with the individuals and entity against whom Mr. Walker alleged wrongdoing not before the court. But a court must take extra care when granting an *ex parte* motion. Here, the district court issued a series of text orders that neither stated the requirements for restricting access to judicial records nor critically analyzed whether sealing the *full* transcript was appropriate. And while the record supports the conclusion that the CSFC is far from the most upstanding litigant, the court was still required to carefully consider the public's interest in judicial records and craft a narrowly tailored order.

In summation, we conclude the district court abused its discretion when it denied the CSFC's motion to unseal. Accordingly, we vacate the district court's order and remand for further proceedings

Having made this ruling, the Court of appeals then specifically directed what the lower court should do upon remand. See *supra*.

This has not occurred, even though six months have passed.

Having disregarded the Court of Appeals' direction, the only manner in which the Movant, Petitioner may seek relief is through the process initiated here.

In *Citibank, N.A. v. Fullam*, 580 F.2d 82 (3d Cir. 1978), the Court of Appeals made the applicable observation,

Despite federal appellate courts' general reluctance to grant writs of mandamus, they have uniformly granted such writs in one situation — where the district court has failed to adhere to an order of the court of appeals. The Supreme Court has

repeatedly held that an appellate court has jurisdiction under 28 U.S.C. § 1651 to issue a writ of mandamus to compel an inferior court to comply with an earlier mandate. . . . The authority to grant extraordinary writs in such situations follows directly from the language of § 1651, which permits appellate courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions. . . .” As the Supreme Court has stated on several occasions, the writ of mandamus “has traditionally been used in the federal courts ‘. . . to compel [an inferior court] to exercise its authority when it is its duty to do so.’” . . . A federal district court has a clear duty to comply with an order decreed by a panel of this circuit. Where the district court has failed to comply with such an order, we have authority under § 1651 to issue a writ of mandamus to compel the district court to follow our previous order. Any other rule would severely jeopardize the supervisory role of the courts of appeals within the federal judicial system.

*Id.* at 86-87. Citations omitted.

In accord see *In re Sterling-Suarez*, 323 F.3d 1, 3 (1<sup>st</sup> Cir. 2003) (“where a district court fails to comply with an order of a federal appellate court, the need for mandamus becomes more urgent and a court's reluctance to issue the writ is proportionally diminished.”); *Bridgeport Coalition v. City of Bridgeport*, 26 F.3d 280, 282 (2d Cir. 1994).

The Order of this Court having been clear and indisputable, its failure to be observed by the lower court, necessitates the relief sought herein.

#### c. The Petitioner is Entitled to the Relief Sought

There can be no question that the Petitioner merits the relief sought. It was the Petitioner that brought the appeal to this Court that resulted in the Decision and Order of January 23d, 2019. The opinion of the Court of Appeals dealt directly and specifically with (a) when a District Court may seal records, and (b) why the decision of the District Court below failed to achieve that standard.

Once the Court of Appeals had reached that point, there can be no doubt that the relief sought in this Petition for Mandamus Relief merits granting. As set forth below, the Petitioner has no other means of achieving the result sought. It has filed a motion requesting that the lower court proceed as directed by this Court. And, that motion has gone unresolved, notwithstanding the clear and unequivocal decision from January 23d, 2019.



In addition, the request that the matter be reassigned on remand is clearly laid out *infra*.

It is for these reasons that Petitioner, Colorado Springs Fellowship Church, is entitled to the relief sought.

d. On Remand this Matter Should Be Assigned to a Judge  
Other than Judge Arguello

As noted above, the general rule is that the Court of Appeals, in the exercise of its supervisory powers, may re-assign a case on remand where it is deemed necessary. *See, e.g., United States v. Jacobs, supra*. As the Third Circuit put it succinctly, in *Alexander v. Primerica Holdings*, 10 F.3d 155, 167 (3d Cir. 1993), the power to reassign a case on remand is necessary to “preserve not only the reality but also the appearance of the proper functioning of the judiciary as a neutral, impartial administrator of justice.”

In accord see *United States v. Chapman*, 915 F.3d 139, 147 (3d Cir. 2019).

In this Circuit, the Court has laid out the circumstances under which it will exercise its inherent authority to reassign a case on remand. In *O’Rourke v. City of Norman*, 875 F.2d 1465 (10th Cir.), *cert. denied* 493 U.S. 918 (1989), this Court stated,

Ordinarily 28 U.S.C. § 144 and § 455 are invoked at the district court level to effectuate recusal. However, these statutory provisions are not the exclusive route for disqualification. The appellate court’s authority to reassign exists apart from the judicial disqualification statutes. However, absent proof of personal bias, we remand to a new judge only under extreme circumstances.

*Id.* at 1475 (citations omitted).

In accord see *United States v. Roberts*, 88 F.3d 872, 885 (10<sup>th</sup> Cir. 1996); *Mitchell v. Maynard*, 80 F.3d 1433, 1448 (10th Cir. 1996) (“Respectful of the extraordinary nature of such a request, we will remand with instructions for assignment of a different judge only when there is proof of personal bias or under extreme circumstances.”).

And, more recently, this Court, in *United States v. Aragon*, 922 F.3d 1102 (10<sup>th</sup> Cir. 2019), the Court set out a recognized tripartite test, *viz.*,

“[I]n the absence of personal bias,” the necessity for reassignment depends upon consideration of three factors:

‘(1) whether the original judge would reasonably be expected upon remand to have substantial difficulty in putting out of his or her mind previously-expressed views or findings determined to be erroneous or based on evidence that must be rejected, (2) whether reassignment is advisable to preserve the appearance of justice, and (3) whether reassignment would entail waste and duplication out of proportion to any gain in preserving the appearance of fairness.’

[*Mitchell v. Maynard*, *supra*, 80 F.3d] at 1450 (quoting *United States v. Sears, Roebuck & Co., Inc.*, 785 F.2d 777, 780 (9<sup>th</sup> Cir. 1986)).

*Id.* at 1113.

In the case at Bar, there can be little doubt that Judge Arguello has exhibited some demonstrable personal bias as against the Petitioner Colorado Springs Fellowship Church.

While the actual transcript is under seal, and is not available for Movant to cite to, or quote from, the language quoted above from this Court’s ruling on January 23d, 2019, demonstrates that, if the lower court does not actually have any such bias, minimally the appearance of impartiality mandates such a reassignment on remand. The following observation from this Court makes it clear that not only is the Petitioner being targeted by the lower Court, but also, its Pastor (Rose Banks), *viz.*,

The district court also praised Mr. Walker for divorcing himself from the beliefs of the CSFC and questioned whether Pastor Banks espoused values consistent with Christianity. Finally, the district court outlined actions taken by Pastor Banks subsequent to Mr. Walker questioning her divine prophecies, actions which the court had deemed harassing.

In Judge Arguello stating that she “questioned whether Pastor Banks espoused values consistent with Christianity”, it is clear that the Court was allowing its own personal religious beliefs to influence the decisionmaking process. This is improper and should not have been a factor, at all, in making her decision to deny the motion to unseal. Compare *Menora v. Illinois*

*High School Ass'n*, 527 F. Supp. 632 (N.D. Ill. 1981), where the District Court judge denied an application under 28 U.S.C. § 144 that was based solely on the fact that the judge was Jewish and a member of the American Jewish congress; *id.* at 633-34.

In accord see *Bryce v. Episcopal Church*, 289 F.3d 648, 660 (10<sup>th</sup> Cir. 2002), and cases cited therein.

As to the impact on judicial efficiency, reassigning this matter to another Judge will have little impact. This Court has already laid out the parameters of any issues to be considered in whether the transcript should be under seal. Furthermore, as the Circuit Court notes, the Petitioner, in its appeal failed to also seek unsealing of the submitted pleadings. A newly assigned Judge could easily review the record, and determine what, if any, of the lower court filings should remain under seal.

In addition, as noted above, the appearance of impartiality is paramount, and any finding by a remand to Judge Arguello may well be deemed to have been influenced by her earlier observations, and comments.

Remand by this Court should be made, with a direction to have another sitting judge in the District of Colorado preside over this matter.

Dated: July 14, 2019  
Somers, NY

Respectfully submitted,  
LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By:/s/ Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**RELIEF SOUGHT BY THE PETITIONER**

WHEREFORE, the Petitioner respectfully prays that the Court grant the following Relief:

- (a) An Order directing that the District Court release the transcripts, in full, from the *habeas corpus* proceeding in *Walker v. United States*, 1:09-cr-00266-CMA; 1:15-cv-02223-CMA;
- (b) Remand the case to the District Court with an directing the Clerk to re-assign the case to a District Court Judge other than the Hon. Christine Arguello; and
- (c) Such other and further relief as the Court of Appeals shall deem just and proper.

Dated: July 14, 2019  
Somers, NY

Respectfully submitted,  
LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By:/s/ Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**STATEMENT OF COUNSEL REGARDING ORAL ARGUMENT**

Oral argument is not necessary as the issues contained herein are neither complex nor do they involve a complicated fact pattern. It is Petitioner's Counsel's opinion that oral argument before this Court will not aid the Court any further than the enclosed pleadings will, in having the Court reach its decision.

Dated: July 14, 2019  
Somers, NY

Respectfully submitted,  
LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By:/s/ Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**CERTIFICATE OF SERVICE**

The undersigned, Bernard V. Kleinman, an attorney duly admitted to practice before the Bar of this Court, does certify, under penalty of perjury, that on the 14 day of July 2019, a true and correct copy of the above and foregoing is being electronically submitted for filing with the Clerk of the Court for the Tenth Circuit Court of Appeals, using the aforesaid Court's CM/ECF filing system, and that such electronic notification shall be forwarded to the following counsel of record:

Suneeta Hazra  
Email: [suneeta.hazra@usdoj.gov](mailto:suneeta.hazra@usdoj.gov)  
Office of the United States Attorney  
District of Colorado  
1801 California Street  
Suite 1600  
Denver, CO 80202

Gerald J. Rafferty  
Email: [grafferty@lawcc.us](mailto:grafferty@lawcc.us)  
Collins & Collins  
700 Seventeenth Street  
Suite 1820  
Denver, CO 80202

Gwendolyn Lawson  
Email: [gmjewell@yahoo.com](mailto:gmjewell@yahoo.com)  
Lawson Law Firm  
3472 Research Parkway  
Colorado Springs, CO 80920

LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By: /s/ Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the total number of pages being submitted as Petitioner's Petition for a Writ of Mandamus is thirty (30) pages or less, exclusive of the Disclosure Statement, Proof of Service, and the Attachments, as required by F.R.App.P. Rule 21(d)(2).

Dated: July 14, 2019  
Somers, NY

/s/ Bernard V. Kleinman  
Bernard V. Kleinman

**CERTIFICATE OF DIGITAL SUBMISSION & PRIVACY REDACTIONS**

I do certify, under penalty of perjury, that with respect to the foregoing:

- (a) all privacy redactions have been made pursuant to Tenth Cir. L.R. 25.5;
- (b) if required to file additional hard copies, that the ECF submission is an exact duplicate of those documents; and
- (c) this digital submission has been scanned for viruses with McAfee Anti-Virus, ver. 16.0, as updated June 13, 2019, and is free from viruses.

LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By: /s/ Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH



**ATTACHMENTS**

1. Docket Sheet Entries, *United States v. Banks, et al.*, 1:09-cr-00266-CMA
2. Docket Sheet Entries, *Walker v. United States*, 1:15-cv-02223-CMA
3. Docket Sheet Entries, *United States v. Walker*, Tenth Circuit, 17-1415
4. Decision of this Court, *United States v. Walker*, 761 Fed. App'x 822 (10<sup>th</sup> Cir. Jan. 23, 2019)
5. Motion to Compel in District Court, Dkt. Entry No. 1131
6. Status Request Letter dated July 2, 2019, Dkt. Entry Nos. 1132, 1134
7. Docket Sheet Entries, *United States v. Walker*, Tenth Circuit, 18-1273

# **Attachment 1**

**Docket Sheet Entries,  
*United States v.*  
*Banks, et al.*, 1:09-cr-  
00266-CMA**

**U.S. District Court - District of Colorado  
District of Colorado (Denver)  
CRIMINAL DOCKET FOR CASE #: 1:09-cr-00266-CMA All Defendants**

Case title: USA v. Banks et al  
Other court case number: 14-229 Supreme Court  
Related Case: [1:15-cv-02223-CMA](#)

Date Filed: 06/09/2009  
Date Terminated: 08/03/2012

---

Assigned to: Judge Christine M.  
Arguello

Appeals court case number: 13-1416  
USCA

**Defendant (1)**

**David A. Banks**  
*TERMINATED: 08/03/2012*

represented by **Charles Henry Torres**  
Charles H. Torres, P.C.  
1888 Sherman Street  
Suite 630  
Denver, CO 80203  
303-830-8885  
Fax: 303-830-8890  
Email:  
mshumrick@charlestorrespc.com  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Clifford J. Barnard**  
Clifford J. Barnard, Attorney at Law  
4450 Arapahoe Avenue  
#100  
Boulder, CO 80303  
303-546-7947  
Fax: 303-444-6349  
Email: cliffbarnard@earthlink.net  
**TERMINATED: 12/21/2010**  
*Designation: CJA Appointment*

**Gwendolyn M. Lawson**  
Gwendolyn M. Lawson, Attorney at  
Law  
3472 Research Parkway 104 442  
Colorado Springs, CO 80920  
719-287-4511

Fax: 719-268-0709  
Email: gmjewell@yahoo.com  
*TERMINATED: 11/07/2011*  
*Designation: Retained*

**Joshua Sabert Lowther**  
Lowther Walker LLC  
101 Marietta Street, NW  
Suite 3325  
Atlanta, GA 30303  
404-496-4052  
Fax: 866-819-7859  
Email: jlowther@lowtherwalker.com  
*TERMINATED: 10/11/2013*

**Martin Adam Stuart**  
McDermott Stuart & Ward  
140 East 19th Avenue  
Suite 300  
Denver, CO 80203  
303-355-6789  
Email: mstuart@mswdenver.com  
*TERMINATED: 04/19/2010*  
*Designation: CJA Appointment*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD  
(1)

FRAUDS AND SWINDLES-mail  
fraud  
(4-8)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(10)

FRAUDS AND SWINDLES-mail  
fraud  
(13)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(14)

**Disposition**

Defendant is to be imprisoned for  
135 months. Supervised release 36  
months. Assessment \$1,500.00.  
Restitution \$5,018,959.66.

FRAUD BY WIRE, RADIO, OR  
TELEVISION

(16-18)

FRAUDS AND SWINDLES-mail  
fraud

(19-20)

FRAUDS AND SWINDLES-mail  
fraud

(23)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

FRAUDS AND SWINDLES-mail  
fraud

(2)

CRIMINAL FORFEITURES

(25)

**Disposition**

Dismissed.

Dismissed.

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

Assigned to: Judge Christine M.  
Arguello

Appeals court case numbers: 13-  
1416 USCA, 17-1415 USCA

**Defendant (2)**

**Demetrius K. Harper**

*TERMINATED: 08/01/2012*

*also known as*

Ken Harper

*TERMINATED: 08/01/2012*

represented by **Gwendolyn M. Lawson**

(See above for address)

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

*Designation: Retained*

**Thomas James Hammond**

Thomas J. Hammond, P.C.

1544 Race Street  
Denver, CO 80206  
303-321-7902  
Fax: 303-329-5871  
Email: hammondlaw@solucian.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Joshua Sabert Lowther**  
(See above for address)  
*TERMINATED: 10/11/2013*

**Martin Adam Stuart**  
(See above for address)  
*TERMINATED: 08/20/2009*

**Mitchell Baker**  
Mitch Baker, Attorney at Law  
1543 Champa Street  
#400  
Denver, CO 80202  
303-592-7353  
Fax: 303-571-1001  
Email: mitchbaker@estreet.com  
*TERMINATED: 12/20/2010*  
*Designation: CJA Appointment*

**Robert William Pepin**  
Office of the Federal Public  
Defender-Denver  
633 Seventeenth Street  
Suite 1000  
Denver, CO 80202  
303-294-7002  
Fax: 303-294-1192  
Email: Robert\_Pepin@fd.org  
*TERMINATED: 06/29/2009*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD  
(1)

**Disposition**

Defendant is to be imprisoned for  
121 months. Supervised Release 36

months. Assessment \$1,500.  
Restituion \$5,018,959.66.

FRAUDS AND SWINDLES-mail  
fraud  
(3-4)

FRAUDS AND SWINDLES-mail  
fraud  
(8)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(9)

FRAUDS AND SWINDLES-mail  
fraud  
(11-13)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(15-18)

FRAUDS AND SWINDLES-mail  
fraud  
(19)

FRAUDS AND SWINDLES-mail  
fraud  
(21)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(24)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

CRIMINAL FORFEITURES  
(25)

**Disposition**

Dismissed.

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

Assigned to: Judge Christine M.  
Arguello

Appeals court case numbers: 13-  
1416 USCA, 18-1273 USCA

**Defendant (3)**

**Gary L. Walker**

*TERMINATED: 07/23/2012*

represented by **Gwendolyn M. Lawson**

(See above for address)

*TERMINATED: 01/05/2017*

*LEAD ATTORNEY*

*Designation: Retained*

**Michael David Lindsey**

David Lindsey, Attorney at Law

7887 East Belleview Avenue

#1100

Englewood, CO 80111

303-228-2270

Fax: 303-228-2271

Email: david@mdavidlindsey.com

*TERMINATED: 07/23/2012*

*LEAD ATTORNEY*

*Designation: CJA Appointment*

**Boston H. Stanton , Jr.**

Boston H. Stanton, Jr, Attorney at  
Law

P.O. Box 200507

Denver, CO 80220

303-377-2757

Fax: 303-394-0204

Email: bostonhs@comcast.net

*TERMINATED: 12/20/2010*

*Designation: CJA Appointment*

**Gerald J. Rafferty**

Collins & Collins, LLC

700 17th Street

Suite 1820

Denver, CO 80202

303-296-7700

Fax: 303-295-7160

Email: grafferty@lawcc.us

*ATTORNEY TO BE NOTICED*

*Designation: Retained*



**Joshua Sabert Lowther**

(See above for address)

*TERMINATED: 10/11/2013*

**Patrice Bernadette Collins**

Collins & Collins, LLC

700 17th Street

Suite 1820

Denver, CO 80202

303-296-7700

Fax: 303-295-7160

Email: patricec@lawcc.us

*ATTORNEY TO BE NOTICED*

**Patrick Joseph Collins**

Collins & Collins, LLC

700 17th Street

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Denver, CO 80202

303-946-1340

Fax: 303-295-7160

Email: pcollins@lawcc.us

*ATTORNEY TO BE NOTICED*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD  
(1)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

**Disposition**

Defendant is to be imprisoned for 135 months. Supervised Release: 3 years. Assessment: \$100. Restitution: \$5,018,959.66. RESENTENCED 6/28/2017 Defendant committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of SEVENTY (70) MONTHS. Supervised Release of THREE (3) YEARS. Special Assessment of \$100.00. Restitution of \$5,018,959.66.

**Disposition**

CRIMINAL FORFEITURES  
(25)

Dismissed

**Highest Offense Level**  
**(Terminated)**

Felony

**Complaints**

None

**Disposition**

---

Assigned to: Judge Christine M.  
Arguello

Appeals court case number: 13-1416  
USCA

**Defendant (4)**

**Clinton A. Stewart**

*TERMINATED: 08/02/2012*

*also known as*

C. Alfred Stewart

*TERMINATED: 08/02/2012*

represented by **Gwendolyn M. Lawson**

(See above for address)

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

*Designation: Retained*

**Richard James Banta**

Richard J. Banta, PC

501 South Cherry Street

Suite 1100

Denver, CO 80246

303-860-8048

Fax: 303-333-1195

Email: [rjbanta@comcast.net](mailto:rjbanta@comcast.net)

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

*Designation: CJA Appointment*

**Joshua Sabert Lowther**

(See above for address)

*TERMINATED: 10/11/2013*

**Robert Seldis Berger**

Robert S. Berger, Attorney at Law

P.O. Box 201088

Denver, CO 80220

303-436-1596

Fax: 866-811-7712  
Email: robberger@qwestoffice.net  
*TERMINATED: 12/20/2010*  
*Designation: CJA Appointment*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD  
(1)

FRAUDS AND SWINDLES-mail  
fraud  
(4)

FRAUDS AND SWINDLES-mail  
fraud  
(8)

FRAUDS AND SWINDLES-mail  
fraud  
(12)

FRAUD BY WIRE, RADIO, OR  
TELEVISION  
(18)

FRAUDS AND SWINDLES-mail  
fraud  
(20-21)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

CRIMINAL FORFEITURES  
(25)

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

Defendant to be imprisoned for 121  
months. Supervised Release 36  
months. Assessment \$700.  
Restitution \$5,018,959.66.

**Disposition**

Dismissed.

**Disposition**

Assigned to: Judge Christine M.  
Arguello

Appeals court case number: 13-1416  
USCA

**Defendant (5)**

**David A. Zirpolo**

*TERMINATED: 08/01/2012*

represented by **Gwendolyn M. Lawson**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Retained*

**William Lewis Taylor**

Sideman and Bancroft, LLP-Denver

1999 Broadway

31st Floor

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303-640-2318

Fax: 415-392-0827

Email: wtaylor@sideman.com

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

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**Arthur S. Nieto**

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303-832-9476

Fax: 303-832-7711

Email: arthurnieto@qwestoffice.net

*TERMINATED: 08/20/2009*

*Designation: CJA Appointment*

**Joshua Sabert Lowther**

(See above for address)

*TERMINATED: 10/11/2013*

**Thomas Richard Ward**

McDermott Stuart & Ward LLP

One Sherman Place

140 East 19th Avenue

Suite 300

Denver, CO 80203

303-832-8888

Fax: 303-623-0714  
Email: [tward@mswdenver.com](mailto:tward@mswdenver.com)  
*TERMINATED: 12/20/2010*  
*Designation: CJA Appointment*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD

(1)

FRAUDS AND SWINDLES-mail  
fraud

(3)

FRAUDS AND SWINDLES-mail  
fraud

(5)

FRAUDS AND SWINDLES-mail  
fraud

(7)

FRAUDS AND SWINDLES-mail  
fraud

(11-13)

FRAUD BY WIRE, RADIO, OR  
TELEVISION

(17-18)

FRAUDS AND SWINDLES-mail  
fraud

(19-21)

FRAUDS AND SWINDLES-mail  
fraud

(22)

FRAUDS AND SWINDLES-mail  
fraud

(23)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

CRIMINAL FORFEITURES

(25)

**Disposition**

Defendant is to be imprisoned for  
121 months. Supervised Release 36  
months. Assessment \$1,400.  
Restitution \$5,018,959.66.

**Disposition**

Dismissed.

**Highest Offense Level**  
**(Terminated)**

Felony

**Complaints**

None

**Disposition**

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Assigned to: Judge Christine M.  
Arguello  
Appeals court case number: 13-1416  
USCA

**Defendant (6)**

**Kendrick Barnes**

*TERMINATED: 08/01/2012*

represented by **Dana M. Casper**

Dana M. Casper, P.C.  
501 South Cherry Creek  
Suite 1100  
Denver, CO 80246  
303-333-2276  
Fax: 303-496-6766  
Email: Dana@casper-law.com  
*TERMINATED: 01/31/2017*  
*LEAD ATTORNEY*  
*Designation: CJA Appointment*

**Gwendolyn M. Lawson**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Joshua Sabert Lowther**

(See above for address)  
*TERMINATED: 10/11/2013*

**Thomas Edward Goodreid**

Thomas E. Goodreid, Attorney at  
Law  
1801 Broadway  
Suite 1400  
Denver, CO 80202  
303-296-2048  
Fax: 303-292-0522

Email: t.goodreid@comcast.net  
*TERMINATED: 12/20/2010*  
*Designation: CJA Appointment*

**Pending Counts**

ATTEMPT AND CONSPIRACY  
TO COMMIT MAIL FRAUD  
(1)

FRAUDS AND SWINDLES-mail  
fraud  
(4-5)

FRAUDS AND SWINDLES-mail  
fraud  
(7-8)

FRAUDS AND SWINDLES-mail  
fraud  
(20)

FRAUDS AND SWINDLES-mail  
fraud  
(23)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

CRIMINAL FORFEITURES  
(25)

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

Defendant is to be imprisoned for 87  
months. Supervised Release 36  
months. Assessment \$700.  
Restitution \$5,018,959.66.

**Disposition**

Dismissed.

**Disposition**

---

**Movant**

**Colorado Springs Fellowship  
Church**

represented by **Bernard V. Kleinman**  
Bernard V. Kleinman, PLLC  
108 Village Square

Suite 313  
Somers, NY 10589-2305  
914-644-6660  
Fax: 914-694-1647  
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**ATTORNEY TO BE NOTICED**

**Patrick J. Fitz-Gerald**  
Driskell Fitz-Gerald & Ray, LLC  
1554 North Downing Street  
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303-860-7353  
Fax: 303-997-9246  
Email: pfg@trialdenver.com  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

---

**Interested Party**

**Analysts International  
Corporation**

represented by **Dru Ruth Nielsen**  
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Suite 720  
Denver, CO 80209  
720-440-8155  
Fax: 720-440-8156  
Email: dru@eytan-nielsen.com  
**TERMINATED: 11/07/2011**  
**LEAD ATTORNEY**  
*Designation: Retained*

---

**Interested Party**

**Boecore Inc**

represented by **Ryan Joseph Klein**  
Sherman & Howard, L.L.C.-  
Colorado Springs  
90 South Cascade Avenue  
#1500  
Colorado Springs, CO 80903  
719-475-2440  
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**LEAD ATTORNEY**  
*Designation: Retained*



**Plaintiff**

**USA**

represented by **Matthew T. Kirsch**  
U.S. Attorney's Office-Denver  
1801 California Street  
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303-454-0100  
Fax: 303-454-0402  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Federal Agency*  
*Attorney*

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**LEAD ATTORNEY**  
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*Designation: Federal Agency*  
*Attorney*

**Amy L. Padden**  
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Ralph L. Carr Colorado Judicial  
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**ATTORNEY TO BE NOTICED**  
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*Attorney*

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303-454-0100  
 Fax: 303-454-0461  
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**ATTORNEY TO BE NOTICED**  
*Designation: Federal Agency  
 Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/09/2009	<a href="#"><u>1</u></a>	INDICTMENT as to David A. Banks (1) count(s) 1, 2, 4-8, 10, 13, 14, 16-18, 19-20, 23, 25, Demetrius K. Harper (2) count(s) 1, 3-4, 8, 9, 11-13, 15-18, 19, 21, 24, 25, Gary L. Walker (3) count(s) 1, 25, Clinton A. Stewart (4) count(s) 1, 4, 8, 12, 18, 20-21, 25, David A. Zirpolo (5) count(s) 1, 3, 5, 7, 11-13, 17-18, 19-21, 22, 23, 25, Kendrick Barnes (6) count(s) 1, 4-5, 7-8, 20, 23, 25. (Attachments: # <a href="#"><u>1</u></a> Criminal Information Sheet Banks, # <a href="#"><u>2</u></a> Criminal Information Sheet Harper, # <a href="#"><u>3</u></a> Criminal Information Sheet Walker, # <a href="#"><u>4</u></a> Criminal Information Sheet Stewart, # <a href="#"><u>5</u></a> Criminal Information Sheet Zirpolo, # <a href="#"><u>6</u></a> Criminal Information Sheet Barnes) (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>2</u></a>	Summons Issued as to David A. Banks: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>3</u></a>	Summons Issued as to Demetrius K. Harper: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>4</u></a>	Summons Issued as to Gary L. Walker: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>5</u></a>	Summons Issued as to Clinton A. Stewart: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>6</u></a>	Summons Issued as to David A. Zirpolo: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Judge Christine M. Arguello. (tllsl, ) (Entered: 06/10/2009)
06/09/2009	<a href="#"><u>7</u></a>	Summons Issued as to Kendrick Barnes: Initial Appearance set for 6/23/2009 01:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (tllsl, ) (Entered: 06/10/2009)
06/18/2009	<a href="#"><u>8</u></a>	Summons Returned Executed on 6/12/09 as to David A. Zirpolo. (lmwsl, ) (Entered: 06/19/2009)
06/18/2009	<a href="#"><u>9</u></a>	Summons Returned Executed on 6/11/09 as to Gary L. Walker. (lmwsl, ) (Entered: 06/19/2009)

06/18/2009	<a href="#"><u>10</u></a>	Summons Returned Executed on 6/12/09 as to Clinton A. Stewart. (lmwsl, ) Modified on 6/19/2009 to correct date of service (lmwsl, ). (Entered: 06/19/2009)
06/18/2009	<a href="#"><u>11</u></a>	Summons Returned Executed on 6/12/09 as to Demetrius K. Harper. (lmwsl, ) (Entered: 06/19/2009)
06/18/2009	<a href="#"><u>12</u></a>	Summons Returned Executed on 6/12/09 as to Kendrick Barnes. (lmwsl, ) (Entered: 06/19/2009)
06/18/2009	<a href="#"><u>13</u></a>	Summons Returned Executed on 6/11/09 as to David A. Banks. (lmwsl, ) (Entered: 06/19/2009)
06/23/2009	<a href="#"><u>14</u></a>	Receipt for Surrender of Passport as to Demetrius K. Harper Passport Number 424919396 issued by U.S. (lmwsl, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>15</u></a>	Minute Entry for proceedings held before Magistrate Judge Boyd N. Boland: Initial Appearance as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo and Kendrick Barnes held on 6/23/2009. Federal Public Defender appointed for Demetrius Harper. CJA counsel appointed for David A. Banks, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo and Kendrick Barnes. Bond set as to David A. Banks (1) Personal Recognizance; Demetrius K. Harper (2) Personal Recognizance; Gary L. Walker (3) Personal Recognizance; Clinton A. Stewart (4) Personal Recognizance; David A. Zirpolo (5) Personal Recognizance; Kendrick Barnes (6) Personal Recognizance. Arraignment and Discovery Hearing set for 6/29/2009 10:00 AM in Courtroom C204 before Magistrate Judge Kristen L. Mix. Defendants continued on bond. (Tape #FTR BNB PM.) (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>16</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>17</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>18</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>19</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>20</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>21</u></a>	Sealed Document-Financial Affidavit (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>22</u></a>	ORDER Setting Conditions of Release as to Clinton A. Stewart (4) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>23</u></a>	ORDER Setting Conditions of Release as to Demetrius K. Harper (2) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)

06/23/2009	<a href="#"><u>24</u></a>	ORDER Setting Conditions of Release as to Gary L. Walker (3) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>25</u></a>	ORDER Setting Conditions of Release as to Kendrick Barnes (6) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>26</u></a>	ORDER Setting Conditions of Release as to David A. Zirpolo (5) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)
06/23/2009	<a href="#"><u>27</u></a>	ORDER Setting Conditions of Release as to David A. Banks (1) Personal Recognizance by Magistrate Judge Boyd N. Boland on 6/23/09. (lab, ) (Entered: 06/24/2009)
06/24/2009	<a href="#"><u>28</u></a>	NOTICE OF ATTORNEY APPEARANCE: Robert William Pepin appearing for Demetrius K. Harper (Pepin, Robert) (Entered: 06/24/2009)
06/24/2009	<a href="#"><u>55</u></a>	CJA 20: Appointment of Robert Seldis Berger for Clinton A. Stewart by Magistrate Judge Boyd N. Boland on 6/24/09. (smatl, ) (Entered: 07/09/2009)
06/24/2009	<a href="#"><u>56</u></a>	CJA 20: Appointment of Thomas Edward Goodreid for Kendrick Barnes by Magistrate Judge Boyd N. Boland on 6/24/09. (smatl, ) (Entered: 07/09/2009)
06/24/2009	<a href="#"><u>57</u></a>	CJA 20: Appointment of Arthur S. Nieto for David A. Zirpolo by Magistrate Judge Boyd N. Boland on 6/24/09. (smatl, ) (Entered: 07/09/2009)
06/24/2009	<a href="#"><u>58</u></a>	CJA 20: Appointment of Martin Adam Stuart for David A. Banks by Magistrate Judge Boyd N. Boland on 6/24/09. (smatl, ) (Entered: 07/09/2009)
06/24/2009	<a href="#"><u>59</u></a>	CJA 20: Appointment of Boston Henry Stanton, Jr for Gary L. Walker by Magistrate Judge Boyd N. Boland on 6/24/09. (smatl, ) (Entered: 07/09/2009)
06/25/2009	<a href="#"><u>29</u></a>	NOTICE OF ATTORNEY APPEARANCE: Robert Seldis Berger appearing for Clinton A. Stewart (Berger, Robert) (Entered: 06/25/2009)
06/25/2009	<a href="#"><u>30</u></a>	NOTICE OF ATTORNEY APPEARANCE: Martin Adam Stuart appearing for David A. Banks (Stuart, Martin) (Entered: 06/25/2009)
06/26/2009	<a href="#"><u>31</u></a>	NOTICE OF ATTORNEY APPEARANCE: Boston Henry Stanton, Jr appearing for Gary L. Walker (Stanton, Boston) (Entered: 06/26/2009)
06/26/2009	<a href="#"><u>32</u></a>	MOTION to Excuse <i>Counsel and Permit Substitute Counsel</i> by Gary L. Walker. (Stanton, Boston) (Entered: 06/26/2009)

06/29/2009	<a href="#"><u>33</u></a>	Minute Entry for Arraignment and Discovery Hearing as to Demetrius K. Harper held before Magistrate Judge Kristen L. Mix on 6/29/2009; Defense counsel addresses the court and notes the defendant is requesting another attorney be appointed to represent him. The FPD orally moves to withdraw. Defense counsel's oral motion to withdraw is GRANTED. The Court appoints an attorney from the CJA panel to represent the defendant. Arraignment and Discovery Hearing is continued to 7/1/2009 10:30 AM in Courtroom C204 before Magistrate Judge Kristen L. Mix. Defendant continued on bond. (Tape #FTR KLM AM.) (lmwsl, ) (Entered: 06/29/2009)
06/29/2009	<a href="#"><u>34</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to Clinton A. Stewart held on 6/29/2009. Plea NOT GUILTY entered by Clinton A. Stewart. Discovery memorandum executed; counsel to chambers; defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>35</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to Gary L. Walker held on 6/29/2009. Plea NOT GUILTY entered by Gary L. Walker; discovery memorandum executed; counsel to chambers; defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>36</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to Kendrick Barnes held on 6/29/2009. Plea NOT GUILTY entered by Kendrick Barnes; Discovery memorandum executed; counsel to chambers; defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>37</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to David A. Zirpolo held on 6/29/2009. Plea NOT GUILTY entered by David A. Zirpolo; discovery memorandum executed; counsel to chambers; defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>38</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to David A. Banks held on 6/29/2009. Plea NOT GUILTY entered by David A. Banks. Discovery memorandum executed; Counsel to chambers. Defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>39</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to Gary L. Walker by Magistrate Judge Kristen L. Mix on 6/29/09. (lab, ) (Entered: 06/30/2009)

06/29/2009	<a href="#"><u>40</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to David A. Banks by Magistrate Judge Kristen L. Mix on 6/29/09. (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>41</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to Clinton A. Stewart by Magistrate Judge Kristen L. Mix on 6/29/09. (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>42</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to David A. Zirpolo by Magistrate Judge Kristen L. Mix on 6/29/09. (lab, ) (Entered: 06/30/2009)
06/29/2009	<a href="#"><u>43</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to Kendrick Barnes by Magistrate Judge Kristen L. Mix on 6/29/09. (lab, ) (Entered: 06/30/2009)
06/30/2009	<a href="#"><u>44</u></a>	MOTION to Disclose Grand Jury Material to Defendant by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#"><u>1</u></a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 06/30/2009)
06/30/2009	<a href="#"><u>48</u></a>	CJA 20: Appointment of Mitchell Baker for Demetrius K. Harper by Magistrate Judge Kristen L. Mix on 6/30/09. (smatl, ) (Entered: 07/02/2009)
07/01/2009	<a href="#"><u>45</u></a>	Minute Entry for proceedings held before Magistrate Judge Kristen L. Mix: Arraignment and Discovery Hearing as to Demetrius K. Harper held on 7/1/2009. Plea NOT GUILTY entered by Demetrius K. Harper; Discovery memorandum executed; defendant continued on bond. (Tape #FTR KLM AM.) (lab, ) (Entered: 07/01/2009)
07/01/2009	<a href="#"><u>46</u></a>	Discovery Conference Memorandum and ORDER: Estimated Trial Time - 4 weeks as to Demetrius K. Harper by Magistrate Judge Kristen L. Mix on 7/1/09. (labsl, ) (Entered: 07/01/2009)
07/01/2009	<a href="#"><u>47</u></a>	ORDER granting <a href="#"><u>44</u></a> Motion to Disclose Grand Jury Material as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6), by Judge Christine M. Arguello on 7/1/09. (mjg, ) (Entered: 07/02/2009)
07/06/2009	<a href="#"><u>49</u></a>	Unopposed MOTION to Exclude <i>Time Pursuant to 18 USC 3161(h)(8)(A)</i> by David A. Banks. (Stuart, Martin) (Entered: 07/06/2009)
07/06/2009	<a href="#"><u>50</u></a>	MOTION to Modify <a href="#"><u>47</u></a> Order on Motion to Disclose Grand Jury Material by David A. Banks. (Stuart, Martin) (Entered: 07/06/2009)
07/07/2009	<a href="#"><u>51</u></a>	MOTION to Join # 50 Motion to Modify Court Order Regarding Disclosure of Grand Jury Materials by Kendrick Barnes. (Goodreid, Thomas) Modified on 7/8/2009 to create linkage to joined motion (mjg, ). (Entered: 07/07/2009)



07/07/2009	<a href="#">52</a>	MOTION to Join <i>09-cr-00266-CMA</i> by David A. Zirpolo. (Nieto, Arthur) (Entered: 07/07/2009)
07/08/2009	<a href="#">53</a>	Ex Parte Document. (Berger, Robert) (Entered: 07/08/2009)
07/09/2009	<a href="#">54</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 52 MOTION to Join <i>09-cr-00266-CMA</i> , 51 MOTION to Join <a href="#">50</a> Motion to Modify Court Order Regarding Disclosure of Grand Jury Materials, <a href="#">50</a> MOTION to Modify <a href="#">47</a> Order on Motion to Disclose Grand Jury Material (Kirsch, Matthew) (Entered: 07/09/2009)
07/09/2009	<a href="#">60</a>	ORDER granting <a href="#">52</a> Motion to Join Motions # 49 and 50 as to David A. Zirpolo (5), by Judge Christine M. Arguello on 7/9/09. (mjg, ) (Entered: 07/10/2009)
07/09/2009	61	49 Motion to Continue as to David A. Zirpolo, pursuant to Order, docket # <a href="#">60</a> . TEXT ENTRY ONLY - NO DOCUMENT ATTACHED. (mjg, ) (Entered: 07/10/2009)
07/09/2009	62	50 MOTION to Modify Court Order Regarding Disclosure of Grand Jury Materials by David A. Zirpolo, pursuant to Order Granting Motion To Join, docket # <a href="#">60</a> . TEXT ENTRY ONLY - NO DOCUMENT ATTACHED. (mjg, ) (Entered: 07/10/2009)
07/09/2009	<a href="#">63</a>	ORDER granting <a href="#">49</a> Motion to Exclude pursuant to ends of justice as to David A. Banks (1): Ninety days from the date of this Order shall be excluded from the speedy trial computation; Status Conference set for 8/20/2009 08:00 AM in Courtroom A 602, by Judge Christine M. Arguello on 7/9/09. (mjg2, ) (Entered: 07/10/2009)
07/09/2009	69	ORDER granting 61 Motion to Continue as to David A. Zirpolo (5), by Judge Christine M. Arguello on 7/9/09.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (mjg, ) (Entered: 08/07/2009)
07/10/2009	<a href="#">66</a>	Ex Parte Document. (pponi, ) (Entered: 07/23/2009)
07/15/2009	<a href="#">64</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 07/15/2009)
07/15/2009	<a href="#">65</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 07/15/2009)
07/23/2009	<a href="#">67</a>	Ex Parte Document. (smatl, ) (Entered: 07/24/2009)
07/23/2009	<a href="#">68</a>	Ex Parte Document. (pponi, ) (Entered: 08/04/2009)
08/12/2009	<a href="#">70</a>	Unopposed MOTION for Special Appearance <i>to allow Substitute Counsel at Status Conference</i> by Demetrius K. Harper. (Baker, Mitchell) (Entered: 08/12/2009)

08/14/2009	<a href="#">71</a>	ORDER granting <a href="#">70</a> Motion for Special Appearance for Substitute Counsel as to Demetrius K. Harper (2) by Judge Christine M. Arguello on 8/14/09. (tllsl, ) (Entered: 08/14/2009)
08/14/2009	<a href="#">72</a>	ORDER MODIFYING ORDER REGARDING DISCLOSURE OF GRAND JURY MATERIALS by Judge Christine M. Arguello on 8/14/09. Court granting <a href="#">50</a> Motion to Modify as to David A. Banks (1); granting 62 Motion to Modify as to David A. Zirpolo (5); denying as moot 51 Motion to Join as to Kendrick Barnes (6) (tllsl, ) (Entered: 08/14/2009)
08/16/2009	<a href="#">73</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Stanton, Boston) (Entered: 08/16/2009)
08/18/2009	<a href="#">74</a>	MOTION to Withdraw as Attorney by Arthur S. Nieto by David A. Zirpolo. (Nieto, Arthur) (Entered: 08/18/2009)
08/18/2009	<a href="#">75</a>	Unopposed MOTION to Declare Case Complex <i>and for further exclusion of time</i> by Clinton A. Stewart. (Berger, Robert) (Entered: 08/18/2009)
08/19/2009	<a href="#">76</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 08/19/2009)
08/20/2009	<a href="#">77</a>	Minute Entry for Status Conference as to David A. Banks, et al. held before Judge Christine M. Arguello on 8/20/2009; Defendants present on bond. The Court makes an ends of justice finding. Oral findings and conclusions of law are made of record and incorporated herein. 75 Defendant Clinton A. Stewart's Unopposed Motion for Further Exclusion of Time Under 18 U.S.C. §3161 is GRANTED to 1/29/2010. Arthur Nieto's 74 Motion to Withdraw as Attorney is GRANTED. Arthur S. Nieto withdrawn from case as to David A. Zirpolo. New CJA counsel shall be appointed for defendant David A. Zirpolo. Status Conference set for 12/18/2009 10:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Counsel shall be prepared to set dates at that time. Bonds are continued. (Court Reporter Darlene Martinez.) (lmwsl, ) (Entered: 08/20/2009)
08/20/2009	<a href="#">79</a>	Ex Parte Document. (smatl, ) (Entered: 08/25/2009)
08/20/2009	<a href="#">82</a>	CJA 20: Appointment of Thomas Richard Ward for David A. Zirpolo by Judge Christine M. Arguello on 8/20/09. (smatl, ) (Entered: 08/28/2009)
08/21/2009	<a href="#">78</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> spreadsht #1)(Berger, Robert) (Entered: 08/21/2009)
08/26/2009	<a href="#">80</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Stuart, Martin) (Entered: 08/26/2009)



08/26/2009	<a href="#"><u>81</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment, # <a href="#"><u>2</u></a> Exparte Attachment)(Stuart, Martin) (Entered: 08/26/2009)
08/27/2009	<a href="#"><u>86</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/04/2009)
08/31/2009	<a href="#"><u>83</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment CJA 20 Spreadsheet, # <a href="#"><u>2</u></a> Exparte Attachment Summary of Services)(Nieto, Arthur) (Entered: 08/31/2009)
09/02/2009	<a href="#"><u>84</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 09/02/2009)
09/02/2009	<a href="#"><u>85</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 09/02/2009)
09/09/2009	<a href="#"><u>89</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/17/2009)
09/15/2009	<a href="#"><u>93</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/30/2009)
09/16/2009	<a href="#"><u>87</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment, # <a href="#"><u>2</u></a> Exparte Attachment)(Goodreid, Thomas) (Entered: 09/16/2009)
09/16/2009	<a href="#"><u>88</u></a>	Ex Parte Document. (Baker, Mitchell) (Entered: 09/16/2009)
09/18/2009	<a href="#"><u>94</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/30/2009)
09/21/2009	<a href="#"><u>95</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/30/2009)
09/22/2009	<a href="#"><u>90</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 09/22/2009)
09/23/2009	<a href="#"><u>91</u></a>	Ex Parte Document. (Baker, Mitchell) (Entered: 09/23/2009)
09/24/2009	<a href="#"><u>96</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/30/2009)
09/24/2009	<a href="#"><u>97</u></a>	Ex Parte Document. (smatl, ) (Entered: 09/30/2009)
09/25/2009	<a href="#"><u>92</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment, # <a href="#"><u>2</u></a> Exparte Attachment)(Goodreid, Thomas) (Entered: 09/25/2009)
09/29/2009	<a href="#"><u>98</u></a>	Ex Parte Document. (pponi, ) (Entered: 10/07/2009)
10/14/2009	<a href="#"><u>100</u></a>	Ex Parte Document. (pponi, ) (Entered: 10/19/2009)
10/16/2009	<a href="#"><u>99</u></a>	Ex Parte Document. (pponi, ) (Entered: 10/19/2009)
10/20/2009	<a href="#"><u>102</u></a>	Ex Parte Document. (pponi, ) (Entered: 10/28/2009)
10/26/2009	<a href="#"><u>101</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment)(Stanton, Boston) (Entered: 10/26/2009)
10/28/2009	<a href="#"><u>105</u></a>	Ex Parte Document. (smatl, ) (Entered: 11/05/2009)
11/02/2009	<a href="#"><u>103</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 11/02/2009)

11/04/2009	<a href="#"><u>104</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment, # <a href="#"><u>2</u></a> Exparte Attachment)(Goodreid, Thomas) (Entered: 11/04/2009)
11/05/2009	<a href="#"><u>106</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment)(Ward, Thomas) (Entered: 11/05/2009)
11/16/2009	<a href="#"><u>107</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> spreadsheet)(Berger, Robert) (Entered: 11/16/2009)
11/16/2009	<a href="#"><u>112</u></a>	Ex Parte Document. (smatl, ) (Entered: 11/25/2009)
11/18/2009	<a href="#"><u>108</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment)(Stuart, Martin) (Entered: 11/18/2009)
11/19/2009	<a href="#"><u>109</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Motion)(Goodreid, Thomas) (Entered: 11/19/2009)
11/19/2009	<a href="#"><u>113</u></a>	Ex Parte Document. (smatl, ) (Entered: 11/25/2009)
11/20/2009	<a href="#"><u>114</u></a>	Ex Parte Document. (smatl, ) (Entered: 11/27/2009)
11/21/2009	<a href="#"><u>110</u></a>	CJA 24 (Berger, Robert) (Entered: 11/21/2009)
11/21/2009	<a href="#"><u>111</u></a>	Ex Parte Document. (Berger, Robert) (Entered: 11/21/2009)
11/30/2009	<a href="#"><u>115</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 11/30/2009)
12/03/2009	<a href="#"><u>116</u></a>	Ex Parte Document. (smatl, ) (Entered: 12/07/2009)
12/04/2009	<a href="#"><u>118</u></a>	Ex Parte Document. (pponi, ) (Entered: 12/11/2009)
12/08/2009	<a href="#"><u>117</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment)(Ward, Thomas) (Entered: 12/08/2009)
12/14/2009	<a href="#"><u>119</u></a>	Joint MOTION for Speedy Trial <i>Exclusion of Time and Proposed Scheduling</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 12/14/2009)
12/15/2009	<a href="#"><u>120</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document, # <a href="#"><u>2</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 12/15/2009)
12/16/2009	<a href="#"><u>121</u></a>	MOTION to Modify <a href="#"><u>2</u></a> Summons Issued by David A. Banks. (Stuart, Martin) (Entered: 12/16/2009)
12/16/2009	<a href="#"><u>129</u></a>	Ex Parte Document. (pponi, ) (Entered: 12/22/2009)
12/17/2009	<a href="#"><u>122</u></a>	Ex Parte Document. (Attachments: # <a href="#"><u>1</u></a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 12/17/2009)
12/18/2009	<a href="#"><u>123</u></a>	Minute Entry for Status Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo,

		Kendrick Barnes held before Judge Christine M. Arguello on 12/18/2009; Defendants present on bond. Ends of Justice finding made by the Court. <a href="#">119</a> Joint Motion for Further Exclusion of Time Under 18 U.S.C. §3161(h)(7)(A) and (B) and Proposed Scheduling Order is GRANTED. The Court shall exclude 409 days from today's date until January 31, 2011. Half day hearing on discovery motions and motions attacking the Indictment set for 6/11/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Two -day hearing on suppression motions set for 8/12-13/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. James Hearing set for 11/19/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Severance motions shall be due 10 days after the ruling on the James Motion. One-day expert and severance hearing set for 12/10/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Final Trial Preparation Conference set for 1/14/2011 at 01:30 PM in Courtroom A 602 before Judge Christine M. Arguello. Six week Jury Trial set for 1/31/2011 - 3/11/2011 09:00 AM in Courtroom A 602 before Judge. Trial days shall be Monday through Thursday. Defendants' bonds continued. (Court Reporter Darlene Martinez.) (lmw, ) (Entered: 12/18/2009)
12/18/2009	<a href="#">131</a>	Ex Parte Document. (pponi, ) (Entered: 12/29/2009)
12/18/2009	<a href="#">135</a>	Ex Parte Document. (pponi, ) (Entered: 01/06/2010)
12/18/2009	<a href="#">136</a>	Ex Parte Document. (pponi, ) (Entered: 01/06/2010)
12/19/2009	<a href="#">124</a>	MOTION to Modify Conditions of Release by David A. Banks. (Stuart, Martin) (Entered: 12/19/2009)
12/21/2009	125	MEMORANDUM regarding <a href="#">124</a> MOTION to Modify Conditions of Release filed by David A. Banks.Motion(s) referred to Magistrate Judge Boyd N. Boland.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmw, ) (Entered: 12/21/2009)
12/21/2009	126	ORDER Setting Hearing on <a href="#">124</a> MOTION to Modify Conditions of Release as to David A. Banks. Motion Hearing set for 1/5/2010 08:30 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. by Magistrate Judge Boyd N. Boland on 12/21/09. Counsel has been notified.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmwsl, ) (Entered: 12/21/2009)
12/21/2009	127	ORDER re <a href="#">124</a> MOTION to Modify Conditions of Release filed by David A. Banks; Response to <a href="#">124</a> Motion due by 1/4/2010, by Magistrate Judge Boyd N. Boland on 12/21/09.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmw, ) (Entered: 12/21/2009)
12/22/2009	<a href="#">128</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Berger, Robert) (Entered: 12/22/2009)

12/22/2009	<a href="#">130</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 12/22/2009)
12/31/2009	<a href="#">132</a>	RESPONSE in Opposition by USA as to David A. Banks re <a href="#">124</a> MOTION to Modify Conditions of Release (Kirsch, Matthew) (Entered: 12/31/2009)
01/04/2010	<a href="#">137</a>	Ex Parte Document. (smatl, ) (Entered: 01/11/2010)
01/04/2010	<a href="#">138</a>	Ex Parte Document. (pponi, ) (Entered: 01/11/2010)
01/05/2010	<a href="#">133</a>	ORDER; <a href="#">124</a> Motion to Modify Order Setting Conditions of Release as to David A. Banks (1) is GRANTED IN PART AND DENIED IN PART as set forth in the attached order, by Magistrate Judge Boyd N. Boland on 1/5/2010. (lmw, ) (Entered: 01/05/2010)
01/05/2010	<a href="#">134</a>	Minute Entry for Hearing on Motion to Modify Order Setting Conditions of Release as to David A. Banks held before Magistrate Judge Boyd N. Boland on 1/5/2010; <a href="#">124</a> Motion to Modify Order Setting Conditions of Release is GRANTED as to defendant's request to acquire a passport and for travel out of the country and DENIED as to the request for order barring the prosecution from contacting any of defendant's employers. (Tape #FTR BNB AM.) (lmw, ) (Entered: 01/05/2010)
01/05/2010	<a href="#">139</a>	Ex Parte Document. (pponi, ) (Entered: 01/11/2010)
01/12/2010	<a href="#">140</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 01/12/2010)
01/22/2010	<a href="#">143</a>	Ex Parte Document. (pponi, ) (Entered: 01/28/2010)
01/22/2010	<a href="#">146</a>	Ex Parte Document. (pponi, ) (Entered: 02/01/2010)
01/25/2010	<a href="#">141</a>	Unopposed MOTION to Modify Conditions of Release by Demetrius K. Harper. (Baker, Mitchell) (Entered: 01/25/2010)
01/27/2010	<a href="#">142</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stanton, Boston) (Entered: 01/27/2010)
01/28/2010	144	MEMORANDUM regarding <a href="#">141</a> Unopposed MOTION to Modify Conditions of Release filed by Demetrius K. Harper. Motion(s) referred to Magistrate Judge Boyd N. Boland.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmw, ) (Entered: 01/28/2010)
01/28/2010	145	ORDER; granting <a href="#">141</a> Motion to Modify Conditions of Release as to Demetrius K. Harper (2) by Magistrate Judge Boyd N. Boland on 1/28/2010.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmw, ) (Entered: 01/29/2010)
02/13/2010	<a href="#">147</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> spreadsheet)(Berger, Robert) (Entered: 02/13/2010)

02/16/2010	<a href="#">148</a>	Receipt for Return of Passport as to Demetrius K. Harper; Passport Number 424919396 issued by U.S. (lmwsl, ) (Entered: 02/17/2010)
02/23/2010	<a href="#">149</a>	Ex Parte Document. (pponi, ) (Entered: 03/01/2010)
03/04/2010	<a href="#">151</a>	Ex Parte Document. (pponi, ) (Entered: 03/08/2010)
03/08/2010	<a href="#">150</a>	NOTICE of Change of Address (Ward, Thomas) (Entered: 03/08/2010)
03/08/2010	<a href="#">152</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment, # <a href="#">3</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 03/08/2010)
03/10/2010	<a href="#">154</a>	Ex Parte Document. (smatl, ) (Entered: 03/15/2010)
03/12/2010	<a href="#">153</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment Document, # <a href="#">2</a> Exparte Attachment, # <a href="#">3</a> Exparte Attachment)(Baker, Mitchell) (Entered: 03/12/2010)
03/12/2010	<a href="#">181</a>	Ex Parte Document. (pponi, ) (Entered: 04/29/2010)
03/16/2010	<a href="#">155</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment Document)(Baker, Mitchell) (Entered: 03/16/2010)
03/16/2010	<a href="#">156</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exhibit Document)(Baker, Mitchell) (Entered: 03/16/2010)
03/16/2010	<a href="#">157</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 03/16/2010)
03/16/2010	<a href="#">158</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 03/16/2010)
03/19/2010	<a href="#">163</a>	Ex Parte Document. (smatl, ) (Entered: 03/30/2010)
03/24/2010	<a href="#">159</a>	MOTION to Withdraw as Attorney by Martin Stuart by David A. Banks. (Stuart, Martin) (Entered: 03/24/2010)
03/25/2010	<a href="#">160</a>	ORDER Regarding Motion to Withdraw; <a href="#">159</a> Motion to Withdraw as Attorney as to David A. Banks (1) is DENIED WITHOUT PREJUDICE. Defendant Banks (via counsel) may re-file a motion to withdraw, but such motion shall comply with this Order and the District's local rules, by Judge Christine M. Arguello on 3/25/2010. (lmwsl, ) (Entered: 03/26/2010)
03/26/2010	<a href="#">161</a>	Amended MOTION to Withdraw as Attorney by Martin Stuart by David A. Banks. (Stuart, Martin) (Entered: 03/26/2010)
03/29/2010	<a href="#">162</a>	ORDER Setting Hearing; :A Hearing on <a href="#">161</a> Amended MOTION to Withdraw as Attorney by Martin Stuart as to David A. Banks is set for 4/12/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello, by Judge Christine M. Arguello on 3/29/2010. (lmwsl, ) (Entered: 03/29/2010)

04/01/2010	<a href="#">164</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 04/01/2010)
04/01/2010	<a href="#">165</a>	MINUTE ORDER Setting Hearing on Motion <a href="#">161</a> MOTION to Withdraw as Attorney by Martin Stuart: Motion Hearing set for 4/12/10, is RESET to 4/5/2010 01:30 PM in Courtroom A 602, by Judge Christine M. Arguello on 4/1/10. (mjg, ) (Entered: 04/01/2010)
04/05/2010	<a href="#">167</a>	Minute Entry for Motion Hearing as to David A. Banks held before Judge Christine M. Arguello on 4/5/2010; Defendant present on bond. <a href="#">161</a> Amended MOTION to Withdraw as Attorney by Martin Stuart is referred to the magistrate judge. Transcript sealed until further order of the court. Bond continued. (Court Reporter Darlene Martinez) (lmwsl, ) (Entered: 04/06/2010)
04/06/2010	166	MEMORANDUM regarding <a href="#">161</a> Amended MOTION to Withdraw as Attorney by Martin Stuart filed by David A. Banks. Motion(s) referred to Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (lmw, ) (Entered: 04/06/2010)
04/06/2010	<a href="#">168</a>	MINUTE ORDER by Judge Christine M. Arguello on 4/6/2010 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes; This matter is before the Court sua sponte. Because a conflict has arisen on the court's docket, the half-day motions hearing regarding discovery and indictment issues currently set for 6/11/10 must be reset. The court currently has the following dates available in June for a half-day hearing: 6/18 (morning), 6/21 (afternoon), 6/22, 6/23 or 6/24. Lead counsel for all parties are DIRECTED to confer and agree upon a date to reset the half-day hearing. Government counsel shall call Chambers (303-335-2174) no later than noon, 4/23/10, with the agreed upon date. (lmwsl, ) (Entered: 04/07/2010)
04/09/2010	169	Ex Parte Order; An exparte hearing on Motion #161 as to David Banks is set for 4/15/2010 at 10:30 a.m. before Magistrate Judge Tafoya in courtroom C201. Defendant Gary Walker and his counsel, Boston Stanton, shall also be present at this hearing. Text Entry Only - No Document Attached. (lmw, ) (Entered: 04/09/2010)
04/13/2010	170	Ex Parte Order; An exparte hearing on Motion #161 as to David Banks is set for 4/19/2010 at 9:00 a.m. before Magistrate Judge Tafoya in courtroom C201. Defendant Gary Walker and his counsel, Boston Stanton, shall also be present at this hearing. This order vacates Ex Parte Order #169. TEXT ENTRY ONLY - NO DOCUMENT ATTACHED. (lmwsl, ) (Entered: 04/13/2010)
04/15/2010	<a href="#">171</a>	Joint MOTION to Continue <i>Motions Hearing</i> by David A. Zirpolo as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A.



		Stewart, David A. Zirpolo, Kendrick Barnes. (Ward, Thomas) (Entered: 04/15/2010)
04/19/2010	<a href="#">172</a>	Minute Entry for proceedings held before Magistrate Judge Kathleen M. Tafoya: Motion Hearing as to David Banks held on April 19, 2010. Defendant David Banks present on bond with Martin Stuart; Defendant Gary Walker present on bond with Boston Stanton. The court addresses attorneys Martin Stuart and Boston Stanton outside of the defendants' presence. Attorney Boston Stanton and defendant Gary Walker are excused from the courtroom. Statements from defendant David Banks and defense counsel Martin Stuart regarding the motion to withdraw. The court GRANTS <a href="#">161</a> Amended MOTION to Withdraw as Attorney by Martin Stuart filed by David A. Banks. Attorney Martin Adam Stuart terminated in case as to David A. Banks. New CJA appointed to represent David Banks. Defendant continued on bond. TEXT ENTRY ONLY-NO DOCUMENT ATTACHED.Martin Adam Stuart withdrawn from case as to David A. Banks (Tape #FTR KMT AM) (lab, ) (Entered: 04/19/2010)
04/19/2010	<a href="#">173</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stuart, Martin) (Entered: 04/19/2010)
04/20/2010	<a href="#">174</a>	ORDER Granting Motion to Reschedule Motions Hearing; <a href="#">171</a> Motion to Continue as to David A. Banks et al. is GRANTED. Motion Hearing is set for 7/9/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello, by Judge Christine M. Arguello on 4/20/2010. (lmwsl, ) (Entered: 04/20/2010)
04/20/2010	<a href="#">176</a>	CJA 20: Appointment of Clifford J. Barnard for David A. Banks by Magistrate Judge Kathleen M. Tafoya on 4/20/2010. (smatl, ) (Entered: 04/22/2010)
04/21/2010	<a href="#">182</a>	Ex Parte Document. (pponi, ) (Entered: 04/29/2010)
04/21/2010	<a href="#">183</a>	Ex Parte Document. (pponi, ) (Entered: 04/29/2010)
04/21/2010	<a href="#">184</a>	Ex Parte Document. (pponi, ) (Entered: 04/29/2010)
04/22/2010	<a href="#">175</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 04/22/2010)
04/23/2010	<a href="#">177</a>	NOTICE OF ATTORNEY APPEARANCE: Clifford J. Barnard appearing for David A. Banks (Barnard, Clifford) (Entered: 04/23/2010)
04/25/2010	<a href="#">178</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> spreadsheet)(Berger, Robert) (Entered: 04/25/2010)
04/26/2010	<a href="#">179</a>	Unopposed MOTION for Extension of Time to File <i>Motions</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 04/26/2010)

04/27/2010	<a href="#">180</a>	MINUTE ORDER GRANTING <a href="#">179</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Motions due by 5/21/2010. Responses due by 6/25/2010. By Judge Christine M. Arguello on 4/27/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 04/27/2010)
05/07/2010	<a href="#">185</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment, # <a href="#">3</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 05/07/2010)
05/07/2010	<a href="#">196</a>	Ex Parte Document. (pponi, ) (Entered: 05/26/2010)
05/11/2010	<a href="#">197</a>	Ex Parte Document. (pponi, ) (Entered: 05/26/2010)
05/13/2010	<a href="#">186</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 05/13/2010)
05/14/2010	<a href="#">187</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stanton, Boston) (Entered: 05/14/2010)
05/18/2010	<a href="#">208</a>	Ex Parte Document. (smatl, ) (Entered: 06/23/2010)
05/18/2010	<a href="#">209</a>	Ex Parte Document. (smatl, ) (Entered: 06/23/2010)
05/21/2010	<a href="#">188</a>	Joint MOTION for Bill of Particulars by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Ward, Thomas) (Entered: 05/21/2010)
05/21/2010	<a href="#">189</a>	Joint MOTION to Dismiss Counts 9, 10, 14, 16, 17, and 18 <i>DUE TO MULTIPLICITY</i> by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo. (Ward, Thomas) (Entered: 05/21/2010)
05/21/2010	<a href="#">190</a>	Joint MOTION to Dismiss <i>Indictment for Inexcusable Pre-Indictment Delay</i> by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Berger, Robert) (Entered: 05/21/2010)
05/21/2010	<a href="#">191</a>	MOTION for Discovery by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 05/21/2010)
05/21/2010	<a href="#">192</a>	MOTION to Dismiss Counts <i>One</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 05/21/2010)
05/21/2010	<a href="#">193</a>	Sealed Document (Attachments: # <a href="#">1</a> Appendix)(Baker, Mitchell) (Entered: 05/21/2010)



05/21/2010	<a href="#">194</a>	MOTION to Seal Document by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 05/21/2010)
05/21/2010	<a href="#">195</a>	Sealed Document (Baker, Mitchell) (Entered: 05/21/2010)
05/26/2010	<a href="#">198</a>	ORDER granting <a href="#">194</a> Joint Motion to Seal Document as to David A. Banks (1), et al. by Judge Christine M. Arguello on 5/26/10. (mjg, ) (Entered: 05/26/2010)
05/27/2010	<a href="#">199</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 05/27/2010)
06/01/2010	<a href="#">200</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 06/01/2010)
06/01/2010	<a href="#">210</a>	Ex Parte Document. (smatl, ) (Entered: 06/23/2010)
06/01/2010	<a href="#">212</a>	Ex Parte Document. (pponi, ) (Entered: 06/25/2010)
06/08/2010	<a href="#">201</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 06/08/2010)
06/10/2010	<a href="#">202</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 06/10/2010)
06/11/2010	<a href="#">217</a>	Ex Parte Document. (pponi, ) (Entered: 06/25/2010)
06/13/2010	<a href="#">203</a>	Ex Parte Document. (Berger, Robert) (Entered: 06/13/2010)
06/17/2010	<a href="#">204</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exhibit)(Baker, Mitchell) (Entered: 06/17/2010)
06/18/2010	<a href="#">205</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stanton, Boston) (Entered: 06/18/2010)
06/18/2010	<a href="#">206</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Berger, Robert) (Entered: 06/18/2010)
06/18/2010	<a href="#">207</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Stanton, Boston) (Entered: 06/18/2010)
06/22/2010	<a href="#">220</a>	Ex Parte Document. (pponi, ) (Entered: 06/28/2010)
06/23/2010	<a href="#">219</a>	Ex Parte Document. (pponi, ) (Entered: 06/28/2010)
06/24/2010	<a href="#">211</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">191</a> MOTION for Discovery (Kirsch, Matthew) (Entered: 06/24/2010)
06/25/2010	<a href="#">213</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">188</a> Joint MOTION for Bill of Particulars (Kirsch, Matthew) (Entered: 06/25/2010)

06/25/2010	<a href="#">214</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">189</a> Joint MOTION to Dismiss Counts 9, 10, 14, 16, 17, and 18 <i>DUE TO MULTIPLICITY</i> (Kirsch, Matthew) (Entered: 06/25/2010)
06/25/2010	<a href="#">215</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">190</a> Joint MOTION to Dismiss <i>Indictment for Inexcusable Pre-Indictment Delay</i> (Kirsch, Matthew) (Entered: 06/25/2010)
06/25/2010	<a href="#">216</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">192</a> MOTION to Dismiss Counts <i>One</i> (Kirsch, Matthew) (Entered: 06/25/2010)
06/25/2010	<a href="#">218</a>	RESPONSE by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re: <a href="#">193</a> Sealed Document (Kirsch, Matthew) (Entered: 06/25/2010)
06/28/2010	<a href="#">221</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 06/28/2010)
06/29/2010	<a href="#">222</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 06/29/2010)
06/30/2010	<a href="#">223</a>	MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 06/30/2010)
06/30/2010	<a href="#">224</a>	Joint MOTION to Disclose Grand Jury Material to Defendant <i>Subpoenas for Bank Records</i> by Clinton A. Stewart as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Berger, Robert) (Entered: 06/30/2010)
06/30/2010	<a href="#">225</a>	MOTION to Suppress <i>Statements</i> by David A. Banks. (Barnard, Clifford) (Entered: 06/30/2010)
06/30/2010	<a href="#">226</a>	Joint MOTION for Extension of Time to File <i>Suppression Motions</i> by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Ward, Thomas) (Entered: 06/30/2010)
06/30/2010	<a href="#">227</a>	MOTION to Suppress by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 06/30/2010)
07/02/2010	<a href="#">228</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo,

		Kendrick Barnes re <a href="#">224</a> Joint MOTION to Disclose Grand Jury Material to Defendant <i>Subpoenas for Bank Records</i> (Kirsch, Matthew) (Entered: 07/02/2010)
07/05/2010	<a href="#">241</a>	Ex Parte Document. (smatl, ) (Entered: 07/09/2010)
07/05/2010	<a href="#">242</a>	Ex Parte Document. (smatl, ) (Entered: 07/09/2010)
07/07/2010	229	MINUTE ORDER granting <a href="#">226</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Defendants' suppression motions shall be due 07/16/2010. Government responses shall be due 08/16/2010. SO ORDERED BY Judge Christine M. Arguello on 07/07/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 07/07/2010)
07/07/2010	<a href="#">230</a>	TRANSCRIPT of Status Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 12/18/09 before Judge Arguello. Pages: 1-29. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 10/8/2010. (Martinez, Darlene) (Entered: 07/07/2010)
07/07/2010	<a href="#">231</a>	RESPONSE in Opposition by Kendrick Barnes re <a href="#">223</a> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> (Goodreid, Thomas) (Entered: 07/07/2010)
07/07/2010	232	VACATED: ORDER granting <a href="#">224</a> Motion to Disclose Grand Jury Material as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). The Court hereby ORDERS disclosure of a copy of the subpoenas issued and witnesses' production for bank records before grand Juries 0-1 and 06-1 and any other grand juries, to the attorneys for the Defendants in this matter, with the conditions previously imposed by this Court regarding grand jury material. SO ORDERED BY Judge Christine M. Arguello on 07/07/10. TEXT ONLY ENTRY - NO

		DOCUMENT ATTACHED (cmasec) Modified on 7/7/2010 to add vacated to text, see 233. (tllsl, ). (Entered: 07/07/2010)
07/07/2010	233	ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 232 Order on Motion to Disclose Grand Jury Material,, <a href="#">224</a> Joint MOTION to Disclose Grand Jury Material to Defendant <i>Subpoenas for Bank Records</i> filed by Clinton A. Stewart. The Court hereby VACATES 232 Order granting Motion to Disclose Grand Jury Material. <a href="#">224</a> Joint MOTION to Disclose Grand Jury Material is REINSTATED. SO ORDERED BY Judge Christine M. Arguello on 07/07/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 07/07/2010)
07/08/2010	<a href="#">234</a>	RESPONSE/BRIEF in Opposition by Clinton A. Stewart to <a href="#">223</a> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> (Berger, Robert) Modified on 7/9/2010 to correct a typo(tllsl, ). (Entered: 07/08/2010)
07/08/2010	<a href="#">235</a>	RESPONSE in Opposition by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">223</a> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> (Baker, Mitchell) (Entered: 07/08/2010)
07/08/2010	<a href="#">236</a>	RESPONSE in Opposition by David A. Banks re <a href="#">223</a> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> (Barnard, Clifford) (Entered: 07/08/2010)
07/08/2010	<a href="#">237</a>	RESPONSE in Opposition by Gary L. Walker re <a href="#">223</a> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> MOTION to Modify <a href="#">72</a> Order on Motion to Modify,, Order on Motion to Join,,, <i>Regarding Disclosure of Grand Jury Materials</i> (Stanton, Boston) (Entered: 07/08/2010)
07/09/2010	238	Minute Entry for proceedings held before Judge Christine M. Arguello: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes held on 7/9/2010 Appearances: Matthew Kirsch and Suneeta Hazra on behalf of the Government; Clifford Barnard on behalf of Defendant Banks; Mitchell Baker on behalf of Defendant Harper; Boston Stanton,

Jr. on behalf of Defendant Walker; Robert Berger on behalf of Defendant Stewart; Thomas Ward on behalf of Defendant Zirpolo; Thomas Goodreid on behalf of Defendant Barnes. Defendants present; on bond. Taking under advisement [224](#) Motion to Disclose Grand Jury Material as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) - SUPPLEMENTAL BRIEFING ON [224](#) DUE ON OR BEFORE JULY 23, 2010; taking under advisement [188](#) Motion for Bill of Particulars AS TO UNINDICTED CO-CONSPIRATORS ONLY - SUPPLEMENTAL BRIEFING ON UNINDICTED CO-CONSPIRATORS DUE ON OR BEFORE JULY 23, 2010 - DENYING the rest of [188](#) motion as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); denying [189](#) Motion to Dismiss Counts as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5); denying [190](#) Motion to Dismiss as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); denying as moot [191](#) Motion for Discovery as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); denying [192](#) Motion to Dismiss Counts as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); denying (193); granting [223](#) Motion to Modify as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). ORDERED: The Modified Disclosure Order [72](#) is VACATED and the Disclosure Order [47](#) is REINSTATED. Distribution of grand jury materials shall be limited to defense counsel only. The defendants shall return to their respective counsel all paper copies of the grand jury materials in their possession and/or under their control, including but not limited to those in the possession of any third parties to whom defendants implicitly or explicitly provided access within 5 days of entry of this Order. Defendants shall destroy all electronic copies of the grand jury materials which they have under their control, whether they exist on disk, on a computer, in e-mail, audio recording, or however they are held within 5 days of entry of this Order. Defense counsel shall certify with this court that their respective clients have complied with this Order regarding the return and/or destruction of the grand jury materials in their clients possession or under their control within 5 days of this Order. ORDERED: Exhibit 1 admitted and shall be SEALED and available to defense counsel ONLY. ORDERED: Minute Order 229 is AMENDED in that Government's Responses are due August 2, 2010. Defendants' bond continued. (Hearing time: 9:11-10:37)TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter Darlene Martinez) (cmacd ) (Entered: 07/09/2010)



07/09/2010	<a href="#">239</a>	Sealed Document-exhibit to entry 238. (tllsl, ) (Entered: 07/09/2010)
07/09/2010	<a href="#">240</a>	Corrected TRANSCRIPT to correct Case No. on Title Page of Status Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 12/18/09 before Judge Arguello. Pages: 1-29. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 10/12/2010. (Martinez, Darlene) (Entered: 07/09/2010)
07/12/2010	<a href="#">243</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 07/12/2010)
07/13/2010	<a href="#">244</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 07/13/2010)
07/14/2010	<a href="#">245</a>	STATEMENT of Compliance with Court's Modified Grand Jury Order by Defendant Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit Photograph)(Goodreid, Thomas) (Entered: 07/14/2010)
07/14/2010	<a href="#">246</a>	STATEMENT re 238 Order on Motion to Disclose Grand Jury Material to Modify; Certificate of Compliance; by Defendant Clinton A. Stewart (Berger, Robert) Modified on 7/15/2010 to clean up text (tllsl, ). (Entered: 07/14/2010)
07/15/2010	<a href="#">247</a>	Second MOTION for Extension of Time to File <i>Motion to Supress</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 07/15/2010)
07/15/2010	<a href="#">248</a>	STATEMENT re 238 Order on Motion to Disclose Grand Jury Material. Certification of Compliance by Defendant Demetrius K. Harper (Baker, Mitchell) Modified on 7/16/2010 to clean up text (tllsl, ). (Entered: 07/15/2010)
07/15/2010	<a href="#">269</a>	Ex Parte Document. (pponi, ) (Entered: 08/04/2010)
07/15/2010	<a href="#">270</a>	Ex Parte Document. (pponi, ) (Entered: 08/04/2010)
07/15/2010	<a href="#">271</a>	Ex Parte Document. (pponi, ) (Entered: 08/04/2010)

07/16/2010	<a href="#">249</a>	STATEMENT re 238 Order on Motion to Disclose Grand Jury Material. Certificate of Compliance by Defendant David A. Banks (Barnard, Clifford) Modified on 7/16/2010 to clean up text (tllsl, ). (Entered: 07/16/2010)
07/16/2010	<a href="#">250</a>	STATEMENT <i>Re: Certificate of Compliance with Court's Modified Grand Jury Order [# 238]</i> by Defendant Gary L. Walker (Stanton, Boston) (Entered: 07/16/2010)
07/16/2010	<a href="#">251</a>	AMENDED STATEMENT to <a href="#">250</a> re 238 Order on Motion to Disclose Grand Jury Material. by Defendant Gary L. Walker (Stanton, Boston) Modified on 7/19/2010 to add linkage and to clean up text (tllsl, ). (Entered: 07/16/2010)
07/16/2010	<a href="#">268</a>	Ex Parte Document. (pponi, ) (Entered: 08/04/2010)
07/19/2010	<a href="#">252</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Baker, Mitchell) (Entered: 07/19/2010)
07/19/2010	<a href="#">253</a>	STATEMENT re 238 Order on Motion to Disclose Grand Jury Material. Statement of Compliance with Court's Modified Order Concerning Grand Jury Materials by Defendant David A. Zirpolo (Ward, Thomas) Modified on 7/20/2010 to clean up text (tllsl, ). (Entered: 07/19/2010)
07/23/2010	<a href="#">254</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">224</a> Joint MOTION to Disclose Grand Jury Material to Defendant <i>Subpoenas for Bank Records</i> (Hazra, Suneeta) (Entered: 07/23/2010)
07/23/2010	<a href="#">255</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">188</a> Joint MOTION for Bill of Particulars (Hazra, Suneeta) (Entered: 07/23/2010)
07/23/2010	<a href="#">256</a>	SUPPLEMENT TO PREVIOUS MOTION FOR BILL OF PARTICULARS <a href="#">188</a> by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Goodreid, Thomas) Modified on 8/5/2010 to add linkage (tllsl, ). (Entered: 07/23/2010)
07/23/2010	<a href="#">257</a>	Joint MOTION to Suppress <i>Search and Seizure</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit)(Baker, Mitchell) (Entered: 07/23/2010)
07/23/2010	<a href="#">258</a>	Supplemental to <a href="#">224</a> MOTION to Disclose Grand Jury Material to Defendant by Clinton A. Stewart as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo,

		Kendrick Barnes. (Berger, Robert) Modified on 7/26/2010 to add linkage, and to clarify that this is a supplement to a motion, not a motion. (tlsl, ). (Entered: 07/23/2010)
07/27/2010	<a href="#">276</a>	Ex Parte Document. (pponi, ) (Entered: 08/23/2010)
07/29/2010	<a href="#">259</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Appendix, # <a href="#">3</a> Exparte Attachment)(Baker, Mitchell) (Entered: 07/29/2010)
07/30/2010	<a href="#">260</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment, # <a href="#">3</a> Exparte Attachment)(Baker, Mitchell) (Entered: 07/30/2010)
07/30/2010	<a href="#">261</a>	Joint MOTION for Discovery by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit)(Baker, Mitchell) Modified on 7/30/2010 to reflect correct motion event(mjg2, ). (Entered: 07/30/2010)
07/30/2010	<a href="#">262</a>	NOTICE of Intent to Use Evidence by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> curriculum vitae)(Hazra, Suneeta) (Entered: 07/30/2010)
08/02/2010	<a href="#">263</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">225</a> MOTION to Suppress <i>Statements</i> , <a href="#">227</a> MOTION to Suppress <i>Statements</i> (Kirsch, Matthew) (Entered: 08/02/2010)
08/02/2010	<a href="#">264</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">257</a> Joint MOTION to Suppress <i>Search and Seizure</i> (Attachments: # <a href="#">1</a> Exhibit Search Warrant Application & Affidavit)(Kirsch, Matthew) (Entered: 08/02/2010)
08/02/2010	<a href="#">265</a>	MOTION to Continue <i>Suppression Hearing</i> by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 08/02/2010)
08/03/2010	266	Utility Setting Hearings as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: One-day expert and severance hearing set for 12/10/2010 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Entry per <a href="#">123</a> . TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd) (Entered: 08/03/2010)



08/03/2010	267	ORDER granting <a href="#">265</a> Motion to Continue as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). The two-day motions hearing in this matter, currently set for 08/12/2010, is VACATED. Counsel for all parties shall call Chambers (303-335-2174) via conference call on 09/01/2010 to reset this hearing, if necessary. SO ORDERED BY Judge Christine M. Arguello on 08/03/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 08/03/2010)
08/05/2010	<a href="#">277</a>	Ex Parte Document. (pponi, ) (Entered: 08/23/2010)
08/10/2010	<a href="#">290</a>	Ex Parte Document. (pponi, ) (Entered: 09/24/2010)
08/12/2010	<a href="#">272</a>	TRANSCRIPT of Motions Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 7/9/10 before Judge Arguello. Pages: 1-65. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/15/2010. (Martinez, Darlene) (Entered: 08/12/2010)
08/12/2010	<a href="#">273</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 08/12/2010)
08/13/2010	<a href="#">274</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 08/13/2010)
08/13/2010	<a href="#">275</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 08/13/2010)
08/23/2010	<a href="#">278</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">261</a> MOTION for Discovery (Kirsch, Matthew) (Entered: 08/23/2010)
08/24/2010	279	ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">278</a> Response to Motion filed by USA, <a href="#">261</a> MOTION for Discovery filed by Demetrius K. Harper. Defendants are directed to file a reply with the Court no later than 08/31/2010, indicating whether the Government is

		correct that Defendants' <a href="#">261</a> Motion for Discovery is moot and the requested discovery has now been provided. SO ORDERED BY Judge Christine M. Arguello on 08/24/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 08/24/2010)
08/24/2010	<a href="#">280</a>	Joint MOTION for Extension of Time to File <i>Disclosures from a Particular Expert</i> by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Goodreid, Thomas) (Entered: 08/24/2010)
08/30/2010	<a href="#">281</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 08/30/2010)
08/30/2010	282	ORDER Granting <a href="#">280</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) by Judge Christine M. Arguello on 8/30/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 08/30/2010)
08/30/2010	<a href="#">283</a>	Joint MOTION for Order <i>for notice regarding out-of-court statements</i> by Clinton A. Stewart as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Berger, Robert) (Entered: 08/30/2010)
08/30/2010	<a href="#">284</a>	Unopposed MOTION for Extension of Time to File <i>Expert Disclosures</i> by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Baker, Mitchell) (Entered: 08/30/2010)
08/31/2010	<a href="#">285</a>	REPLY TO RESPONSE to Motion by Demetrius K. Harper as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">261</a> MOTION for Discovery (Baker, Mitchell) (Entered: 08/31/2010)
09/01/2010	286	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes : Pursuant to a telephone conference between counsel and Chambers staff, a two-day Evidentiary Hearing is set for 11/4/2010 and 11/5/2010, beginning 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. SO ORDERED by Judge Christine M. Arguello on 9/1/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 09/01/2010)
09/07/2010	287	MINUTE ORDER granting <a href="#">284</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Defendants shall have to and including 09/30/2010 to file Initial Expert Disclosures; to and including 11/05/2010 to file Rebuttal Expert Disclosures; and to and including 11/30/2010 to file Responses to

		Rebuttal Experts. SO ORDERED BY Judge Christine M. Arguello on 09/07/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 09/07/2010)
09/09/2010	<a href="#">292</a>	Ex Parte Document. (pponi, ) (Entered: 09/29/2010)
09/09/2010	<a href="#">293</a>	Ex Parte Document. (pponi, ) (Entered: 09/29/2010)
09/09/2010	<a href="#">294</a>	Ex Parte Document. (pponi, ) (Entered: 09/29/2010)
09/10/2010	<a href="#">288</a>	NOTICE of Supplemental Authority re <a href="#">225</a> MOTION to Suppress Statements, <a href="#">227</a> MOTION to Suppress by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 09/10/2010)
09/14/2010	<a href="#">289</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> spreadsheet 6a, # <a href="#">2</a> spreadsheet 6b)(Berger, Robert) (Entered: 09/14/2010)
09/22/2010	<a href="#">295</a>	Ex Parte Document. (pponi, ) (Entered: 09/30/2010)
09/24/2010	<a href="#">291</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 09/24/2010)
09/30/2010	<a href="#">296</a>	Unopposed MOTION for Extension of Time to File <i>Expert Disclosures</i> by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Stanton, Boston) (Entered: 09/30/2010)
10/04/2010	<a href="#">300</a>	Ex Parte Document. (pponi, ) (Entered: 10/13/2010)
10/05/2010	<a href="#">301</a>	Ex Parte Document. (pponi, ) (Entered: 10/13/2010)
10/06/2010	297	MINUTE ORDER granting <a href="#">296</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Defendants shall have to and including 10/08/2010 to provide their disclosures relating to a forensic computer expert. SO ORDERED BY Judge Christine M. Arguello on 10/06/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 10/06/2010)
10/08/2010	<a href="#">298</a>	NOTICE of Intent to Use Evidence by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit Attachment A -- Expert CV, # <a href="#">2</a> Exhibit Attachment B -- Summary of Testimony)(Ward, Thomas) (Entered: 10/08/2010)
10/12/2010	<a href="#">299</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 10/12/2010)
10/15/2010	<a href="#">308</a>	Ex Parte Document. (pponi, ) (Entered: 11/03/2010)
10/25/2010	<a href="#">302</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Appendix, # <a href="#">2</a> Exparte Attachment)(Baker, Mitchell) (Entered: 10/25/2010)

10/26/2010	<a href="#">303</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 10/26/2010)
10/27/2010	<a href="#">304</a>	Government's Proffer and Response to Motion for Notice of the Government's Intention to Offer Out-of-Court Statements and the Rule of Evidence It Will Rely Upon for Admission [#283] by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit James Log, # <a href="#">3</a> Exhibit 1, # <a href="#">4</a> Exhibit 2, # <a href="#">5</a> Exhibit 3, # <a href="#">6</a> Exhibit 4, # <a href="#">7</a> Exhibit 5, # <a href="#">8</a> Exhibit 6, # <a href="#">9</a> Exhibit 7, # <a href="#">10</a> Exhibit 8, # <a href="#">11</a> Exhibit 9, # <a href="#">12</a> Exhibit 10, # <a href="#">13</a> Exhibit 11, # <a href="#">14</a> Exhibit 12, # <a href="#">15</a> Exhibit 13, # <a href="#">16</a> Exhibit 14, # <a href="#">17</a> Exhibit 15)(Kirsch, Matthew) (Entered: 10/27/2010)
10/28/2010	<a href="#">305</a>	Ex Parte Document--order for 303. (romsl, ) (Entered: 10/28/2010)
10/28/2010	<a href="#">306</a>	Ex Parte Document--Order for Motion no. 302. (romsl, ) (Entered: 10/28/2010)
11/02/2010	<a href="#">307</a>	Unopposed MOTION for Extension of Time to File Response/Reply as to <a href="#">298</a> Notice of Intent to Use Evidence, by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 11/02/2010)
11/03/2010	309	ORDER granting <a href="#">307</a> Motion for Extension of Time to File Response/Reply as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). The Government shall have to and including 11/15/2010 within which to file its response to Defendants' Joint Expert Disclosure <a href="#">298</a> . SO ORDERED BY Judge Christine M. Arguello on 11/03/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 11/03/2010)
11/03/2010	<a href="#">310</a>	Second MOTION to Excuse and Substitute Attorney by Gary L. Walker. (Stanton, Boston) (Entered: 11/03/2010)
11/04/2010	312	Minute Entry for proceedings held before Judge Christine M. Arguello: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/4/2010. APPEARANCES: Matthew Kirsch and Sunetta Hazra on behalf of the Government; Clifford Barnard on behalf of Defendant Banks; Mitch Baker on behalf of Defendant Harper; Boston Stanton on behalf of Defendant Walker; Robert Berger on behalf of Defendant Stewart; Thomas Ward on behalf of Defendant Zirpolo; Thomas Goodreid on behalf of Defendant Barnes. Defendants present; on bond. DENYING <a href="#">224</a> Motion to Disclose Grand Jury Material as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); TAKING UNDER ADVISEMENT <a href="#">225</a> Motion to Suppress as to David A. Banks (1); TAKING UNDER ADVISEMENT <a href="#">257</a> Motion to Suppress as to

		David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5); DENYING AS MOOT <a href="#">261</a> Motion for Discovery as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); DENYING AS MOOT <a href="#">188</a> Motion for Bill of Particulars as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); TAKING UNDER ADVISEMENT <a href="#">227</a> Motion to Suppress as to Demetrius K. Harper (2); DENYING WITHOUT PREJUDICE <a href="#">283</a> Motion for Order as to David A. Banks, Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); GRANTING 310 Motion to Excuse as to Gary L. Walker (3). SWORN AND TESTIFIED on behalf of the Government: John W. Smith, Robert L. Fricke, Blake G. Hamilton, Ronald C. Madd, Eric Black. EXHIBITS RECEIVED: 1, 2, 3, 4, 5, 6, 7, A, B, C, D, E, F, G. DEADLINES: The parties shall submit a joint briefing scheduling on the Motions to Suppress <a href="#">225</a> , <a href="#">227</a> , <a href="#">257</a> on or before November 9, 2010. Defendants' Responses to the James proffer <a href="#">298</a> due November 12, 2010. Defendants shall advise the Court on or before November 19, 2010 as to the trial status. Defendants' bonds continued. (Hearing time:9:07-5:18)(Court Reporter Darlene Martinez)TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 11/05/2010)
11/05/2010	<a href="#">311</a>	CJA 24 (Berger, Robert) (Entered: 11/05/2010)
11/05/2010	<a href="#">313</a>	CJA 24 (Barnard, Clifford) (Entered: 11/05/2010)
11/08/2010	<a href="#">314</a>	Partial TRANSCRIPT of Motions Hearing -- Testimony of E. Black as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/4/10 before Judge Arguello. Pages: 1-64. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/10/2011. (Martinez, Darlene) (Entered: 11/08/2010)
11/09/2010	<a href="#">315</a>	STATUS REPORT ( <i>proposed briefing schedule</i> ) by All Parties as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A.

		Stewart, David A. Zirpolo, Kendrick Barnes (Barnard, Clifford) (Entered: 11/09/2010)
11/10/2010	316	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. The Briefing Schedule set out in <a href="#">315</a> is approved and made an Order of Court. SO ORDERED by Judge Christine M. Arguello on 11/10/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 11/10/2010)
11/12/2010	<a href="#">317</a>	Motion for James Hearing and Response to Government's James proffer by David A. Zirpolo <a href="#">304</a> . (Ward, Thomas) Modified on 11/15/2010 to add linkage (romsl, ). (Entered: 11/12/2010)
11/12/2010	<a href="#">318</a>	Objection to <i>James Proffer</i> by David A. Banks as to David A. Banks, Demetrius K. Harper, Clinton A. Stewart (Barnard, Clifford) (Entered: 11/12/2010)
11/12/2010	<a href="#">319</a>	Opposition to <i>Government's James Proffer</i> by Kendrick Barnes (Goodreid, Thomas) (Entered: 11/12/2010)
11/12/2010	<a href="#">320</a>	Objection to <i>James Proffer</i> by Gary L. Walker (Stanton, Boston) (Entered: 11/12/2010)
11/14/2010	<a href="#">321</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> spreadsheet #7)(Berger, Robert) (Entered: 11/14/2010)
11/15/2010	<a href="#">322</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 11/15/2010)
11/15/2010	<a href="#">323</a>	GOVERNMENT'S MOTION TO EXCLUDE TESTIMONY by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re: <a href="#">298</a> Notice of Intent to Use Evidence, filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, David A. Banks, Gary L. Walker <i>Government's Motion to Exclude Testimony Pursuant to Fed.R. Evid.702 and for Pre-Trial Hearing</i> (Kirsch, Matthew) Modified on 12/3/2010 to correct filing type (romsl, ). (Entered: 11/15/2010)
11/18/2010	<a href="#">324</a>	Joint MOTION to Continue <i>Jury Trial</i> by David A. Banks as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Barnard, Clifford) (Entered: 11/18/2010)
11/18/2010	<a href="#">379</a>	Ex Parte Document. (pponi, ) (Entered: 02/03/2011)
11/19/2010	325	Minute Entry for proceedings held before Judge Christine M. Arguello: James Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes held on 11/19/2010. Appearances: Matthew Kirsch on behalf of the Government; Clifford Barnard on behalf of Defendant Banks; Mitch



		Baker on behalf of Defendant Harper; Boston Stanton on behalf of Defendant Walker; Robert Berger on behalf of Defendant Stewart; Thomas Ward on behalf of Defendant Zirpolo; Thomas Goodreid on behalf of Defendant Barnes. Defendants present; on bond. Sworn and testified on behalf of the Government: John W. Smith. Exhibits received: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 26, 28, 31, 29, 34, 33, 32, 35, 17, 19, 20, 23, 25. Defendants' Objections to the Government's James Proffer is overruled. Government's James Supplements due on or before November 29, 2010. Granting <a href="#">324</a> Motion to Continue as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes; Order to follow. Six-week Jury Trial reset to 5/23/2011 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Trial Preparation Conference reset to 5/13/2011 at 01:00 PM in Courtroom A 602 before Judge Christine M. Arguello. Defendants bonds continued. (Hearing time:9:09 -12:07) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 11/19/2010)
11/19/2010	<a href="#">326</a>	CJA 24 (Berger, Robert) (Entered: 11/19/2010)
11/22/2010	<a href="#">327</a>	ORDER by Judge Christine M. Arguello on 11/22/2010 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes granting <a href="#">324</a> Joint MOTION to Continue Jury Trial filed by David A. Banks (120 days tolled). Trial Preparation Conference set for 5/13/2011 at 01:00 PM in Courtroom A 602 before Judge Christine M. Arguello. Jury Trial set for 5/23/2011 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. (romsl, ) (Entered: 11/22/2010)
11/23/2010	<a href="#">329</a>	Ex Parte Document. (pponi, ) (Entered: 11/30/2010)
11/24/2010	<a href="#">328</a>	SUPPLEMENT to <i>James Proffer</i> to <a href="#">304</a> Govt's Proffer,, by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Exhibit, # <a href="#">9</a> Exhibit, # <a href="#">10</a> Exhibit, # <a href="#">11</a> Exhibit, # <a href="#">12</a> Exhibit, # <a href="#">13</a> Exhibit, # <a href="#">14</a> Exhibit, # <a href="#">15</a> Exhibit, # <a href="#">16</a> Exhibit, # <a href="#">17</a> Exhibit, # <a href="#">18</a> Exhibit, # <a href="#">19</a> Exhibit, # <a href="#">20</a> Exhibit, # <a href="#">21</a> Exhibit, # <a href="#">22</a> Exhibit, # <a href="#">23</a> Exhibit, # <a href="#">24</a> Exhibit)(Kirsch, Matthew) (Entered: 11/24/2010)
12/03/2010	<a href="#">330</a>	Partial TRANSCRIPT of Motions Hearing - Testimony as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/4/10 before Judge Arguello. Pages: 1-161. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact,</b>

		<p><b>of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> &lt;/P&gt; Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/7/2011. (Martinez, Darlene) (Entered: 12/03/2010)</p>
12/03/2010	331	<p>ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. This matter is before the Court sua sponte. A combined Daubert and severance motions hearing is scheduled for 12/10/2010 at 9:00 AM. During the 12/18/2009 Status Conference, the Court directed that any severance motions shall be filed 10 days after the Court's ruling on any objections to the Government's James Proffer. During the 11/19/2010 James hearing, the Court reserved ruling on some of Defendants' objections to the Government's James Proffer. The Court's rulings on the remaining issues are outstanding and, thus, the deadline for filing severance motions has not yet passed. Accordingly, in the interest of convenience to all parties, the combined Daubert and severance motions hearing scheduled for 12/10/2010 is VACATED and will be RESET after the deadline to file severance motions has passed and the motions are fully-briefed. SO ORDERED BY Judge Christine M. Arguello on 12/03/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 12/03/2010)</p>
12/06/2010	<a href="#">332</a>	<p>Joint MOTION for Extension of Time to File <i>Brief in support of motion to suppress computer searches</i> by Clinton A. Stewart as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Berger, Robert) (Entered: 12/06/2010)</p>
12/08/2010	333	<p>ORDER granting <a href="#">332</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6), as follows: due date for Defendants' brief in support of motion to suppress computer searches shall be extended to 12/27/2010; Government response shall be due 01/10/2011; and Defendants' reply shall be due 01/14/2011. SO ORDERED BY Judge Christine M. Arguello on 12/08/10. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 12/08/2010)</p>
12/09/2010	<a href="#">334</a>	<p>MOTION to Suppress <i>Memorandum of Support of Motion</i> by Demetrius K. Harper. (Baker, Mitchell) (Entered: 12/09/2010)</p>



12/09/2010	<a href="#">335</a>	BRIEF by David A. Banks re: <a href="#">225</a> MOTION to Suppress <i>Statements</i> filed by David A. Banks (Barnard, Clifford) (Entered: 12/09/2010)
12/10/2010	<a href="#">336</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 12/10/2010)
12/10/2010	<a href="#">337</a>	SUPPLEMENT to <i>Response in Opposition to Motions to Suppress</i> to <a href="#">225</a> MOTION to Suppress <i>Statements</i> , <a href="#">263</a> Response in Opposition, <a href="#">227</a> MOTION to Suppress by USA as to David A. Banks, Demetrius K. Harper (Kirsch, Matthew) (Entered: 12/10/2010)
12/10/2010	<a href="#">338</a>	ORDER by Judge Christine M. Arguello on 12/10/2010 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Defendants Banks, Harper, and Stewart's remaining objections to the Government's James Proffer, as set forth in Doc. # 318, are OVERRULED. Pursuant to the Court's December 18, 2009 Order at Doc. # 123, any severance motions are due within 10 days of this Order. (romsl, ) (Entered: 12/10/2010)
12/13/2010	<a href="#">339</a>	STRICKEN MOTION to dismiss counsel and proceed pro se by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (kltsl, ) Modified on 12/17/2010 to add text pursuant to Minute Entry 341 (romsl, ). (Entered: 12/13/2010)
12/13/2010	<a href="#">340</a>	ORDER Setting Hearing by Judge Christine M. Arguello on 12/13/2010 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">339</a> MOTION for Order filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, David A. Banks, Gary L. Walker. Status Conference set for 12/16/2010 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. (tlsl, ) (Entered: 12/13/2010)
12/15/2010	<a href="#">381</a>	Ex Parte Document. (pponi, ) (Entered: 02/04/2011)
12/16/2010	341	Minute Entry for proceedings held before Judge Christine M. Arguello: Status Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 12/16/2010. Appearances: Matthew Kirsch on behalf of the Government; Clifford Barnard on behalf of Defendant Banks; Mitch Baker on behalf of Defendant Harper; Boston Stanton on behalf of Defendant Walker; Robert Berger on behalf of Defendant Stewart; Thomas Ward on behalf of Defendant Zirpolo; Thomas Goodreid on behalf of Defendant Barnes. Defendants present; on bond. Striking with leave to refile by counsel <a href="#">339</a> Motion for Order as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Portions of the transcript are sealed under further order of the Court. Defendants' bonds continued. (Hearing time:9:07-9:45) TEXT ENTRY ONLY - NO

		DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 12/16/2010)
12/16/2010	<a href="#">342</a>	MOTION to Withdraw as Attorney by Thomas E. Goodreid by Kendrick Barnes. (Goodreid, Thomas) (Entered: 12/16/2010)
12/16/2010	<a href="#">343</a>	MOTION to Withdraw as Attorney by Thomas R. Ward by David A. Zirpolo. (Ward, Thomas) (Entered: 12/16/2010)
12/16/2010	<a href="#">344</a>	MOTION to Withdraw as Attorney <i>and Notice of Hearing</i> by Mitchell Baker by Demetrius K. Harper. (Baker, Mitchell) (Entered: 12/16/2010)
12/16/2010	345	MEMORANDUM regarding <a href="#">344</a> MOTION to Withdraw as Attorney and Notice of Hearing by Mitchell Baker filed by Demetrius K. Harper. Motion referred to Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/16/2010)
12/16/2010	346	MEMORANDUM regarding 342 MOTION to Withdraw as Attorney by Thomas E. Goodreid filed by Kendrick Barnes and <a href="#">343</a> MOTION to Withdraw as Attorney by Thomas R. Ward filed by David A. Zirpolo. Motions referred to Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/16/2010)
12/16/2010	347	MINUTE ORDER by Magistrate Judge Kathleen M. Tafoya on 12/6/2010 Setting Hearing on Motion as to Demetrius K. Harper: <a href="#">344</a> MOTION to Withdraw as Attorney by Mitchell Baker. Motion Hearing set for 12/17/2010 11:00 AM in Courtroom C201 before Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/16/2010)
12/16/2010	<a href="#">348</a>	MOTION to Withdraw as Attorney by Clifford J. Barnard by David A. Banks. (Barnard, Clifford) (Entered: 12/16/2010)
12/16/2010	349	MINUTE ORDER by Magistrate Judge Kathleen M. Tafoya on 12/16/2010 Setting Hearing on Motion as to David A. Zirpolo and Kendrick Barnes: <a href="#">343</a> MOTION to Withdraw as Attorney by Thomas R. Ward and 342 MOTION to Withdraw as Attorney by Thomas E. Goodreid. Motion Hearing set for 12/17/2010 11:00 AM in Courtroom C201 before Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/16/2010)
12/16/2010	<a href="#">350</a>	MOTION to Withdraw as Attorney by Boston H. Stanton, Jr. by Gary L. Walker. (Stanton, Boston) (Entered: 12/16/2010)
12/16/2010	<a href="#">351</a>	MOTION to Withdraw as Attorney by Robert S. Berger by Clinton A. Stewart. (Berger, Robert) (Entered: 12/16/2010)

12/17/2010	352	MEMORANDUM regarding 350 MOTION to Withdraw as Attorney by Boston H. Stanton, Jr. filed by Gary L. Walker, <a href="#">348</a> MOTION to Withdraw as Attorney by Clifford J. Barnard filed by David A. Banks and 351 MOTION to Withdraw as Attorney by Robert S. Berger filed by Clinton A. Stewart. Motions referred to Magistrate Judge Kathleen M. Tafoya.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/17/2010)
12/17/2010	353	MINUTE ORDER by Magistrate Judge Kathleen M. Tafoya on 12/17/2010 Setting Hearing on Motions as to David A. Banks, Gary L. Walker and Clinton A. Stewart: <a href="#">348</a> MOTION to Withdraw as Attorney by Clifford J. Barnard, 350 MOTION to Withdraw as Attorney by Boston H. Stanton, Jr. and 351 MOTION to Withdraw as Attorney by Robert S. Berger. Motions Hearing set for 12/20/2010 10:30 AM in Courtroom C203 before Magistrate Judge Michael E. Hegarty.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/17/2010)
12/17/2010	<a href="#">354</a>	MOTION to Continue <i>Dec. 20, 2010 Hearing</i> by David A. Banks. (Barnard, Clifford) (Entered: 12/17/2010)
12/17/2010	355	MEMORANDUM regarding <a href="#">354</a> MOTION to Continue Dec. 20, 2010 Hearing filed by David A. Banks. Motion referred to Magistrate Judge Kristen L. Mix.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/17/2010)
12/17/2010	356	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 12/17/2010 granting <a href="#">354</a> Motion to Continue as to David A. Banks (1). Motion Hearing is RE-set for 12/21/2010 10:00 AM in Courtroom C203 before Magistrate Judge Michael E. Hegarty..TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (romsl, ) (Entered: 12/17/2010)
12/17/2010	<a href="#">357</a>	Sealed Document--Minutes for Hearing held on 12/17/2010. (romsl, ) (Entered: 12/20/2010)
12/17/2010	358	Minute Entry for proceedings held before Magistrate Judge Kathleen M. Tafoya: Motion Hearing as to Demetrius K. Harper, David A. Zirpolo, Kendrick Barnes held on 12/17/2010. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (FTR: KMT AM) (romsl, ) (Entered: 12/20/2010)
12/20/2010	<a href="#">359</a>	TRANSCRIPT of Motions Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/19/10 before Judge Arguello. Pages: 1-130. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the</b>

		<p><b>allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> &lt;/P&gt; Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/24/2011. (Martinez, Darlene) (Entered: 12/20/2010)</p>
12/20/2010	<a href="#">360</a>	<p>Minute Entry for proceedings held before Magistrate Judge Michael E. Hegarty. Motions Hearing as to Gary L. Walker and Clinton A. Stewart held on 12/20/2010 : granting <a href="#">350</a> and granting 351 Motion to Withdraw as Attorney. Robert Seldis Berger and Boston H. Stanton, Jr are withdrawn from case as to Clinton A. Stewart (4) and Gary L. Walker (3). Defendants continued on bond. Hearing concluded. (FTR: MEH AM) (romsl, ) (Entered: 12/20/2010)</p>
12/21/2010	361	<p>MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: This matter is before the Court sua sponte. Pursuant to a December 17, 2010 motions hearing before United States Magistrate Judge Kathleen M. Tafoya 357 and December 20 and 21, 2010 motions hearings before United States Magistrate Judge Michael E. Hegarty 360 , all Defendants are now pro se. On December 10, 2010, this Court ordered Defendants to file any severance motions by December 20, 2010 <a href="#">338</a> . On December 8, 2010, the Court entered an Order 333 setting forth a supplemental briefing schedule in connection with Defendants' Joint Motion to Suppress Search and Seizure <a href="#">257</a> . No severance motions have been filed and supplemental briefing in connection with <a href="#">257</a> has not yet commenced. In light of defense counsel's recent withdrawal and as a courtesy to Defendants, the Court will extend Defendants' time to file severance motions and the supplemental briefing schedule in connection with <a href="#">257</a> by three weeks. Accordingly, IT IS ORDERED THAT Defendants' severance motions are due no later than January 10, 2011. IT IS FURTHER ORDERED THAT the supplemental briefing schedule set forth in 333 is VACATED and the supplemental briefing schedule for Defendants' Joint Motion to Suppress Search and Seizure <a href="#">257</a> is now as follows: Defendants' briefs are due January 17, 2010; the Government's response brief is due January 31, 2011; Defendants' reply brief is due February 4, 2011.SO ORDERED by Judge Christine M. Arguello on 12/21/10.TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd) (Entered: 12/21/2010)</p>
12/21/2010	<a href="#">362</a>	<p>Minute Entry for proceedings held before Magistrate Judge Michael E. Hegarty: Motion Hearing as to David A. Banks (1) held on 12/21/2010. Court GRANTS <a href="#">348</a> Motion to Withdraw as Attorney. Clifford J. Barnard withdrawn from case as to David A. Banks (1). (FTR: MEH AM) (romsl, ) (Entered: 12/22/2010)</p>

12/23/2010	<a href="#">363</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 12/23/2010)
12/23/2010	<a href="#">364</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 12/23/2010)
12/23/2010	<a href="#">365</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 12/23/2010)
12/24/2010	<a href="#">366</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 12/24/2010)
12/24/2010	<a href="#">367</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 12/24/2010)
12/24/2010	<a href="#">368</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 12/24/2010)
12/28/2010	<a href="#">369</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stanton, Boston) (Entered: 12/28/2010)
12/28/2010	<a href="#">370</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment)(Stanton, Boston) (Entered: 12/28/2010)
12/31/2010	<a href="#">371</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Barnard, Clifford) (Entered: 12/31/2010)
01/03/2011	<a href="#">372</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 01/03/2011)
01/03/2011	<a href="#">373</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 01/03/2011)
01/04/2011	<a href="#">382</a>	Ex Parte Document. (pponi, ) (Entered: 02/04/2011)
01/04/2011	<a href="#">391</a>	Ex Parte Document. (smatl, ) (Entered: 03/08/2011)
01/06/2011	<a href="#">383</a>	Ex Parte Document. (pponi, ) (Entered: 02/07/2011)
01/10/2011	<a href="#">374</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Goodreid, Thomas) (Entered: 01/10/2011)
01/18/2011	<a href="#">397</a>	Ex Parte Document. (smatl, ) (Entered: 03/24/2011)
01/24/2011	<a href="#">375</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Berger, Robert) (Entered: 01/24/2011)
01/25/2011	<a href="#">376</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 01/25/2011)
01/26/2011	<a href="#">377</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 01/26/2011)

01/28/2011	<a href="#">378</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 01/28/2011)
02/04/2011	<a href="#">380</a>	ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. This matter is before the Court sua sponte. On 10/08/2010, Defendants filed a Joint Expert Disclosure Statement Pursuant to F.R.Cr.P. 16(b)(1)(C)(i), pursuant to which they disclosed a summary of the planned testimony of Donald E. Vilfer, J.D., CFE, ACE, whom they plan to tender as an expert witness. Doc. <a href="#">298</a> . On 11/15/2010, the Government filed a Motion to Exclude Testimony Pursuant to Fed. R. Evid. 702 and For Pre-Trial Hearing in Response to Defendants' Joint Expert Disclosure [#298]. Doc. <a href="#">323</a> . A review of the docket reveals that Defendants have not filed a response to the Government's Motion. Accordingly, IT IS ORDERED that Defendants shall file a response to the Government's Motion to Exclude BY NO LATER THAN CLOSE OF BUSINESS ON Friday, 02/18/2011. To the extent possible, a single joint response is preferred. Defendants, who are now pro se, are reminded that any response must comply with this Court's rules and the Rules of Criminal Procedure, and no extensions of time will be given without a showing of good cause. SO ORDERED BY Judge Christine M. Arguello on 02/04/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 02/04/2011)
02/04/2011	<a href="#">410</a>	Ex Parte Document. (smatl, ) (Entered: 05/19/2011)
02/09/2011	<a href="#">384</a>	ORDER by Judge Christine M. Arguello on 2/9/2011, denying <a href="#">225</a> and <a href="#">257</a> Motions to Suppress as to David A. Banks, Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). denying <a href="#">227</a> and 334 Motion to Suppress. (tlsl, ) (Entered: 02/10/2011)
02/14/2011	<a href="#">385</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 02/14/2011)
02/14/2011	<a href="#">386</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Baker, Mitchell) (Entered: 02/14/2011)
02/14/2011	<a href="#">411</a>	Ex Parte Document. (smatl, ) (Entered: 05/19/2011)
02/14/2011	<a href="#">413</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">414</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">415</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">416</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">418</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">419</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/14/2011	<a href="#">420</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)



02/15/2011	<a href="#">417</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/16/2011	<a href="#">421</a>	Ex Parte Document. (smatl, ) (Entered: 06/17/2011)
02/16/2011	<a href="#">422</a>	Ex Parte Document. (smatl, ) (Entered: 07/12/2011)
02/18/2011	<a href="#">387</a>	RESPONSE to Motion <a href="#">323</a> to exclude by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (tllsl, ) (Entered: 02/18/2011)
02/21/2011	<a href="#">388</a>	Ex Parte Document. (Baker, Mitchell) (Entered: 02/21/2011)
02/25/2011	<a href="#">423</a>	Ex Parte Document. (smatl, ) (Entered: 07/12/2011)
02/28/2011	<a href="#">389</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 02/28/2011)
03/03/2011	<a href="#">390</a>	Ex Parte Document - Order. (mjgsl, ) (Entered: 03/04/2011)
03/08/2011	<a href="#">392</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment, # <a href="#">2</a> Exparte Attachment, # <a href="#">3</a> Exparte Attachment)(Stanton, Boston) (Entered: 03/08/2011)
03/08/2011	<a href="#">424</a>	Ex Parte Document. (smatl, ) (Entered: 07/21/2011)
03/10/2011	<a href="#">427</a>	Ex Parte Document. (smatl, ) (Entered: 07/25/2011)
03/14/2011	<a href="#">425</a>	Ex Parte Document. (smatl, ) (Entered: 07/22/2011)
03/14/2011	<a href="#">426</a>	Ex Parte Document. (smatl, ) (Entered: 07/22/2011)
03/14/2011	<a href="#">428</a>	Ex Parte Document. (smatl, ) (Entered: 07/25/2011)
03/16/2011	<a href="#">394</a>	JOINT MOTION to Continue trial for 120 days, by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (tllsl, ) (Entered: 03/17/2011)
03/17/2011	395	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">394</a> MOTION to Continue filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, David A. Banks, Gary L. Walker. The Court notes that Defendants' motion does not indicate that they have conferred with Government counsel regarding this motion. It is ORDERED that the Government shall file a statement regarding its position or otherwise respond in writing to Defendants' <a href="#">394</a> Motion NO LATER THAN 5:00 PM on 03/31/2011. SO ORDERED BY Judge Christine M. Arguello on 03/17/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 03/17/2011)
03/24/2011	<a href="#">396</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">394</a> MOTION to Continue <i>May 23, 2011 Trial for 120 Days</i> (Kirsch, Matthew) (Entered: 03/24/2011)

03/25/2011	398	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">394</a> MOTION to Continue filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, David A. Banks, Gary L. Walker. Upon review of the Motion and the Government's <a href="#">396</a> Response, a hearing on Defendants Joint Motion to Continue has been set for 04/01/2011 at 2:30 PM in Courtroom A602 before Judge Christine M. Arguello. Defendants Banks, Harper, Walker, Stewart, Zirpolo and Barnes shall be present at this hearing. SO ORDERED BY Judge Christine M. Arguello on 03/25/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 03/25/2011)
03/29/2011	399	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. This matter is before the Court sua sponte. Because a conflict has arisen on the Court's docket, the Motion Hearing currently set for 04/01/2011 is RESET to 04/04/2011 at 9:00 AM in Courtroom A602. FURTHER ORDERED that the Clerk of the Court shall send a copy of this Minute Order to the Defendants via email at irp.defense@gmail.com. SO ORDERED BY Judge Christine M. Arguello on 03/29/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 03/29/2011)
04/01/2011	<a href="#">400</a>	MOTION to Reschedule Hearing currently set for 4/4/11, at 2:30 p.m. to 8:15 a.m. and for permission to appear via telephone by Gary L. Walker (mjgsl, ) (Entered: 04/01/2011)
04/01/2011	401	ORDER GRANTING <a href="#">400</a> Motion to Continue as to Gary L. Walker (3). The Motion Hearing currently set for 04/04/2011 at 9:00 AM is RESET to 04/04/2011 at 8:15 AM in Courtroom A602 before Judge Christine M. Arguello. FURTHER ORDERED that Defendant Walker is permitted to attend this hearing by telephone. Mr. Walker is DIRECTED to call Chambers (303-335-2174) at five minutes before the appropriate time in order to be transferred to the courtroom to participate in the motion hearing by telephone. Mr. Walker is FURTHER DIRECTED to use a LAND LINE; no cellular, cordless or speaker phones are permitted. SO ORDERED BY Judge Christine M. Arguello on 04/01/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 04/01/2011)
04/01/2011	402	Utility Setting/Resetting Deadlines/Hearings as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: TEXT ONLY ENTRY - NO DOCUMENT ATTACHED( Motion Hearing set for 4/4/2011 08:15 AM in Courtroom A 602 before Judge Christine M. Arguello.), ***Terminate Deadlines and Hearings as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: Utility



		added to include all Defendants. (cmasec) Modified on 4/4/2011 to make public (tllsl, ). (Entered: 04/01/2011)
04/04/2011	403	Minute Entry for proceedings held before Judge Christine M. Arguello: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes held on 4/4/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the Government; Defendants David Banks, Demetrius Harper, Clinton Stewart, David Zirpolo, and Kendrick Barnes appear pro se and on bond. Defendant Gary Walker appears pro se, telephonically, and on bond. ENDS OF JUSTICE FINDING MADE BY THE COURT. MOTION: Granting <a href="#">394</a> Motion to Continue as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), and Kendrick Barnes (6). The Court grants a 130-day continuance from 5/23/11 to 9/30/11. ORDER: Jury trial set for 5/23/11 and Final Trial Preparation Conference set for 5/12/11 are VACATED. HEARINGS: Six-week Jury Trial reset to 9/26/2011 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello; Trial Preparation Conference reset to 9/1/2011 at 01:30 PM in Courtroom A 602 before Judge Christine M. Arguello. Defendants' bonds continued. (Hearing time: 8:25-9:09) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 04/04/2011)
04/08/2011	<a href="#">404</a>	Unopposed MOTION to Disclose Grand Jury Material to Defendant ( <i>Third</i> ) by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 04/08/2011)
04/12/2011	<a href="#">405</a>	ORDER by Judge Christine M. Arguello on 4/12/2011, granting <a href="#">404</a> Third Motion to Disclose Grand Jury Material as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). (tllsl, ) (Entered: 04/12/2011)
04/13/2011	<a href="#">406</a>	Ex Parte Document. (Attachments: # <a href="#">1</a> Exparte Attachment)(Ward, Thomas) (Entered: 04/13/2011)
04/22/2011	<a href="#">407</a>	Ex Parte Document-order for 392- setting hearing. (tllsl, ) (Entered: 04/22/2011)
05/12/2011	<a href="#">408</a>	Sealed Document. (cmacd) (Entered: 05/12/2011)
05/12/2011	409	Minute Entry for proceedings held before Judge Christine M. Arguello: In Court Hearing as to Gary L. Walker held on 5/12/2011. TEXT ENTRY ONLY-NO DOCUMENT ATTACHED. See 408. (Court Reporter: Darlene Martinez) (tllsl, ) (Entered: 05/17/2011)

05/12/2011	<a href="#">412</a>	Ex Parte Document. (smatl, ) (Entered: 05/20/2011)
05/13/2011	<a href="#">441</a>	Ex Parte Document. (smatl, ) (Entered: 09/20/2011)
08/19/2011	<a href="#">429</a>	MOTION for Extension of Time to File Exhibits and Jury Instructions by David A. Banks. (skssl, ) (Entered: 08/19/2011)
08/25/2011	<a href="#">430</a>	MOTION in Limine by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 08/25/2011)
08/26/2011	431	ORDER GRANTING <a href="#">429</a> Motion for Extension of Time to File as to David A. Banks (1) by Judge Christine M. Arguello on 08/26/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 08/26/2011)
08/29/2011	<a href="#">432</a>	MOTION in Limine by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (skssl, ) (Entered: 08/29/2011)
08/29/2011	<a href="#">433</a>	RESPONSE to Motion by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">430</a> Government's MOTION in Limine (skssl, ) (Entered: 08/29/2011)
09/01/2011	434	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Trial Preparation Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/1/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the Government; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes all present pro se and on bond. The parties waive the reporting of jury instructions. MOTION: Granting Government's Motion for Sequestration of Witnesses. DEADLINES: Declarations of Custodians of Records or other Qualified Persons due no later than 9/12/11, close of business; Defendants' proposed Voir Dire Questions due 9/9/11, close of business; Government's Response to Defendants' Proposed Non-Stipulated Instructions due 9/7/11, close of business; Glossary due 9/19/11. Defendants' bonds continued. (Total time in court:1:04 - Hearing time: 2:38 - 1:04) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd) (Entered: 09/01/2011)
09/06/2011	<a href="#">435</a>	TRIAL MEMORANDUM by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 09/06/2011)
09/09/2011	<a href="#">436</a>	Returned Mail by Clinton A. Stewart re <a href="#">433</a> Response to Motion (skssl, ) (Entered: 09/09/2011)

09/09/2011	<a href="#">437</a>	ORDER by Judge Christine M. Arguello on 9/09/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">323</a> MOTION to Exclude filed by USA, <a href="#">430</a> MOTION in Limine filed by USA. (skssl, ) (Entered: 09/12/2011)
09/16/2011	<a href="#">438</a>	Returned Mail for Clinton A. Stewart re 434 Trial Preparation Conference (skssl, ) (Entered: 09/16/2011)
09/19/2011	<a href="#">439</a>	MOTION to Quash <i>Subpoena</i> by Analysts International Corporation as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1)(Nielsen, Dru) Modified on 9/19/2011 to correct spelling (mjgsl, ). (Entered: 09/19/2011)
09/20/2011	440	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">439</a> MOTION to Quash <i>Subpoena</i> filed by Analysts International Corporation. Defendants shall file a response in writing regarding their position as to Doc. # 439 NO LATER THAN 5:00 PM ON 09/21/2011. SO ORDERED BY Judge Christine M. Arguello on 09/20/2011. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 09/20/2011)
09/20/2011	<a href="#">459</a>	Returned Mail by Clinton A. Stewart re <a href="#">437</a> Order (skssl, ) (Entered: 10/05/2011)
09/21/2011	<a href="#">442</a>	Joint MOTION in Limine Challenging Admissibility of Evidence Not Properly Certified Authentic by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (skssl, ) (Entered: 09/22/2011)
09/22/2011	<a href="#">443</a>	ORDER by Judge Christine M. Arguello on 9/22/2011 granting <a href="#">439</a> Motion to Quash Subpoena as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). (skssl, ) (Entered: 09/22/2011)
09/23/2011	<a href="#">444</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">442</a> MOTION in Limine & <i>Trial Brief</i> (Kirsch, Matthew) (Entered: 09/23/2011)
09/26/2011	<a href="#">445</a>	JOINT MOTION to Dismiss Indictment for Speedy Trial Act Violation by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (skssl, ) (Entered: 09/26/2011)
09/26/2011	<a href="#">446</a>	JOINT MOTION for a Change Venue by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (skssl, ) (Entered: 09/26/2011)

09/26/2011	447	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day One held on 9/26/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. Jury of 16 impaneled and sworn. MOTIONS: Denying <a href="#">442</a> Motion in Limine; denying <a href="#">445</a> Motion to Dismiss; denying <a href="#">446</a> Motion for Change of Venue as to all Defendants. Trial continued to 9/27/11. Defendants' bonds continued. (Total in-court time: 5:54 - Hearing time: 8:55 - 5:09) (TEXT ENTRY ONLY - NO DOCUMENT ATTACHED) (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 09/26/2011)
09/26/2011	448	AMENDED 447 MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Amended to include: ORDER: Denying <a href="#">432</a> Motion in Limine as to Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes. TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (cmacd ) (Entered: 09/27/2011)
09/27/2011	<a href="#">449</a>	ORDER Regarding Custody of Exhibits and Depositions by Judge Christine M. Arguello on 9/27/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (skssl, ) (Entered: 09/27/2011)
09/27/2011	450	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Two as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/27/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the plaintiff: Scott Tait, Renee Rodriquez, Remington Green. EXHIBITS ADMITTED: 30.01, 30.02, 1A, 31.00, 32.00, 35.00, 151.00, 151.01, 152.00, 156.02, 156.01, 150.01, 280.01, 280.02, 280.03, 286.02. Trial continued to 9/28/11. Defendants' bonds continued. (Total in-court time: 6:15 - Hearing time: 8:31 - 5:03) (TEXT ENTRY ONLY - NO DOCUMENT ATTACHED) (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 09/27/2011)
09/28/2011	451	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Three as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/28/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the plaintiff: Price Roe, Matthew Sheptock, John Ely, Dean Hale, Donald Crockett, Kathryn Miller, Katherine Holmes, Mel Castleberry, Paul Tran. EXHIBITS ADMITTED: 501.01, 1G, 111, 116.01, 503.01, 390.04, 390.01, 1F,

		391.00, 396.01, 1B, 120.01, 121.01, 121.00, 122.00, 126.01, 61.00, 2.00, 6.00, 66.04, 66.03, 171.00, 171.01, 502.04, 502.01. Juror No. 202382 excused. Trial continued to 9/29/11. Defendants' bonds continued. (Total in-court time: 6:24 - Hearing time: 9:09 - 5:17) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 09/28/2011)
09/29/2011	452	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Four as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/29/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the plaintiff: William Witherspoon, Frank Bello, Valerie Cherry, Corinna Montoya, Karen Chavez, Susan Holland, Leslie Greenfield, Brenda Williams, Gregory Krueger. EXHIBITS ADMITTED: 502.02, 502.03, 505.01, 50.01, 51.00, 56.02, 1I, 1D, 451.00, 456.07, 140.02, 141.00, 146.01 page 2, 146.03, 252.00, 251.00, 290.03, 700.05, 291.00, 321.00, 326.01. Trial continued to 9/30/11. Defendants' bonds continued. (Total in-court time: 6:01 - Hearing time: 8:57 - 4:58) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 09/29/2011)
09/30/2011	453	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Five as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/30/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the plaintiff: Kathy Olson, Susan Slakey. EXHIBITS ADMITTED: 370.02, 371.00, 4.00, 8.00, 376.01, 376.02, 130.01, 130.03, 131.00, 5.00, 10.00, 136.01. Trial continued to 10/3/11. Defendants' bonds continued. (Total in-court time: 2:23 - Hearing time: 9:01 - 11:31) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 09/30/2011)
10/03/2011	454	NOTICE: Exhibits used in the 11/4/10 and 11/19/10 motions hearings returned to parties. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmacd ) Modified on 10/18/2011 to reflect text only entry (skssl, ). (Entered: 10/03/2011)
10/03/2011	<a href="#">455</a>	Returned Mail to Clinton A. Stewart re 440 Minute Order (skssl, ) (Entered: 10/03/2011)
10/03/2011	456	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Six as to David A. Banks, Demetrius K.

		Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/3/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the Government: Louis Quijas, Jonathan Landau, Eileen Bergman, Jeffrey Kelly, Courtney Mullen, Robert Fricke, Dottie Peterson, Frank Santoro, John Smith. EXHIBITS ADMITTED: 160.02, 160.01, 161.00, 161.02, 609.03, 17.00, 18.00, 166.02, 166.03, 166.01, 160.03, 200.05, 200.01, 201.00, 203.00, 3.00, 11.00, 609.01, 9.00, 430.08, 1L, 431.00, 12.00, 16.00, 436.03, 21.00, 608.18, 608.64, 608.65, 608.66, 608.67, 341.00, 342.00, 191.00, 15.00, 24.00, 71.00, 181.00, 221.00, 226.02, 1J, 231.00, 301.00, 300.01, 212.01, 311.00, 331.00, 350.01, 351.00, 381.00. Trial continued to 10/4/11. Defendants' bonds continued. (Total in-court time: 5:54 - Hearing time: 9:04 - 4:49) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 10/03/2011)
10/04/2011	457	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Seven as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/4/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the Government: John Smith, Michael Seeley, Kimberly Carter, Randal Hayes, Jennifer Stephens, Scott Boe, Christopher Skillman, Jesse OGorman. EXHIBITS ADMITTED: 1E, 211.00, 211.01, 401.00, 411.00, 440.01, 441.00, 446.02, 601.01, 608.60, 608.61, 608.62, 608.63, 608.73 page 7, 609.04, 609.05, 609.06, 700.06, 1M, 261.00, 20.00, 23.00, 420.01, 421.00, 420.04, 7.00, 14.00, 361.00, 362.00, 90.01, 90.04, 91.01, 13.00, 19.00, 609.07, 1H, 606.01, 608.04, 608.76, 1N, 81.00. Trial continued to 10/5/11. Defendants' bonds continued. (Total in-court time: 5:47 - Hearing time: 8:58 - 4:50) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd) (Entered: 10/04/2011)
10/04/2011	<a href="#">458</a>	Sealed Document - Financial Affidavit (mjgsl, ) (Entered: 10/05/2011)
10/05/2011	<a href="#">460</a>	CJA 24 (skssl, ) (Entered: 10/05/2011)
10/05/2011	461	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Eight as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/5/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the Government: Eric Black, Jeffrey Smith, Samuel Thurman, Dana Chamberlin. EXHIBITS ADMITTED:



		608.54, 608.56, 608.57, 608.58, 608.23, 608.44, 158.01, 608.50, 608.13, 608.49, 608.05, 608.03, 608.22, 608.24, 608.01, 608.02, 608.09, 608.16, 608.26, 418.01, 900.00, 901.00, 901.00, 901.01, 901.02, 901.03, 901.04, 901.05, 901.06, 901.07, 901.08, 901.09, 901.10, 901.11, 901.12, 901.13, 901.14, 901.15, 901.16, 901.17, 901.18, 901.19, 902.00, 903.00, 904.00, 905.00, 906.00, 907.00. Trial continued to 10/6/11. Defendants' bonds continued. (Total in-court time: 4:35 - Hearing time: 10:28 - 4:37) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 10/05/2011)
10/06/2011	462	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Nine as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/6/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the Government: Dana Chamberlin. Government rests. MOTIONS: Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes's Oral Motions for Judgment of Acquittal Pursuant to Rule 29(a) are Denied. SWORN AND TESTIFIED on behalf of the defendants: Andrew Albarelle, Clifford Stewart. Trial continued to 10/7/11. Defendants' bonds continued. (Total in-court time: 3:01 - Hearing time: 9:15 - 1:37)TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 10/06/2011)
10/06/2011	<a href="#">463</a>	ORDER by Judge Christine M. Arguello on 10/06/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">445</a> MOTION to Dismiss filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, David A. Banks, Gary L. Walker is DENIED. (skssl, ) (Entered: 10/06/2011)
10/07/2011	464	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Ten as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/7/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the defendants: William Williams, John Epke, Sharon Parks, Kendra Haughton, June Junkins. EXHIBITS: D400F- first five pages, ORDER: Mr. Thurman's curriculum vitae shall be provided 10/7/11, close of business; Government's Briefing as to Mr. Thurman due 10/8/11; Responses due 10/9/11. Trial continued to 10/11/11. Defendants bonds continued. (Total in-court time: 3:02 - Hearing time: 9:03 - 1:43) TEXT ENTRY ONLY - NO DOCUMENT

		ATTACHED(Court Reporter: Darlene Martinez) (cmacd ) (Entered: 10/07/2011)
10/08/2011	<a href="#">465</a>	MOTION in Limine <i>re: Testimony of Joseph Thurman</i> by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 10/08/2011)
10/10/2011	<a href="#">466</a>	Partial TRANSCRIPT of Jury Trial - Day 2, Opening Statements as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/27/11 before Judge Arguello. Pages: 1-78.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>   Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 1/12/2012. (Martinez, Darlene) (Entered: 10/10/2011)
10/11/2011	467	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Eleven as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/11/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the defendants: Michael McKinley, Paul Pinkney, Sunny Ackerman, Kendrick Barnes, Daniel Shull, Jim West, Abhay Natu. EXHIBIT ADMITTED: D352. MOTIONS: Granting insofar as it excludes Mr. Thurman's opinion concerning fixed price information <a href="#">465</a> Motion in Limine. Defendants' Oral Motion for a Mistrial is denied for the reasons stated on the record. ORDER:Mr. Vilfer's testimony will be limited to his testing of the basic Lawanna Clark program and he is precluded from giving any testimony or rendering any opinions as to the functionality of the non-basic Lawanna Clark software. Trial continued to 10/12/11. Defendants' bonds continued. (Total in-court time: 4:37 - Hearing time: 8:32 - 3:46) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (eseam) (Entered: 10/11/2011)
10/11/2011	468	AMENDED MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Amended re 467 Jury Trial Day Eleven as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A.



		Stewart, David A. Zirpolo, Kendrick Barnes held on 10/11/2011. AMENDED ORDER: Mr. Vilfer's testimony will be limited to his testing of the basic CILC program and he is precluded from giving any testimony or rendering any opinions as to the functionality of the non-basic CILC software. (Court Reporter: Darlene Martinez) (eseam) (Entered: 10/12/2011)
10/12/2011	469	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Twelve as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/12/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the defendants: John Shannon, Collin Reese, Joseph Thurman, Samuel Thurman, Sr. EXHIBITS ADMITTED: D403, D404. MOTIONS: Defendants' Oral Motion for a Mistrial and Oral Motion for Judge Arguello to Recuse Herself from this Trial are denied. Trial continued to 10/13/11. Defendants' bonds continued. (Total in-court time: 5:38 - Hearing time: 9:02 - 5:02) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (eseam) (Entered: 10/12/2011)
10/13/2011	<a href="#">470</a>	MOTION to Quash <i>Subpoena</i> by Boecore, Inc. as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit 1)(Klein, Ryan) (Entered: 10/13/2011)
10/13/2011	<a href="#">471</a>	CJA 24 (skssl, ) (Entered: 10/13/2011)
10/13/2011	472	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Thirteen as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/13/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the defendants: Samuel Thurman, Sr., Gary Hillberry, John Smith. ORDER: Juror number 208738 is excused. DEADLINE: Any additional jury instructions the parties think are merited based on what happened in this trial are due no later than noon on 10/16/11. Trial continued to 10/17/11. Defendants' bonds continued. (Total in-court time: 4:09 - Hearing time: 8:48 - 2:39) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (eseam) (Entered: 10/13/2011)
10/14/2011	473	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">470</a> MOTION to Quash <i>Subpoena</i> filed by Boecore, Inc. The Defendants shall file a response to this Motion to Quash NO LATER THAN NOON

		on Sunday, 10/16/2011. FURTHER ORDERED that the Clerk of the Court shall send a copy of this text entry Minute Order AND a copy of Doc. #470, including Attachment #1, to the Defendants via email to irp.defense@gmail.com. SO ORDERED BY Judge Christine M. Arguello on 10/14/11. TEXT ONLY ENTRY - NO DOCUMENT ATTACHED (cmasec) (Entered: 10/14/2011)
10/17/2011	<a href="#">474</a>	ORDER by Judge Christine M. Arguello on 10/17/2011 granting <a href="#">470</a> Motion to Quash as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). (skssl, ) (Entered: 10/17/2011)
10/17/2011	475	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Fourteen as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/17/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. SWORN AND TESTIFIED on behalf of the defendants: Vince Rosales, Steven Cooper, William Witherspoon. EXHIBITS: D-409, D-406. Defendants rest. Government rests. Charging conference. Jury instructed. Closing Arguments. Alternate Jurors 205519 and 237800 excused. Deliberations began at 6:22 PM. MOTIONS: Denying as moot <a href="#">323</a> Motion to Exclude and granting in part and denying in part <a href="#">430</a> Motion in Limine as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Trial continued to 10/18/11. Defendants bonds continued. (Total time: 7:23 - Hearing time: 8:31 - 6:24) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED(Court Reporter: Darlene Martinez) (cmacd ) (Entered: 10/17/2011)
10/18/2011	476	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Fifteen as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/18/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. Continued deliberations. Questions from the Jury marked as Court's Exhibits 3, 4, 5. Trial continued to 10/19/11. Defendants' bonds continued. (Total time: 00:13 - Hearing time: 10:35 - 3:50) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd, ) (Entered: 10/18/2011)
10/19/2011	477	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Sixteen as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Continued deliberations on 10/19/2011. Text Only

		Entry (cmacd) Modified on 10/20/2011 to reflect text only(skssl, ). (Entered: 10/19/2011)
10/20/2011	<a href="#">478</a>	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Jury Trial Day Seventeen as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/20/2011. APPEARANCES: Matthew Kirsch and Suneeta Hazra on behalf of the plaintiff; Defendants Banks, Harper, Walker, Stewart, Zirpolo, and Barnes, pro se, and on bond. Deliberations continued. Jury Verdict as to David A. Banks (1) Guilty on Counts 1,4-8,10,13,14,16-18,19-20,23, Not Guilty on Count 2; Demetrius K. Harper (2) Guilty on Counts 1,3-4,8,9,11-13,15-18,19,21,24; Gary L. Walker (3) Guilty on Count 1; Clinton A. Stewart (4) Guilty on Counts 1,4,8,12,18,20-21; David A. Zirpolo (5) Guilty on Count 1,3,5,7,11-13,17-18,19-21,22,23; and Kendrick Barnes (6) Guilty on Counts 1,4-5,7-8,20,23. SENTENCING HEARINGS: Mr. Stewart on 2/17/12, at 9:00 AM; Mr. Barnes on 2/17/12, at 10:00 AM; Mr. Zirpolo on 2/17/12, at 11:00 AM; Mr. Walker on 2/17/12, at 1:30 PM; Mr. Harper on 2/17/12, at 2:30 PM; and Mr. Banks on 2/17/12, at 3:30 PM, all to be held in courtroom A602. The US Probation Office shall prepare a Presentence Report. Counsel and parties shall file their sentencing positions on or before 11/4/11 and all motions at least 14 days before the sentencing date; responses or objections no later than seven days before the sentencing date; or advise the Court that they do not intend to file any papers. Failure to file position papers by that date may result in a continuance of the sentencing date. Questions from the Jury marked as Court's Exhibits 6, 7, 8. E-mail marked as Court's Exhibit 9. Jury polled. Jurors excused with the thanks of the Court. Defendants remanded. (Total time: 00:25 - Hearing time: 9:55 - 11:43) TEXT ENTRY ONLY - NO DOCUMENT ATTACHED (Court Reporter: Darlene Martinez) (cmacd ) Modified on 10/20/2011 to include courtroom number A602 (mjgsl, ). (Entered: 10/20/2011)
10/20/2011	<a href="#">479</a>	REDACTED JURY VERDICT - Pursuant to General Order 2007-03 the original Jury Verdict has been filed conventionally by delivery to the clerks office. A representation of the Jury Verdict is attached to the courtroom minutes. (cmacd ) (Entered: 10/20/2011)
10/20/2011	<a href="#">480</a>	Final Jury Instructions as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Preliminary Jury Instructions, # <a href="#">2</a> Supplemental Jury Instruction)(cmacd ) (Entered: 10/20/2011)
10/20/2011	<a href="#">481</a>	Jury Notes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Court's Exhibit 9)(cmacd ) (Entered: 10/20/2011)

10/20/2011		Set/Reset Deadlines/Hearing as to David A. Banks: Sentencing set for 2/17/2012 at 03:30 PM in Courtroom A 602 before Judge Christine M. Arguello. (cmacd) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011		Set/Reset Deadlines/Hearings as to Demetrius K. Harper: Sentencing set for 2/17/2012 at 02:30 PM in Courtroom A 602 before Judge Christine M. Arguello. (cmacd) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011		Set/Reset Deadlines/Hearing as to Gary L. Walker: Sentencing set for 2/17/2012 at 01:30 PM in Courtroom A 602 before Judge Christine M. Arguello. Please refer to Doc. # 478.(cmacd ) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011		Set/Reset Deadlines/Hearings as to Clinton A. Stewart: Sentencing set for 2/17/2012 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Please refer to Doc. # 478. (cmacd ) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011		Set/Reset Deadlines/Hearings as to David A. Zirpolo: Sentencing set for 2/17/2012 at 11:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Please refer to Doc. # 478. (cmacd) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011		Set/Reset Deadlines/Hearings as to Kendrick Barnes: Sentencing set for 2/17/2012 at 10:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Please refer to Doc. # 478. (cmacd) Modified on 10/20/2011 to make public (mjgsl, ). (Entered: 10/20/2011)
10/20/2011	482	MINUTE ENTRY for proceedings held before Magistrate Judge Boyd N. Boland: Initial Appearance re Detention Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo and Kendrick Barnes held on 10/20/2011. AUSA Matthew Kirsch and Suneeta Hazra; Pro Se Defendants present in custody; Probation Sue Heckman. Defendants advised. Defendants would not like to have Court appointed counsel for detention hearing. Defendants advise Court that they would like to hold detention hearing today. Government has no objections. Detention Hearing set for 10/20/2011 03:00 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Defendants remanded. Total time: 9 minutes. Text Only Entry. (FTR: BNB PM) (romsl, ) (Entered: 10/24/2011)
10/20/2011	486	MINUTE ENTRY for proceedings held before Magistrate Judge Boyd N. Boland: Detention Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo and Kendrick Barnes held on 10/20/2011. AUSA Matthew Kirsch and Suneeta Hazra; All Defendants present in custody with retained counsel Gwendolyn Solomon; Probation Christine Zorn, Jerald Mason and

		Darren Streich. Discussion between defense counsel, government and Court regarding defense counsel making a special appearance as counsel to all defendants for only this Detention Hearing. Government and defense counsel offer proffers and present arguments regarding detention to Court. ORDERED: All Defendants detained. IT IS FURTHER ORDERED: Defendants may revisit the issue of Detention at a later date if deemed necessary. Defendants remanded. Total time: 33 minutes. Text Only Entry. (FTR: BNB PM) (romsl, ) (Entered: 10/24/2011)
10/20/2011	<a href="#">508</a>	NOTICE OF ATTORNEY APPEARANCE: Gwendolyn Maurice Solomon appearing for David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">483</a>	NOTICE OF APPEAL re 478 Jury Trial/Jury Verdict, <a href="#">479</a> Jury Verdict by David A. Banks. Fee Status: 1915 motion filed. Notice mailed to all counsel on 10/24/11. (bjr, ) (Entered: 10/24/2011)
10/21/2011	<a href="#">484</a>	MOTION for Leave to Appeal In Forma Pauperis by David A. Banks. (bjr, ) (Entered: 10/24/2011)
10/21/2011	<a href="#">487</a>	NOTICE OF APPEAL re 478 Jury Trial/Jury Verdict, <a href="#">479</a> Jury Verdict by Kendrick Barnes. Fee Status: Pro se; 1915 Motion pending. Notice mailed to all counsel on 10/24/11. (bjr, ) (Entered: 10/24/2011)
10/21/2011	<a href="#">488</a>	MOTION for Leave to Appeal In Forma Pauperis by Kendrick Barnes. (bjr, ) (Entered: 10/24/2011)
10/21/2011	<a href="#">490</a>	NOTICE OF APPEAL re 478 Jury Trial/Jury Verdict, <a href="#">479</a> Jury Verdict by Demetrius K. Harper. Fee Status: Pro se; 1915 Motion pending. Notice mailed to all counsel on 10/25/11. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">491</a>	MOTION for Leave to Appeal In Forma Pauperis by Demetrius K. Harper. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">493</a>	NOTICE OF APPEAL re 478 Jury Trial/Jury Verdict, <a href="#">479</a> Jury Verdict by Clinton A. Stewart. Fee Status: Pro se; 1915 Motion pending. Notice mailed to all counsel on 10/25/11. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">494</a>	MOTION for Leave to Appeal In Forma Pauperis by Clinton A. Stewart. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">496</a>	NOTICE OF APPEAL re 478 Jury Trial/Jury Verdict, <a href="#">479</a> Jury Verdict by Gary L. Walker. Fee Status: Prose; 1915 motion pending. Notice mailed to all counsel on 10/25/11. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">497</a>	MOTION for Leave to Appeal In Forma Pauperis by Gary L. Walker. (bjrsl, ) (Entered: 10/25/2011)

10/21/2011	<a href="#">499</a>	NOTICE OF APPEAL re <a href="#">479</a> Jury Verdict, 478 Jury Trial/Jury Verdict, by David A. Zirpolo. Fee Status: Pro se; 1915 Motion pending. Notice mailed to all counsel on 10/25/11. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">500</a>	MOTION for Leave to Appeal In Forma Pauperis by David A. Zirpolo. (bjrsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">502</a>	ORDER OF DETENTION as to David A. Banks by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">503</a>	ORDER OF DETENTION as to Kendrick Barnes by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">504</a>	ORDER OF DETENTION as to Demetrius K. Harper by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">505</a>	ORDER OF DETENTION as to Clinton A. Stewart by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">506</a>	ORDER OF DETENTION as to Gary L. Walker by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/21/2011	<a href="#">507</a>	ORDER OF DETENTION as to David A. Zirpolo by Magistrate Judge Boyd N. Boland on 10/21/2011. (romsl, ) (Entered: 10/25/2011)
10/24/2011	<a href="#">485</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">483</a> Notice of Appeal as to David A. Banks to the U.S. Court of Appeals. (Pro se; 1915 motion pending) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record including Notice of Appeal)(bjr, ) (Entered: 10/24/2011)
10/24/2011	<a href="#">489</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">487</a> Notice of Appeal as to Kendrick Barnes to the U.S. Court of Appeals. (Pro se; 1915 motion pending) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record including Notice of Appeal)(bjr, ) (Entered: 10/24/2011)
10/24/2011	<a href="#">509</a>	USCA Case Number 11-1487 for <a href="#">483</a> Notice of Appeal filed by David A. Banks. (bjrsl, ) (Entered: 10/25/2011)
10/24/2011	<a href="#">551</a>	CJA 24 Payment Authorization as to Clinton A. Stewart by Judge Christine M. Arguello on 10/24/2011. (smatl, ) (Entered: 11/09/2011)
10/25/2011	<a href="#">492</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">490</a> Notice of Appeal as to Demetrius K. Harper to the U.S. Court of Appeals. (Pro se; 1915 Motion pending) (Attachments: # <a href="#">1</a> Docket Sheet)(bjrsl, ) (Additional attachment(s) added on 10/25/2011: # <a href="#">2</a> Preliminary Record including Notice of Appeal) (bjrsl, ). (Entered: 10/25/2011)
10/25/2011	<a href="#">495</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">493</a> Notice of Appeal as to Clinton A. Stewart to the



		U.S. Court of Appeals. (Pro se; 1915 motion pending) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record including Notice of Appeal)(bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">498</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">496</a> Notice of Appeal as to Gary L. Walker to the U.S. Court of Appeals. (Pro se; 1915 motion pending) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record including Notice of Appeal)(bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">501</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">499</a> Notice of Appeal as to David A. Zirpolo to the U.S. Court of Appeals. (Pro se; 1915 motion pending) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record including Notice of Appeal)(bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">510</a>	ORDER of USCA as to David A. Banks re <a href="#">483</a> Notice of Appeal. The appeal is premature. The proceedings on appeal are Abated pending final judgment in the district court. USCA case no. 11-1487. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">511</a>	USCA Case Number 11-1488 for <a href="#">487</a> Notice of Appeal filed by Kendrick Barnes. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">512</a>	ORDER of USCA as to Kendrick Barnes re <a href="#">487</a> Notice of Appeal. This appeal is Abated pending district court's entry of final judgment. USCA case no. 11-1488. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">513</a>	USCA Case Number 11-1489 for <a href="#">490</a> Notice of Appeal filed by Demetrius K. Harper. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">514</a>	ORDER of USCA as to Demetrius K. Harper re <a href="#">490</a> Notice of Appeal. This appeal is Abated pending notification that district court has enter final judgment. USCA case no. 11-1489. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">515</a>	USCA Case Number 11-1490 for <a href="#">493</a> Notice of Appeal filed by Clinton A. Stewart. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">516</a>	ORDER of USCA as to Clinton A. Stewart re <a href="#">493</a> Notice of Appeal. This appeal is Abated pending entry of the district court's final judgment. USCA case no. 11-1490. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">517</a>	USCA Case Number 11-1491 for <a href="#">496</a> Notice of Appeal filed by Gary L. Walker. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">518</a>	ORDER of USCA as to Gary L. Walker re <a href="#">496</a> Notice of Appeal. This appeal is Abated pending entry of final judgment by the district court. USCA case no. 11-1491. (bjrs1, ) (Entered: 10/25/2011)
10/25/2011	<a href="#">519</a>	USCA Case Number 11-1492 for <a href="#">499</a> Notice of Appeal filed by David A. Zirpolo. (bjrs1, ) (Entered: 10/25/2011)

10/26/2011	<a href="#">520</a>	ORDER of USCA as to David A. Zirpolo re <a href="#">499</a> Notice of Appeal. This appeal is Abated pending district court's entry of final judgment. USCA case no. 11-1492. (bjrsl, ) (Entered: 10/28/2011)
10/28/2011	<a href="#">521</a>	Sealed Document (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 10/28/2011)
10/28/2011	<a href="#">522</a>	MOTION to Seal Document <i>521</i> by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 10/28/2011)
10/28/2011	<a href="#">523</a>	Sealed Document (Kirsch, Matthew) (Entered: 10/28/2011)
10/31/2011	<a href="#">524</a>	ORDER denying as premature <a href="#">484</a> Motion for Leave to Appeal In Forma Pauperis re <a href="#">483</a> Notice of Appeal as to David A. Banks (1); denying 491 Motion for Leave to Appeal In Forma Pauperis as to Demetrius K. Harper (2); denying 497 Motion for Leave to Appeal In Forma Pauperis as to Gary L. Walker (3); denying 494 Motion for Leave to Appeal In Forma Pauperis as to Clinton A. Stewart (4); denying 500 Motion for Leave to Appeal In Forma Pauperis as to David A. Zirpolo (5); denying 488 Motion for Leave to Appeal In Forma Pauperis as to Kendrick Barnes (6) by Judge Christine M. Arguello on 10/31/11. (bjr, ) (Entered: 10/31/2011)
10/31/2011	<a href="#">525</a>	Sealed Document - Order (skssl, ) (Entered: 10/31/2011)
10/31/2011	526	WITHDRAWN ORDER granting <a href="#">522</a> Motion to Seal Document as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) by Judge Christine M. Arguello on 10/31/2011. Text Only Entry (skssl, ) Modified on 11/3/2011 to withdraw pursuant to Order at docket no. 532 (jjpsl, ). (Entered: 10/31/2011)
10/31/2011	<a href="#">527</a>	Sealed Document - Order (skssl, ) (Entered: 10/31/2011)
11/01/2011	<a href="#">528</a>	NOTICE OF ATTORNEY APPEARANCE: Charles Henry Torres appearing for David A. Banks (Torres, Charles) (Entered: 11/01/2011)
11/01/2011	<a href="#">529</a>	RESPONSE in Opposition by David A. Banks re <a href="#">522</a> MOTION to Seal Document <i>521</i> (Torres, Charles) (Entered: 11/01/2011)
11/01/2011	<a href="#">530</a>	Unopposed MOTION for Extension of Time to File <i>Post-Trial Motions and Motion For Extension of Time to File Sentencing Positions and Replies</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 11/01/2011)
11/02/2011	<a href="#">531</a>	Joint MOTION for Extension of Time to File <i>POST-TRIAL MOTIONS AND MOTION FOR EXTENSION OF TIME TO FILE SENTENCING POSITIONS AND REPLIES</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A.



		Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 11/02/2011)
11/03/2011	532	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re Doc. #526, Order on Motion to Seal Document <a href="#">521</a> . Doc. #526 was inadvertently entered prior to the expiration of the public notification period set forth in D.C.COLO.LCrR 47.1.E. Therefore, this Court's Order (Doc. #526) granting <a href="#">522</a> Motion to Seal Document is hereby WITHDRAWN. SO ORDERED BY Judge Christine M. Arguello on 11/03/11. Text Only Entry (cmasec) (Entered: 11/03/2011)
11/03/2011	<a href="#">533</a>	MOTION for Bond <i>Hearing</i> by David A. Banks. (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit Attachment B, # <a href="#">3</a> Exhibit Attachment C, # <a href="#">4</a> Proposed Order (PDF Only) Proposed Order)(Torres, Charles) (Entered: 11/03/2011)
11/03/2011	534	MEMORANDUM regarding <a href="#">533</a> MOTION for Bond <i>Hearing</i> filed by David A. Banks. Motion(s) referred to Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 11/03/2011)
11/03/2011	<a href="#">535</a>	RESPONSE in Opposition by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">522</a> MOTION to Seal Document <i>521</i> (Solomon, Gwendolyn) (Entered: 11/03/2011)
11/03/2011	539	ORDER Setting Hearing on Motion by Magistrate Judge Boyd N. Boland on 11/03/2011 as to David A. Banks. <a href="#">533</a> MOTION for Bond <i>Hearing</i> : Motion Hearing set for 11/15/2011 10:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. The government is to file a response no later than 11/11/2011. Text Only Entry (jjpsl, ) (Entered: 11/04/2011)
11/04/2011	<a href="#">536</a>	MOTION to Withdraw as Attorney <i>for Analysts International Corporation</i> by Dru Nielsen by Analysts International Corporation as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order to Withdraw)(Nielsen, Dru) (Entered: 11/04/2011)
11/04/2011	<a href="#">537</a>	ORDER GRANTING MOTION TO SEAL by Judge Christine M. Arguello on 11/4/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">522</a> MOTION to Seal Document <i>521</i> filed by USA. (jjpsl, ) (Entered: 11/04/2011)

11/04/2011	<a href="#">538</a>	ORDER Granting The Extension of Time to File Sentencing Documents by Judge Christine M. Arguello on 11/4/2011 granting <a href="#">530</a> Motion for Extension of Time to File as to David A. Banks (1); granting <a href="#">531</a> Motion for Extension of Time to File as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), David A. Zirpolo (5), Kendrick Barnes (6). The Court extends the deadline for the filing of sentencing positions and post-trial motions to and including until January 31, 2012. Sentencing hearings set for 2/17/2012 are vacated. Counsel for all parties are directed to call Chambers no later than 11/10/2011 in order to set a Law and Motion hearing. See attached Order for additional information. (jjpsl, ) (Entered: 11/04/2011)
11/04/2011	<a href="#">540</a>	SENTENCING STATEMENT by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 11/04/2011)
11/04/2011	<a href="#">541</a>	Joint MOTION for Bond <i>Hearing</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit Exhibit A1, # <a href="#">2</a> Exhibit Exhibit A2, # <a href="#">3</a> Exhibit Exhibit A3, # <a href="#">4</a> Exhibit Exhibit A4, # <a href="#">5</a> Exhibit Exhibit A5, # <a href="#">6</a> Exhibit Exhibit A6, # <a href="#">7</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 11/04/2011)
11/07/2011	542	ORDER GRANTING <a href="#">536</a> Motion to Withdraw as Attorney. Dru Ruth Nielsen withdrawn from case as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) by Judge Christine M. Arguello on 11/07/11. Text Only Entry (cmasec) (Entered: 11/07/2011)
11/07/2011	<a href="#">543</a>	MOTION to Withdraw as Attorney <i>for Defendant David A. Banks</i> by Gwendolyn M. Solomon by David A. Banks as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 11/07/2011)
11/07/2011	544	MEMORANDUM regarding <a href="#">541</a> Joint MOTION for Bond <i>Hearing</i> filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, Gary L. Walker. Motion(s) referred to Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 11/07/2011)
11/07/2011	545	MEMORANDUM regarding <a href="#">543</a> MOTION to Withdraw as Attorney <i>for Defendant David A. Banks</i> by Gwendolyn M. Solomon filed by David A. Banks. Motion(s) referred to Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) Modified on 11/7/2011 DOCUMENT INCORRECTLY REFERRED (jjpsl, ). (Entered: 11/07/2011)

11/07/2011	546	MEMORANDUM regarding <a href="#">543</a> MOTION to Withdraw as Attorney for Defendant David A. Banks by Gwendolyn M. Solomon filed by David A. Banks. Motion(s) referred to Magistrate Judge Kathleen M. Tafoya. Text Only Entry (jjpsl, ) (Entered: 11/07/2011)
11/07/2011	547	ORDER by Magistrate Judge Kathleen M. Tafoya on 11/7/2011 granting <a href="#">543</a> Motion to Withdraw as Attorney. Gwendolyn Maurice Solomon withdrawn from case as to David A. Banks. Text Only Entry (jjpsl, ) (Entered: 11/08/2011)
11/07/2011	548	ORDER Setting Hearing on Motion as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. <a href="#">541</a> Joint MOTION for Bond <i>Hearing</i> . The government is to file a response no later than 11/15/2011. Motion Hearing set for 11/18/2011 10:30 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 11/08/2011)
11/08/2011	<a href="#">549</a>	MOTION to Continue <i>Bond Hearing</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 11/08/2011)
11/08/2011	550	ORDER by Magistrate Judge Boyd N. Boland on 11/8/2011 granting <a href="#">549</a> Motion to Continue as to David A. Banks (1). Motion Hearing reset for 11/18/2011 10:30 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 11/08/2011)
11/09/2011	552	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Pursuant to a telephone conference between counsel and Chambers staff, a Law and Motions Hearing is set for all Defendants on 11/16/2011 at 1:30 PM in Courtroom A602 before Judge Christine M. Arguello. All Defendants shall be present at this hearing. SO ORDERED BY Judge Christine M. Arguello on 11/09/11. Text Only Entry (cmasec) (Entered: 11/09/2011)
11/09/2011	553	Utility Setting Hearings as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: Text Only Entry. Law and Motions Hearing set for 11/16/2011 01:30 PM in Courtroom A 602 before Judge Christine M. Arguello. (jjpsl, ) (Entered: 11/09/2011)
11/09/2011	<a href="#">554</a>	Joint MOTION to Unseal Document <a href="#">523</a> Sealed Document <i>Brief In Support of Motion to Seal Document Entry #521</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 11/09/2011)

11/10/2011	<a href="#">555</a>	RESPONSE in Opposition by USA as to David A. Banks re <a href="#">533</a> MOTION for Bond <i>Hearing</i> (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit Attachment B)(Kirsch, Matthew) (Entered: 11/10/2011)
11/10/2011	<a href="#">556</a>	RESPONSE in Opposition by USA as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">541</a> Joint MOTION for Bond <i>Hearing</i> (Kirsch, Matthew) (Entered: 11/10/2011)
11/15/2011	<a href="#">557</a>	TRANSCRIPT of Jury Trial Day 11 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/11/11 before Judge Arguello. Pages: 1-205.  <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov.&lt;br&gt;</b> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/16/2012. (Martinez, Darlene) (Entered: 11/15/2011)
11/15/2011	<a href="#">558</a>	TRANSCRIPT of Jury Trial Day 12 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/12/11 before Judge Arguello. Pages: 206-422.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov.&lt;br&gt;</b> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/16/2012. (Martinez, Darlene) (Entered: 11/15/2011)
11/16/2011	559	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/16/2011. APPEARANCES: Matthew Kirsch on behalf of the Government; Charles Torrez on behalf of Defendant Banks; Gwendolyn Solomon on behalf of Defendants Harper, Walker, Stewart, Zirpolo, and Barnes. Defendants present; in custody. Defendants Harper, Walker,

		Stewart, Zirpolo, and Barnes sworn and answered questions by the Court. ORDER: Ex parte portion of the hearing shall be SEALED until further order of the Court. DEADLINE: Retainer Agreements and Briefing as outlined by the Court due on or before 12/9/11. MOTION: DENYING <a href="#">554</a> Motion to Unseal Document as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), and Kendrick Barnes (6). Ms. Solomon advised that all further contact with the clerk's office employees shall be with Mr. Ed Butler. Defendants remanded. (Total time: 1:04 - Hearing time: 1:33 - 2:37) Text Only Entry. (Court Reporter: Darlene Martinez) (cmacd, ) (Entered: 11/16/2011)
11/16/2011	<a href="#">560</a>	REPLY TO RESPONSE to Motion by David A. Banks re <a href="#">533</a> MOTION for Bond <i>Hearing</i> (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit Attachment B)(Torres, Charles) (Entered: 11/16/2011)
11/16/2011	<a href="#">561</a>	REPLY TO RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">541</a> Joint MOTION for Bond <i>Hearing</i> (Solomon, Gwendolyn) (Entered: 11/16/2011)
11/17/2011	<a href="#">562</a>	SUPPLEMENT to <a href="#">561</a> Reply to Response, by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit Exhibit A1, # <a href="#">2</a> Exhibit Exhibit A2, # <a href="#">3</a> Exhibit Exhibit A3, # <a href="#">4</a> Exhibit Exhibit A4)(Solomon, Gwendolyn) (Entered: 11/17/2011)
11/18/2011	563	MINUTE ENTRY for proceedings held before Magistrate Judge Boyd N. Boland: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/18/2011. USA Matthew Kirsch and Sunseeta Hazra; Defendant David A. Banks present in custody with counsel Charles Torres; Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes present in custody with their counsel Gwendolyn Solomon; Pretrial Darren Streich. Argument and Proffer regarding bond. Court takes under advisement <a href="#">533</a> Motion for Bond Hearing, and <a href="#">541</a> Joint Motion for Bond Hearing. ORDERED: Defendants remanded pending further proceedings. TEXT ONLY-NO DOCUMENT ATTACHED TOTAL TIME: 01:38 10:51 A.M. TO 12:29 P.M. (FTR: G.Mattei) (bnbcd, ) (Entered: 11/21/2011)
11/21/2011	<a href="#">564</a>	WITHDRAWN - STATEMENT <i>To The Court In Regards To The Bond Hearing Testimony</i> by Defendant David A. Banks (Torres, Charles) Modified on 12/1/2011 to withdraw pursuant to Doc. 580 (cmacd, ). (Entered: 11/21/2011)

11/21/2011	<a href="#">565</a>	MOTION to Withdraw Document <a href="#">564</a> Statement <i>To The Court In Regards To The Bond Hearing Testimony</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 11/21/2011)
11/21/2011	<a href="#">566</a>	SUPPLEMENT <i>Supplemental Information Re: Nacchio Bond</i> by David A. Banks (Torres, Charles) (Entered: 11/21/2011)
11/21/2011	<a href="#">567</a>	Returned Mail at to Clinton A. Stewart re <a href="#">463</a> Order. (nmmsl, ) (Entered: 11/22/2011)
11/21/2011	<a href="#">568</a>	Returned Mail as to Clinton A. Stewart re 542 Order on Motion to Withdraw as Attorney. (nmmsl, ) (Entered: 11/22/2011)
11/21/2011	<a href="#">569</a>	Returned Mail by Clinton A. Stewart re <a href="#">471</a> CJA 24 Transcript Request. (jjpsl, ) (Entered: 11/22/2011)
11/22/2011	<a href="#">570</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">533</a> Motion for Bond Hearing as to David A. Banks (1). Bond set for David A. Banks (1) \$80,000 surety. See order for further details. (nmmsl, ) (Entered: 11/22/2011)
11/22/2011	<a href="#">571</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">541</a> Joint Motion for Bond Hearing as to Kendrick Barnes (6). Bond set for Kendrick Barnes (6) \$40,000.00 surety. See order for further details. (nmmsl, ) Modified on 11/22/2011 to refer back to order. (nmmsl, ). (Entered: 11/22/2011)
11/22/2011	<a href="#">572</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">541</a> Joint Motion for Bond as to Demetrius K. Harper (2). Bond set for Demetrius K. Harper (2) \$40,000.00 surety. See order for further details. (nmmsl, ) Modified on 11/22/2011 to refer back to order. (nmmsl, ). (Entered: 11/22/2011)
11/22/2011	<a href="#">573</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">541</a> Motion for Bond as to Clinton A. Stewart (4). Bond set for Clinton A. Stewart (4) \$40,000.00 surety. See order for further details. (nmmsl, ) (Entered: 11/22/2011)
11/22/2011	<a href="#">574</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">541</a> Joint Motion for Bond as to Gary L. Walker (3). Bond set for Gary L. Walker (3) \$40,000.00 surety. See order for further details. (nmmsl, ) (Entered: 11/22/2011)
11/22/2011	<a href="#">575</a>	ORDER by Magistrate Judge Boyd N. Boland on 11/22/11 granting <a href="#">541</a> Joint Motion for Bond as to David A. Zirpolo (5). Bond set for David A. Zirpolo (5) \$40,000.00 surety. See order for further details. (nmmsl, ) (Entered: 11/22/2011)
11/28/2011	<a href="#">578</a>	Returned Mail by Clinton A. Stewart re <a href="#">479</a> Jury Verdict. (jjpsl, ) (Entered: 11/29/2011)



11/28/2011	<a href="#">579</a>	NOTICE of Returned Mail re <a href="#">495</a> Letter Transmitting Notice of Appeal by Clinton A. Stewart. (bjrsl, ) (Entered: 11/29/2011)
11/28/2011	<a href="#">605</a>	Returned Mail as to Clinton A. Stewart re <a href="#">524</a> Order on Motion for Leave to Appeal In Forma Pauperis. (jjpsl, ) (Entered: 12/02/2011)
11/29/2011	<a href="#">576</a>	SEALED TRANSCRIPT of proceedings held on 11/16/11 before Judge Arguello. Pages: 1-23. (Martinez, Darlene) (Entered: 11/29/2011)
11/29/2011	<a href="#">577</a>	Partial TRANSCRIPT of Motions Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/16/11 before Judge Arguello. Pages: 1-41.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>   Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/1/2012. (Martinez, Darlene) (Entered: 11/29/2011)
11/30/2011	580	ORDER GRANTING <a href="#">565</a> Motion to Withdraw Document as to David A. Banks (1). Defendant Banks's <a href="#">564</a> Statement To the Court is deemed WITHDRAWN, by Judge Christine M. Arguello on 11/30/11. Text Only Entry (cmasec) (Entered: 11/30/2011)
11/30/2011	581	MINUTE ORDER by Magistrate Judge Michael E. Hegarty on 11/30/2011 Setting Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Bond Release Hearing set for 12/1/2011 10:00 AM in Courtroom A 501 before Magistrate Judge Michael E. Hegarty. Text Only Entry (kltsl, ) (Entered: 11/30/2011)
11/30/2011	<a href="#">582</a>	ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Proposed Stipulated Bond Conditions due on or before 12/2/11. Bond Hearing set for 12/7/2011 at 09:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. By Magistrate Judge Boyd N. Boland on 11/30/11. (cmacd) Modified on 12/1/2011 to change file date(cmacd ). (Entered: 12/01/2011)
11/30/2011	<a href="#">586</a>	Receipt for surrender of Passport as to David A. Banks Passport Number 444520176 issued by USA (kltsl, ) (Entered: 12/01/2011)

11/30/2011	<a href="#">587</a>	Receipt for surrender of Passport as to Kendrick Barnes Passport Number 450776416 issued by USA (kltsl, ) (Entered: 12/01/2011)
11/30/2011	<a href="#">588</a>	Receipt for surrender of Passport as to Demetrius K. Harper Passport Number 424919396 issued by USA (kltsl, ) (Entered: 12/01/2011)
11/30/2011	<a href="#">589</a>	Receipt for surrender of Passport as to Clinton A. Stewart Passport Number 045052426 issued by USA (kltsl, ) (Entered: 12/01/2011)
11/30/2011	<a href="#">590</a>	Receipt for surrender of Passport as to Gary L. Walker Passport Number 453848474 issued by USA (kltsl, ) Modified on 12/2/2011 to correct passport number (kltsl, ). (Entered: 12/01/2011)
11/30/2011	<a href="#">591</a>	Receipt for surrender of Passport as to David A. Zirpolo Passport Number 475525930 issued by USA (kltsl, ) (Entered: 12/01/2011)
12/01/2011	583	MINUTE ENTRY for proceedings held before Magistrate Judge Michael E. Hegarty: Bond Release Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 12/1/2011. All defendants present in custody with Charles Torres (also appearing for Gwendolyn Solomon). Probation: Matthew Farwell and Carlos Morales. All conditions of bond have been met. Court advises all defendants of conditions of bond and electronic monitoring. Bonds tendered to Court. Defendants remanded for processing and release. Total time: 14 minutes. Hearing time: 10:07-10:21. Text Only Entry. (FTR: CRIMINAL AM) (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">584</a>	STIPULATION <i>to Additional Bond Condition</i> by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 12/01/2011)
12/01/2011	<a href="#">585</a>	STIPULATION <i>To Additional Conditions of Release</i> re <a href="#">582</a> Order,, Set Deadlines/Hearings, by David A. Banks (Torres, Charles) (Entered: 12/01/2011)
12/01/2011	<a href="#">592</a>	STIPULATION <i>To Additional Conditions of Release</i> re <a href="#">582</a> Order,, Set Deadlines/Hearings, by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Solomon, Gwendolyn) (Entered: 12/01/2011)
12/01/2011	<a href="#">593</a>	Secured Bond Entered as to David A. Banks in amount of \$ 80,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">594</a>	ORDER Setting Conditions of Release as to David A. Banks (1) \$80,000 secured by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)



12/01/2011	<a href="#">595</a>	Secured Bond Entered as to Kendrick Barnes in amount of \$ 40,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">596</a>	ORDER Setting Conditions of Release as to Kendrick Barnes (6) \$40,000 secured by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">597</a>	Secured Bond Entered as to Demetrius K. Harper in amount of \$ \$40,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">598</a>	ORDER Setting Conditions of Release as to Demetrius K. Harper (2) \$40,000 secured. by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">599</a>	Secured Bond Entered as to Clinton A. Stewart in amount of \$ \$40,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">600</a>	ORDER Setting Conditions of Release as to Clinton A. Stewart (4) \$40,000 secured by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">601</a>	Secured Bond Entered as to Gary L. Walker in amount of \$ \$40,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">602</a>	ORDER Setting Conditions of Release as to Gary L. Walker (3) \$40,000 secured by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">603</a>	Secured Bond Entered as to David A. Zirpolo in amount of \$ 40,000. (mehcd) (Entered: 12/01/2011)
12/01/2011	<a href="#">604</a>	ORDER Setting Conditions of Release as to David A. Zirpolo (5) \$40,000 secured by Magistrate Judge Michael E. Hegarty on 12/1/2011. (mehcd) (Entered: 12/01/2011)
12/05/2011	606	MINUTE ORDER by Magistrate Judge Boyd N. Boland on 12/5/2011 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. The parties have stipulated to the proposed additional special condition of release, <a href="#">582</a> therefore hearing set 12/7/2011 at 9:00 a.m. before Magistrate Judge Boyd N. Boland is VACATED. Text Only Entry (kltsl, ) (Entered: 12/05/2011)
12/05/2011	<a href="#">607</a>	Partial TRANSCRIPT of Jury Trial Day 1 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/26/11 before Judge Arguello. Pages: 1-39.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically</b>

		<p><b>available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">608</a>	<p>TRANSCRIPT of Jury Trial Day 2 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/27/11 before Judge Arguelo. Pages: 40-187.</p> <p><b>&lt;br&gt; NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">609</a>	<p>TRANSCRIPT of Jury Trial Day 3 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/28/11 before Judge Arguello. Pages: 188-459.</p> <p><b>&lt;br&gt; NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">610</a>	<p>TRANSCRIPT of Jury Trial Day 4 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/29/11 before Judge Arguello. Pages: 460-722.</p> <p><b>&lt;br&gt; NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court</b></p>

		<p><b>proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">611</a>	<p>TRANSCRIPT of Jury Trial Day 6 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/03/11 before Judge Arguello. Pages: 816-1066. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">612</a>	<p>TRANSCRIPT of Jury Trial Day 5 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/30/11 before Judge Arguello. Pages: 723-815. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">613</a>	<p>TRANSCRIPT of Jury Trial Day 7 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/4/11 before Judge Arguello. Pages: 1067-1307. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact</b></p>

		<p><b>personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">614</a>	<p>TRANSCRIPT of Jury Trial Day 8 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/5/11 before Judge Arguello. Pages: 1308-1507. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">615</a>	<p>TRANSCRIPT of Jury Trial Day 9 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/6/11 before Judge Arguello. Pages: 1508-1633. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">616</a>	<p>TRANSCRIPT of Jury Trial Day 10 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/7/11 before Judge Arguello. Pages: 1634-1772. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court,</b></p>

		<p><b>by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">617</a>	<p>TRANSCRIPT of Jury Trial Day 13 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/13/11 before Judge Arguello. Pages: 1773-1946. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">618</a>	<p>TRANSCRIPT of Jury Trial Day 14 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/17/11 before Judge Arguello. Pages: 1947-2182. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">619</a>	<p>TRANSCRIPT of Jury Trial Day 15 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/18/11 before Judge Arguello. Pages: 2183-2189. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within</b></p>

		<p><b>seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">620</a>	<p>TRANSCRIPT of Jury Trial Day 17 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 10/20/11 before Judge Arguello. Pages: 2190-2209. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/8/2012. (Martinez, Darlene) (Entered: 12/05/2011)</p>
12/05/2011	<a href="#">621</a>	<p>ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re conditions of release 583 . By Magistrate Judge Boyd N. Boland on 12/5/2011. (jjpsl, ) (Entered: 12/05/2011)</p>
12/08/2011	<a href="#">622</a>	<p>MOTION for Hearing <i>as to Potential Conflicts of Interest for Defense Counsel</i> by USA as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 12/08/2011)</p>
12/08/2011	<a href="#">623</a>	<p>Joint MOTION to Modify Conditions of Release <i>And Or Clarify Conditions of Release</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D, # <a href="#">5</a> Exhibit Exhibit E, # <a href="#">6</a> Exhibit Exhibit F, # <a href="#">7</a> Exhibit Exhibit G, # <a href="#">8</a> Exhibit Exhibit G Signature page, # <a href="#">9</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 12/08/2011)</p>



12/09/2011	<a href="#">624</a>	SUPPLEMENT <i>Defendant Banks' Joinder in Filing</i> to <a href="#">623</a> Joint MOTION to Modify Conditions of Release <i>And Or Clarify Conditions of Release</i> by David A. Banks (Torres, Charles) (Entered: 12/09/2011)
12/09/2011	<a href="#">625</a>	TRANSCRIPT of Detention Hearing as to David A. Banks held on 10/20/2011 before Magistrate Judge Boland. Pages: 1-21. <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 3/12/2012. (Avery Woods Reporting, ) (Entered: 12/09/2011)
12/09/2011	<a href="#">626</a>	BRIEF by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re: 559 Order on Motion to Unseal Document,,,,, Motion Hearing,,,,, (Solomon, Gwendolyn) (Entered: 12/09/2011)
12/12/2011	627	MEMORANDUM regarding <a href="#">623</a> Joint MOTION to Modify Conditions of Release And Or Clarify Conditions of Release filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, Gary L. Walker. Motion(s) referred to Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 12/12/2011)
12/13/2011	628	MINUTE ORDER as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">623</a> Joint MOTION to Modify Conditions of Release And Or Clarify Conditions of Release filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, Gary L. Walker. The Government shall file a response to motion no later than 12/20/2011. Hearing on Motion set for 1/4/2012 10:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Text Only Entry (jjpsl, ) (Entered: 12/13/2011)
12/13/2011	629	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 622 MOTION for Hearing <i>as to Potential Conflicts of Interest for Defense Counsel</i> filed by USA. ORDERED that the Defendants shall file a response to this motion no later than 12/22/2011. FURTHER, counsel for all parties shall confer and contact Chambers via conference call (303-335-2174) no later than 12/29/2011 to set this motion for a

		hearing. SO ORDERED BY Judge Christine M. Arguello on 12/13/11. Text Only Entry (cmasec) (Entered: 12/13/2011)
12/14/2011	<a href="#">630</a>	NOTICE <i>Requesting Termination of Court E-Mail Notification</i> by Boecore, Inc. as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Klein, Ryan) Modified on 12/15/2011 to convert this docket entry into a Motion (jjpsl, ). (Entered: 12/14/2011)
12/14/2011	<a href="#">631</a>	MOTION to Inspect <i>Unedited Transcriber Notes and Note File for the Bench Conferences October 11, 2011</i> by David A. Banks. (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit Attachment B, # <a href="#">3</a> Proposed Order (PDF Only) Proposed order)(Torres, Charles) (Entered: 12/14/2011)
12/16/2011	632	ORDER GRANTING <a href="#">630</a> Motion for Order as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). ORDERED that the Clerk of the Court is DIRECTED to delete Ryan Klein's email address from future ECF filings and electronic notifications IN THIS CASE. By Judge Christine M. Arguello on 12/16/11. Text Only Entry (cmasec) (Entered: 12/16/2011)
12/16/2011	633	MINUTE ORDER denying <a href="#">631</a> Motion to Inspect as to David A. Banks (1). The requested relief is not provided for by 28 U.S.C. 753(b). Counsel, as any member of the public, may inspect original shorthand notes filed in the clerk's office during regular business hours per 28 U.S.C. 753(b). The Court further notes that the parties were provided an unedited copy of the requested bench conferences on 10/11/11. SO ORDERED by Judge Christine M. Arguello on 12/16/11. Text Only Entry (cmacd ) (Entered: 12/16/2011)
12/19/2011	<a href="#">634</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">623</a> Joint MOTION to Modify Conditions of Release <i>And Or Clarify Conditions of Release</i> (Kirsch, Matthew) (Entered: 12/19/2011)
12/20/2011	<a href="#">635</a>	MOTION for Reconsideration re <a href="#">631</a> MOTION to Inspect <i>Unedited Transcriber Notes and Note File for the Bench Conferences October 11, 2011</i> filed by David A. Banks by David A. Banks. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 12/20/2011)
12/20/2011	<a href="#">636</a>	Joint MOTION for Reconsideration re <a href="#">635</a> MOTION for Reconsideration re <a href="#">631</a> MOTION to Inspect <i>Unedited Transcriber Notes and Note File for the Bench Conferences October 11, 2011</i> filed by David A. Banks filed by David A. Banks by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes



		as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 12/20/2011)
12/21/2011	<a href="#">637</a>	REPLY TO RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">623</a> Joint MOTION to Modify Conditions of Release <i>And Or Clarify Conditions of Release</i> (Solomon, Gwendolyn) (Entered: 12/21/2011)
12/21/2011	<a href="#">638</a>	SUPPLEMENT <i>Defendant Banks' Joinder in Filing</i> to <a href="#">637</a> Reply to Response, by David A. Banks (Torres, Charles) (Entered: 12/21/2011)
12/22/2011	<a href="#">639</a>	RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 622 MOTION for Hearing <i>as to Potential Conflicts of Interest for Defense Counsel</i> (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F)(Solomon, Gwendolyn) (Entered: 12/22/2011)
12/29/2011	640	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Pursuant to a telephone conversation between counsel and Chambers staff a Motion Hearing on 622 is set for 1/18/2012 at 08:00 AM in Courtroom A 602 before Judge Christine M. Arguello. SO ORDERED by Judge Christine M. Arguello on 12/29/11. Text Only Entry (cmacd ) (Entered: 12/29/2011)
12/29/2011	<a href="#">641</a>	RESTRICTED DOCUMENT - Level 4. (mnfsl, ) (Entered: 12/30/2011)
12/29/2011	<a href="#">642</a>	RESTRICTED DOCUMENT - Level 4. (mnfsl, ) (Entered: 12/30/2011)
12/30/2011	<a href="#">643</a>	RESTRICTED DOCUMENT - Level 4. (mnfsl, ) (Entered: 12/30/2011)
01/04/2012	<a href="#">644</a>	ORDER granting <a href="#">623</a> Motion to Modify Conditions of Release as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); granting <a href="#">624</a> Defendant Banks' Joinder in Filing by Defendant's Motion to Modify and/or Clarify Conditions of Release as to David A. Banks. By Magistrate Judge Boyd N. Boland on 1/4/2012. (jjpsl, ) (Entered: 01/04/2012)
01/04/2012	645	MINUTE ENTRY for proceedings held before Magistrate Judge Boyd N. Boland: Motion Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 1/4/2012. AUSA Matthew Kirsch; Defendant David A. Banks

		<p>present with counsel Charles Torres; Defendants Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes present with counsel Gwendolyn Solomon; Probation Rod Waldo. Government addresses court regarding motions <a href="#">623</a> to modify conditions of relief and <a href="#">624</a> defendant Banks' joinder. Judge confers with probation regarding supervision of defendants in Colorado Springs. Government and Gwendolyn Solomon addresses court regarding electronic monitoring at church. The motions <a href="#">623</a> to modify conditions of release and <a href="#">624</a> defendant Banks' joinder in filing by defendants' motion to modify and/or clarify conditions of release are granted. Time 10:03 to 10:11 8 minutes TEXT ENTRY ONLY. (FTR: G.Mattei) (bnbcd, ) (Entered: 01/05/2012)</p>
01/13/2012	<a href="#">646</a>	<p>TRANSCRIPT of Motion to Continue as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 4/4/11 before Judge Arguello. Pages: 1-33.  <b>&lt;br&gt; NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>          Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 4/16/2012. (Martinez, Darlene) (Entered: 01/13/2012)</p>
01/13/2012	<a href="#">647</a>	<p>TRANSCRIPT of Status Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 8/20/09 before Judge Arguello. Pages: 1-11.  <b>&lt;br&gt; NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>          Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 4/16/2012. (Martinez, Darlene) (Entered: 01/13/2012)</p>
01/17/2012	648	<p>MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. This</p>

		matter is before the Court sua sponte. Because a conflict has arisen on the Court's docket, the Motion Hearing currently set for 01/18/2012 at 8:00 AM is VACATED and must be reset. Counsel for all parties shall call Chambers (303-335-2174) via conference call no later than 01/20/2012 in order to reset this Motion Hearing. SO ORDERED BY Judge Christine M. Arguello on 01/17/12. Text Only Entry (cmasec) (Entered: 01/17/2012)
01/18/2012	649	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 622 MOTION for Hearing <i>as to Potential Conflicts of Interest for Defense Counsel</i> filed by USA. Pursuant to a telephone conversation between counsel and Chambers staff, the Motion Hearing regarding Doc. 622 is RESET to 01/26/2012 at 3:00 PM in Courtroom A602 before Judge Christine M. Arguello. SO ORDERED BY Judge Christine M. Arguello on 01/18/12. Text Only Entry (cmasec) (Entered: 01/18/2012)
01/20/2012	<a href="#">650</a>	MOTION for Extension of Time to File <i>Post-Trial Motions and Respond To Government Sentencing Positions And File Sentencing Papers</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 01/20/2012)
01/20/2012	<a href="#">651</a>	AMENDED DOCUMENT by David A. Banks Amendment to <a href="#">650</a> MOTION for Extension of Time to File <i>Post-Trial Motions and Respond To Government Sentencing Positions And File Sentencing Papers</i> filed by David A. Banks <i>Amended Motion For Additional Time To File Post-Trial Motions and Respond To Government Sentencing Positions And File Sentencing Papers and Motion to Strike Docket 650</i> (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 01/20/2012)
01/20/2012	<a href="#">652</a>	ORDER denying <a href="#">635</a> Motion for Reconsideration as to David A. Banks (1); denying <a href="#">636</a> Motion for Reconsideration as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) by Judge Christine M. Arguello on 1/20/12. (cmacd) (Entered: 01/20/2012)
01/20/2012	<a href="#">653</a>	ORDER REGARDING DEFENDANTS' JOINT REPRESENTATION denying <a href="#">622</a> Motion for Hearing as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). The Court FURTHER ORDERS that separate CJA stand-by counsel beappointed for Defendants Harper, Walker, Stewart, Zirpolo, and Barnes.The Motion Hearing scheduled for January 26, 2012 at 3:00 p.m. is VACATED. By Judge Christine M. Arguello on 1/20/12. (jjpsl, ) Modified on 1/23/2012 to correct spelling(jjpsl, ). (Entered: 01/20/2012)
01/23/2012	<a href="#">654</a>	Joint MOTION for Extension of Time to File <i>Post-Trial Motions, Sentencing Positions &amp; Statements, Responses &amp;/or Replies to the Government</i> by Demetrius K. Harper, Gary L. Walker, Clinton A.

		Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 01/23/2012)
01/23/2012	<a href="#">655</a>	CJA 20/30 Appointment of Thomas James Hammond for Demetrius K. Harper by Judge Christine M. Arguello on 01/23/2012. (pponi, ) (Entered: 01/26/2012)
01/23/2012	<a href="#">656</a>	CJA 20/30 Appointment of Dana M. Casper for Kendrick Barnes by Judge Christine M. Arguello on 01/23/2012. (pponi, ) (Entered: 01/26/2012)
01/23/2012	<a href="#">657</a>	CJA 20/30 Appointment of William Lewis Taylor for David A. Zirpolo by Judge Christine M. Arguello on 01/23/2012. (pponi, ) (Entered: 01/26/2012)
01/23/2012	<a href="#">658</a>	CJA 20/30 Appointment of Richard James Banta for Clinton A. Stewart by Judge Christine M. Arguello on 01/23/2012. (pponi, ) (Entered: 01/26/2012)
01/23/2012	<a href="#">659</a>	CJA 20/30 Appointment of Michael David Lindsey for Gary L. Walker by Judge Christine M. Arguello on 01/23/2012. (pponi, ) (Entered: 01/26/2012)
01/26/2012	<a href="#">660</a>	NOTICE OF ATTORNEY APPEARANCE: Dana M. Casper appearing for Kendrick Barnes (Casper, Dana) (Entered: 01/26/2012)
01/30/2012	<a href="#">661</a>	ORDER REGARDING DEFENDANTS' MOTIONS FOR EXTENSION OF TIME TO FILE POST-TRIAL MOTIONS, granting in part and denying in part <a href="#">650</a> Motion for Extension of Time to File as to David A. Banks (1); granting in part and denying in part <a href="#">654</a> Motion for Extension of Time to File as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6).Defendants shall have to and including 4/2/12 within which to file any post-trial motions. By Judge Christine M. Arguello on 1/30/12. (jjpsl, ) (Entered: 01/30/2012)
01/31/2012	<a href="#">662</a>	RESPONSE by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re: <a href="#">540</a> Sentencing Statement filed by USA (Solomon, Gwendolyn) (Entered: 01/31/2012)
02/09/2012	<a href="#">663</a>	VOIR DIRE TRANSCRIPT of proceedings held on 9/26/11 before Judge Arguello. Pages: 1-193. (Martinez, Darlene) (Entered: 02/09/2012)
02/10/2012	664	MINUTE ORDER as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Pursuant to a telephone conference between

		counsel, standby counsel and Chambers staff, Sentencing for all Defendants has been set to begin at 8:00 AM on 06/01/2012 in Courtroom A602 before Judge Christine M. Arguello. Sentencings shall be conducted separately for each Defendant, beginning with Defendant David A. Banks (1) and continuing in the same order as the caption in this case, as follows: Defendant No. 1 at 8:00 AM; Defendant No. 2 at 9:00 AM; Defendant No. 3 at 10:00 AM; Defendant No. 4 at 11:00 AM; Defendant No. 5 at 1:30 PM; Defendant No. 6 at 2:30 PM. Each Defendant shall have at least one hour set aside for his sentencing, but no sentencing shall be limited to one hour. However, all parties should be prepared to proceed with each sentencing upon completion of the previous sentencing. SO ORDERED BY Judge Christine M. Arguello on 02/10/12. Text Only Entry (cmasec) (Entered: 02/10/2012)
02/10/2012	665	Utility Setting Hearings as to Demetrius K. Harper: Sentencing set for 6/1/2012 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Pursuant to Doc. 664. Text Only Entry (cmacd). (Entered: 02/13/2012)
02/10/2012	666	Utility Setting Hearing as to Gary L. Walker: Sentencing set for 6/1/2012 at 10:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Pursuant to Doc. 664. Text Only Entry (cmacd ) (Entered: 02/13/2012)
02/10/2012	667	Utility Setting Hearing as to Clinton A. Stewart: Sentencing set for 6/1/2012 at 11:00 AM in Courtroom A 602 before Judge Christine M. Arguello. Pursuant to Doc. 664. Text Only Entry (cmacd) (Entered: 02/13/2012)
02/10/2012	668	Utility Setting Hearing as to David A. Zirpolo: Sentencing set for 6/1/2012 at 01:30 PM in Courtroom A 602 before Judge Christine M. Arguello. Pursuant to Doc. 664. Text Only Entry (cmacd ) (Entered: 02/13/2012)
02/10/2012	669	Utility Setting Hearing as to Kendrick Barnes: Sentencing set for 6/1/2012 at 02:30 PM in Courtroom A 602 before Judge Christine M. Arguello. Pursuant to Doc. 664. Text Only Entry (cmacd ) (Entered: 02/13/2012)
02/13/2012	<a href="#">670</a>	ORDER of USCA; The abatement continues as to the six appeals as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. (bjrsl, ) (Entered: 02/14/2012)
02/23/2012	<a href="#">671</a>	NOTICE OF ATTORNEY APPEARANCE: Joshua Sabert Lowther appearing for Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Lowther, Joshua) (Entered: 02/23/2012)



02/23/2012	<a href="#">672</a>	MOTION to Unrestrict Document <a href="#">663</a> Transcript - Voir Dire by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 02/23/2012)
03/01/2012	<a href="#">673</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">672</a> MOTION to Unrestrict Document <a href="#">663</a> Transcript - Voir Dire (Kirsch, Matthew) (Entered: 03/01/2012)
03/02/2012	<a href="#">674</a>	AMENDED DOCUMENT by USA as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes Amendment to <a href="#">673</a> Response to Motion, filed by USA <i>Government's Amended Response to Motion to Unrestrict Document 663 [#672]</i> (Kirsch, Matthew) (Entered: 03/02/2012)
03/02/2012	<a href="#">675</a>	ORDER Denying <a href="#">672</a> Motion to Unrestrict Document 663 as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6), by Judge Christine M. Arguello on 3/2/2012. (jjpsl, ) (Entered: 03/02/2012)
03/05/2012	<a href="#">676</a>	MOTION for Clarification re 656 CJA 20/30 Appointment, 655 CJA 20/30 Appointment, 658 CJA 20/30 Appointment, 659 CJA 20/30 Appointment, 657 CJA 20/30 Appointment <i>Status Conference</i> by Clinton A. Stewart as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Banta, Richard) (Entered: 03/05/2012)
03/05/2012	<a href="#">677</a>	MOTION to Dismiss on Speedy Trial <i>Violations With Prejudice or in the Alternative a Hearing on the Motion</i> by David A. Banks. (Torres, Charles) (Entered: 03/05/2012)
03/05/2012	<a href="#">678</a>	MOTION for Acquittal <i>Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on Fifth Amendment Violations</i> by David A. Banks. (Torres, Charles) (Entered: 03/05/2012)
03/06/2012	<a href="#">679</a>	MOTION for Acquittal <i>Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on the Courts Disallowance of Witnesses Who Could Establish a Lack of a Scheme To Defraud Creditors, Lack of Specific Intent of Defendant Banks and Establish Defendant Banks Good Faith Action</i> by David A. Banks. (Attachments: # <a href="#">1</a> Exhibit Attachment A, # <a href="#">2</a> Exhibit Attachment B, # <a href="#">3</a> Exhibit Attachment C)(Torres, Charles) (Entered: 03/06/2012)
03/08/2012	<a href="#">680</a>	RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">676</a> MOTION for Clarification re 656 CJA 20/30 Appointment, <a href="#">655</a> CJA 20/30 Appointment, 658 CJA 20/30 Appointment, 659 CJA 20/30

		Appointment, 657 CJA 20/30 Appointment <i>Status Conference</i> (Lowther, Joshua) (Entered: 03/08/2012)
03/13/2012	<a href="#">681</a>	Joint MOTION to Modify Conditions of Release by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit 600, # <a href="#">7</a> Exhibit 598, # <a href="#">8</a> Exhibit 604, # <a href="#">9</a> Exhibit 602, # <a href="#">10</a> Exhibit 596, # <a href="#">11</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 03/13/2012)
03/13/2012	<a href="#">682</a>	SUPPLEMENT <i>Defendant Banks' Joinder in Filing</i> to <a href="#">681</a> Joint MOTION to Modify Conditions of Release by David A. Banks (Torres, Charles) (Entered: 03/13/2012)
03/13/2012	<a href="#">683</a>	WITHDRAWN MOTION to Withdraw as Attorney <i>for Defendant David A. Banks</i> by Charles H. Torres by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) Modified on 4/23/2012 to add text pursuant to docket no. 706 (romsl, ). (Entered: 03/13/2012)
03/15/2012	684	MEMORANDUM regarding <a href="#">681</a> Joint MOTION to Modify Conditions of Release filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, Gary L. Walker. Motion referred to Magistrate Judge Boyd N. Boland. By Magistrate Judge Boyd N. Boland on 3/15/2012. (jjpsl, ) (Entered: 03/15/2012)
03/19/2012	685	Utility Setting/Resetting Deadlines/Hearings as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes: Text Only Entry Motion Hearing on <a href="#">681</a> Joint MOTION to Modify Conditions of Release set for 3/29/2012 at 10:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (jjpsl, ) (Entered: 03/19/2012)
03/20/2012	686	MINUTE ORDER as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">681</a> Joint MOTION to Modify Conditions of Release. A hearing on this motion is set for 3/29/2012 at 10:00 a.m. in Courtroom A401 before Magistrate Judge Boyd N. Boland. (jjpsl, ) (Entered: 03/20/2012)
03/20/2012	<a href="#">687</a>	Joint MOTION for Speedy Trial <i>to Dismiss the Indictment and Conviction Pursuant to Speedy Trial Act and Sixth Amendment with Prejudice</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Proposed Order (PDF Only) Proposed Order)(Solomon, Gwendolyn) (Entered: 03/20/2012)



03/21/2012	<a href="#">688</a>	MOTION for Hearing <i>on Docket 681</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 03/21/2012)
03/21/2012	<a href="#">689</a>	Unopposed MOTION for Special Appearance <i>Substitute Counsel for Hearing</i> by Gary L. Walker. (Lindsey, Michael) (Entered: 03/21/2012)
03/21/2012	690	MEMORANDUM regarding <a href="#">688</a> MOTION for Hearing <i>on Docket 681</i> filed by David A. Banks. Motion(s) referred to Magistrate Judge Boyd N. Boland. By Judge Christine M. Arguello on 3/21/2012. (jjpsl, ) (Entered: 03/22/2012)
03/21/2012	691	MEMORANDUM regarding <a href="#">689</a> Unopposed MOTION for Special Appearance <i>Substitute Counsel for Hearing</i> filed by Gary L. Walker. Motion(s) referred to Magistrate Judge Boyd N. Boland. By Judge Christine M. Arguello on 3/21/2012. (jjpsl, ) (Entered: 03/22/2012)
03/22/2012	692	ORDER granting <a href="#">688</a> Motion for Hearing as to David A. Banks (1). Motion Hearing set for 3/29/2012 at 10:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. By Magistrate Judge Boyd N. Boland on 3/22/2012. Text Only Entry. (jjpsl, ) Modified on 3/22/2012 to add text (jjpsl, ). (Entered: 03/22/2012)
03/22/2012	693	ORDER granting <a href="#">689</a> Motion for Special Appearance as to Gary L. Walker (3). By Magistrate Judge Boyd N. Boland on 3/22/2012. (jjpsl, ) (Entered: 03/22/2012)
03/27/2012	<a href="#">694</a>	SUPPLEMENT to <a href="#">683</a> MOTION to Withdraw as Attorney <i>for Defendant David A. Banks</i> by Charles H. Torres by David A. Banks (Torres, Charles) (Entered: 03/27/2012)
03/29/2012	695	MINUTE ENTRY for proceedings held before Magistrate Judge Boyd N. Boland: denying <a href="#">681</a> Motion to Modify Conditions of Release as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6); Argument regarding the motion; present were AUSA Matthew Kirsch; Joshua Lowther and Gwendolyn Solomon; CJA counsel Tom Hammond, William Taylor, Dana Casper, Richard Banta; PO Robert Ford; defendants present on bond. Court reporter: FTR-BNB, Kathy Triplett. Hearing time: 10:09 to 10:34 total 25 minutes. (FTR: BNB-am) (kltsl, ) Modified on 3/29/2012 to note that this is a text entry.(kltsl, ). (Entered: 03/29/2012)
04/02/2012	<a href="#">696</a>	Joint MOTION to Dismiss on Speedy Trial by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 04/02/2012)
04/02/2012	<a href="#">697</a>	Joint MOTION for Acquittal , <i>or in the Alternative, New Trial</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 04/02/2012)

04/03/2012	698	MINUTE ORDER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. The Government shall file a statement regarding its position or otherwise respond in writing to Doc. #677, #678, #679, #687, #696, #697, NO LATER THAN 5:00PM ON 04/24/2012. SO ORDERED BY Judge Christine M. Arguello on 04/03/12. Text Only Entry (cmasec) (Entered: 04/03/2012)
04/04/2012	<a href="#">699</a>	ORDER Denying Motion For a Status Conference as to <a href="#">676</a> Motion for Clarification as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6), by Judge Christine M. Arguello on 4/4/2012. (jjpsl, ) (Entered: 04/04/2012)
04/12/2012	700	MINUTE ORDER as to David A. Banks re <a href="#">683</a> MOTION to Withdraw as Attorney for Defendant David A. Banks by Charles H. Torres filed by David A. Banks. Upon review of the Motion and the case file, a hearing on defense counsel's Motion to Withdraw has been set for 04/19/2012 at 2:00 PM in Courtroom A602 before Judge Christine M. Arguello. Government counsel, defense counsel, and Defendant Banks SHALL BE PRESENT at this hearing. SO ORDERED BY Judge Christine M. Arguello on 04/12/12. Text Only Entry (cmasec) (Entered: 04/12/2012)
04/19/2012	701	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Motion Hearing as to David A. Banks held on 4/19/2012. APPEARANCES: Matthew Kirsch and Suneeta Hazara on behalf of the Government; Charles Torres on behalf of the defendant. Defendant present; on bond. ORDER: Defendant Bank's Motion to Withdraw as Attorney <a href="#">683</a> ; Ms. Solomon and Mr. Lowther's entry of appearance; and advisement to all parties as to potential conflict are referred to a United States Magistrate Judge to be heard in an expedited manner in accordance with the pending 6/1/12 sentencing date for all defendants. DEADLINE: Ms. Solomon and Mr. Lowther entry of appearance due April, 20, 2012. Defendant's bond continued. (Total time: 00:14 - Hearing time: 2:01 - 2:15) Text Only Entry (Court Reporter: Darlene Martinez) (cmacd ) (Entered: 04/19/2012)
04/19/2012	<a href="#">702</a>	NOTICE OF ATTORNEY APPEARANCE: Joshua Sabert Lowther appearing for David A. Banks (Lowther, Joshua) (Entered: 04/19/2012)
04/19/2012	<a href="#">703</a>	NOTICE OF ATTORNEY APPEARANCE: Gwendolyn Maurice Solomon Esq. appearing for David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Solomon, Gwendolyn) (Entered: 04/19/2012)
04/19/2012	704	MEMORANDUM regarding <a href="#">683</a> MOTION to Withdraw as Attorney for Defendant David A. Banks by Charles H. Torres filed by David A. Banks, along with entry 701 Motions hearing. Motion(s) referred to

		Magistrate Judge Craig B. Shaffer, by Judge Christine M. Arguello on 04/19/12. Text Only Entry (nmmsl, ) (Entered: 04/20/2012)
04/20/2012	705	MINUTE ORDER by Magistrate Judge Craig B. Shaffer on 04/20/12 setting hearing as to David A. Banks re <a href="#">683</a> MOTION to Withdraw as Attorney for Defendant David A. Banks by Charles H. Torres filed by David A. Banks, and 701 Motion Hearing orders. Motion Hearing and Advisement to all parties as to potential conflict is set for 4/20/2012 02:30 PM in Courtroom A 402 before Magistrate Judge Craig B. Shaffer. Pursuant to Magistrate Judge Shaffer, new counsel, the defendant David A. Banks, current counsel, and the government shall attend this hearing. Text Only Entry (nmmsl, ) (Entered: 04/20/2012)
04/20/2012	706	MINUTE ENTRY for proceedings held before Magistrate Judge Craig B. Shaffer: Motion Hearing as to David A. Banks held on 4/20/2012. AUSA Michael Kirsch; Defendant present on bond with Charles Torres. Gwendolyn Solomon appears as counsel for all other defendants in this case. Discussion regarding <a href="#">683</a> Motion to Withdraw as Attorney. Mr. Torres requests that the court withdraw his motion and appoint him as CJA counsel to represent Mr. David A. Banks. Government makes no objection. Court grants Mr. Torres' request. The court will WITHDRAW <a href="#">683</a> Motion to Withdraw as Attorney and appoint Mr. Torres as CJA counsel to represent defendant Banks. Ms. Solomon makes an oral motion to be terminated as counsel for defendant Banks. Government makes no objection. The court will verify that Ms. Solomon is no longer showing as active counsel for defendant Banks. Defendant continued on bond. Total time: 12 minutes. Hearing time: 3:04-3:16. Text Only Entry. (FTR: Cathy Coomes) (cbscd, ) (Entered: 04/23/2012)
04/20/2012	<a href="#">712</a>	CJA 20/30 Appointment of Charles Henry Torres for David A. Banks by Magistrate Judge Craig B. Shaffer on 4/20/2012. (smatl, ) (Entered: 04/26/2012)
04/23/2012	709	MINUTE ORDER as to David A. Banks by Magistrate Judge Craig B. Shaffer on 4/23/2012. Consistent with the representations made by Mr. Banks and counsel during the hearing held on 4/20/12, it is ORDERED that attorney Joshua S. Lowther is terminated as counsel of record for Defendant Banks. Text Only Entry (skssl, ) (Entered: 04/24/2012)
04/24/2012	<a href="#">707</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 697 Joint MOTION for Acquittal , or in the Alternative, New Trial, <a href="#">678</a> MOTION for Acquittal Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on Fifth Amendment Violations (Kirsch, Matthew) (Entered: 04/24/2012)

04/24/2012	<a href="#">708</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">679</a> MOTION for Acquittal <i>Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on the Courts Disallowance of Witnesses Who Could Establish a Lack of a Scheme To Defraud Creditors</i> , 697 Joint MOTION for Acquittal , or in the Alternative, New Trial (Kirsch, Matthew) (Entered: 04/24/2012)
04/24/2012	<a href="#">710</a>	RESPONSE to Motion by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">687</a> Joint MOTION for Speedy Trial <i>to Dismiss the Indictment and Conviction Pursuant to Speedy Trial Act and Sixth Amendment with Prejudice</i> , 696 Joint MOTION to Dismiss on Speedy Trial , <a href="#">677</a> MOTION to Dismiss on Speedy Trial Violations With Prejudice or in the Alternative a Hearing on the Motion (Hazra, Suneeta) (Entered: 04/24/2012)
04/26/2012	<a href="#">711</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">708</a> Response in Opposition,, <a href="#">710</a> Response to Motion, <a href="#">707</a> Response in Opposition, by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 04/26/2012)
04/26/2012	<a href="#">713</a>	Unopposed MOTION for Extension of Time to File Response/Reply as to <a href="#">707</a> Response in Opposition, <a href="#">708</a> Response in Opposition,, <a href="#">710</a> Response to Motion, by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) Modified on 4/27/2012 to correct text (mnfsl, ). (Entered: 04/26/2012)
04/27/2012	714	ORDER GRANTING <a href="#">713</a> Motion for Extension of Time to File Response/Reply as to David A. Banks (1). Defendant Banks shall have to and including 05/15/2012 within which to file his replies to Doc. ## 707, 708 and 710. SO ORDERED BY Judge Christine M. Arguello on 04/27/12. Text Only Entry (cmasec) (Entered: 04/27/2012)
04/27/2012	715	ORDER GRANTING <a href="#">711</a> Motion for Extension of Time to File Response/Reply as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Defendants shall have to and including 05/08/2012 within which to file their replies to Doc. ## 707, 708 and 710. SO ORDERED BY Judge Christine M. Arguello on 04/27/12. Text Only Entry (cmasec) (Entered: 04/27/2012)
04/27/2012	<a href="#">716</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to David A. Banks (srich, ) (Entered: 04/27/2012)
04/27/2012	<a href="#">717</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to Kendrick Barnes (srich, ) (Entered: 04/27/2012)

04/27/2012	<a href="#">718</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to Clinton A. Stewart (srich, ) (Entered: 04/27/2012)
04/27/2012	<a href="#">719</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to Demetrius K. Harper (dgall, ) (Entered: 04/27/2012)
04/30/2012	<a href="#">720</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to Gary L. Walker (aarag, ) (Entered: 04/30/2012)
04/30/2012	<a href="#">721</a>	TRANSCRIPT of Final Trial Preparation Conference as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 9/1/11 before Judge Arguello. Pages: 1-50.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>   Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 8/2/2012. (Martinez, Darlene) (Entered: 04/30/2012)
04/30/2012	<a href="#">722</a>	RESTRICTED PRESENTENCE REPORT first disclosure for attorney review as to David A. Zirpolo (emaso, ) (Entered: 04/30/2012)
05/08/2012	<a href="#">723</a>	REPLY TO RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">696</a> Joint MOTION to Dismiss on Speedy Trial , <a href="#">697</a> Joint MOTION for Acquittal , <i>or in the Alternative, New Trial Docs. 707 and 708</i> (Lowther, Joshua) (Entered: 05/08/2012)
05/08/2012	<a href="#">724</a>	MOTION for Extension of Time to File <i>Objections to Presentence Investigation Reports and to Continue Sentencing Hearing</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 05/08/2012)
05/08/2012	<a href="#">725</a>	REPLY TO RESPONSE to Motion by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 711 MOTION for Extension of Time to File Response/Reply as to <a href="#">708</a> Response in Opposition,, <a href="#">710</a> Response to Motion, <a href="#">707</a> Response in Opposition, <i>Joint Reply to Governments Consolidated Response to Defendants Motion to Dismiss Based on Speedy Trial Violations</i> (Solomon, Gwendolyn) (Entered: 05/08/2012)



05/09/2012	<a href="#">726</a>	MOTION to Continue <i>Joinder in Defendants Motion to Continue (Doc. 724)</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 05/09/2012)
05/11/2012	<a href="#">727</a>	Partial TRANSCRIPT of Motions Hearing as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes held on 11/4/10 before Judge Arguello. Pages: 1-32.   <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>   Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 8/13/2012. (Martinez, Darlene) (Entered: 05/11/2012)
05/11/2012	728	ORDER granting <a href="#">726</a> Motion to Continue as to David A. Banks (1); granting 724 Motion for Extension of Time to File as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Defendants shall file their objections to the P.S.R.s on or before to May 21, 2012. Sentencings for all Defendants currently set for 6/1/12 are VACATED and must be reset. Counsel for all parties shall call Chambers (303-335-2174) via conference call no later than 5/16/12 in order to reset this Sentencing. SO ORDERED BY Judge Christine M. Arguello on 5/11/12. Text Only Entry (cmacd ) (Entered: 05/11/2012)
05/15/2012	<a href="#">729</a>	REPLY TO RESPONSE to Motion by David A. Banks re <a href="#">677</a> MOTION to Dismiss on Speedy Trial <i>Violations With Prejudice or in the Alternative a Hearing on the Motion</i> (Torres, Charles) (Entered: 05/15/2012)
05/15/2012	<a href="#">730</a>	REPLY TO RESPONSE to Motion by David A. Banks re <a href="#">679</a> MOTION for Acquittal <i>Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on the Courts Disallowance of Witnesses Who Could Establish a Lack of a Scheme To Defraud Creditors</i> , <a href="#">678</a> MOTION for Acquittal <i>Motion for Judgment of Acquittal under Fed.R.Crim.P. 29 (c) and, Alternative Motion for New Trial under Fed.R.Crim.P. 33 Based on Fifth Amendment Violations</i> (Torres, Charles) (Entered: 05/15/2012)

05/16/2012	731	MINUTE ORDER as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Pursuant to a telephone conference between counsel, standby counsel and Chambers staff, Sentencings shall be conducted separately for each Defendant and have been RESET as follows: Defendant Walker (3) on 07/23/2012 at 9:00 AM; Defendant Barnes (6) on 07/23/2012 at 10:30 AM; Defendant Banks (1) on 07/27/2012 at 10:30 AM; Defendant Stewart (4) on 07/27/2012 at 3:30 PM; Defendant Zirpolo (5) on 07/30/2012 at 3:00 PM. All hearings will be held in Courtroom A602, before Judge Christine M. Arguello. A sentencing date was not set for Defendant Demetrius K. Harper (2) due to standby counsel's unavailability. Counsel for the government and standby counsel for Defendant Harper shall contact Chambers (303-335-2174) as soon as practicable, but NO LATER THAN 05/21/2012, to set a sentencing date for Defendant Harper. SO ORDERED BY Judge Christine M. Arguello on 05/16/12. Text Only Entry (cmasec) (Entered: 05/16/2012)
05/16/2012	732	Utility Setting Sentencing Hearing as to David A. Banks: Sentencing set for 7/27/2012 at 10:30 AM in Courtroom A 602 before Judge Christine M. Arguello pursuant to Minute Order of 5/16/12. Text Only Entry (cmacd ) (Entered: 05/17/2012)
05/16/2012	733	Utility Setting Sentencing Hearing as to Gary L. Walker: Sentencing set for 7/23/2012 at 09:00 AM in Courtroom A 602 before Judge Christine M. Arguello, purusant to Minute Order of 5/16/12. Text Only Entry (cmacd ) (Entered: 05/17/2012)
05/16/2012	734	Utility Setting Sentencing Hearing as to Clinton A. Stewart: Sentencing set for 7/27/2012 at 03:30 PM in Courtroom A 602 before Judge Christine M. Arguello, pursuant to Minute Order of 5/16/12. Text Only Entry (cmacd ) (Entered: 05/17/2012)
05/16/2012	735	Utility Setting Sentencing Hearing as to David A. Zirpolo: Sentencing set for 7/30/2012 at 03:00 PM in Courtroom A 602 before Judge Christine M. Arguello, pursuant to Minute Order of 5/16/12. Text Only Entry (cmacd ) (Entered: 05/17/2012)
05/16/2012	736	Utility Setting Sentencing Hearing as to Kendrick Barnes: Sentencing set for 7/23/2012 at 10:30 AM in Courtroom A 602 before Judge Christine M. Arguello, pursuant to Minute Order of 5/16/12. Text Only Entry (cmacd ) (Entered: 05/17/2012)
05/18/2012	737	MINUTE ORDER as to Demetrius K. Harper (2). Pursuant to a telephone call from counsel, Sentencing as to Defendant Harper is RESET to 08/07/2012 at 9:00 AM in Courtroom A602 before Judge Christine M. Arguello. SO ORDERED BY Judge Christine M. Arguello on 05/18/12. Text Only Entry (cmasec) (Entered: 05/18/2012)



05/21/2012	<a href="#">738</a>	MOTION For Downward Departure Pursuant to 5K1.1 <i>and Response to Government Sentencing Statement, the Pre-Sentence Report and Defendants Sentencing Memorandum</i> by David A. Banks. (Torres, Charles) (Entered: 05/21/2012)
05/21/2012	<a href="#">739</a>	OBJECTION/RESPONSE to Presentence Report <a href="#">719</a> by Demetrius K. Harper (Lowther, Joshua) (Entered: 05/21/2012)
05/21/2012	<a href="#">740</a>	OBJECTION/RESPONSE to Presentence Report <a href="#">720</a> by Gary L. Walker (Lowther, Joshua) (Entered: 05/21/2012)
05/21/2012	<a href="#">741</a>	OBJECTION/RESPONSE to Presentence Report <a href="#">718</a> by Clinton A. Stewart (Lowther, Joshua) (Entered: 05/21/2012)
05/21/2012	<a href="#">742</a>	OBJECTION/RESPONSE to Presentence Report <a href="#">722</a> by David A. Zirpolo (Lowther, Joshua) (Entered: 05/21/2012)
05/21/2012	<a href="#">743</a>	OBJECTION/RESPONSE to Presentence Report <a href="#">717</a> by Kendrick Barnes (Lowther, Joshua) (Entered: 05/21/2012)
05/21/2012	<a href="#">744</a>	ORDER of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. (USCA Case No. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491, and 11-1492). The abatement of the six above captioned appeals remains in place. Sentencing of the co-defendants has been rescheduled to late July and early August. (lswsl, ) (Entered: 05/22/2012)
06/15/2012	<a href="#">745</a>	RESPONSE by USA as to Demetrius K. Harper re: <a href="#">739</a> Objection/Response to Presentence Report filed by Demetrius K. Harper (Kirsch, Matthew) (Entered: 06/15/2012)
06/15/2012	<a href="#">746</a>	RESPONSE by USA as to Gary L. Walker re: <a href="#">740</a> Objection/Response to Presentence Report filed by Gary L. Walker (Kirsch, Matthew) (Entered: 06/15/2012)
06/15/2012	<a href="#">747</a>	RESPONSE by USA as to Clinton A. Stewart re: <a href="#">741</a> Objection/Response to Presentence Report filed by Clinton A. Stewart (Kirsch, Matthew) (Entered: 06/15/2012)
06/15/2012	<a href="#">748</a>	RESPONSE by USA as to David A. Zirpolo re: <a href="#">742</a> Objection/Response to Presentence Report filed by David A. Zirpolo (Kirsch, Matthew) (Entered: 06/15/2012)
06/15/2012	<a href="#">749</a>	RESPONSE by USA as to Kendrick Barnes re: <a href="#">743</a> Objection/Response to Presentence Report filed by Kendrick Barnes (Kirsch, Matthew) (Entered: 06/15/2012)
06/15/2012	<a href="#">750</a>	Unopposed MOTION for Order to <i>Disclose Grand Jury Subpoenas to Third Parties Pursuant to Rule 6(e)(3)(E)(i)</i> by USA as to David A.

		Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit 1 - 11/4/12 transcript, # <a href="#">2</a> Proposed Order (PDF Only))(Padden, Amy) (Entered: 06/15/2012)
06/20/2012	<a href="#">751</a>	ORDER AUTHORIZING DISCLOSURE OF GRAND JURY SUBPOENAS TO THIRD PARTIES PURSUANT TO FED. R. CRIM. P. 6 (e)(3)(E)(i) re <a href="#">750</a> Government's Motion to Disclose Grand Jury Subpoenas Pursuant to Fed. R. Crim. P. 6(e)(3)(E)(i) as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). By Judge Christine M. Arguello on 6/20/12. (mnfsl, ) (Entered: 06/20/2012)
06/21/2012	<a href="#">752</a>	RESPONSE in Opposition by USA as to David A. Banks re <a href="#">738</a> MOTION For Downward Departure Pursuant to 5K1.1 <i>and Response to Government Sentencing Statement, the Pre-Sentence Report and Defendants Sentencing Memorandum</i> (Kirsch, Matthew) (Entered: 06/21/2012)
06/28/2012	<a href="#">753</a>	ORDER denying <a href="#">678</a> Motion for Acquittal as to David A. Banks (1); denying 697 Motion for Acquittal as to Demetrius K. Harper (2) Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), and Kendrick Barnes (6) by Judge Christine M. Arguello on 6/28/12. (cmacd ) Modified on 6/28/2012 to add Walker, Stewart, Zirpolo, Barnes(cmacd ). (Entered: 06/28/2012)
06/28/2012	<a href="#">754</a>	ORDER denying <a href="#">677</a> Motion to Dismiss for Speedy Trial as to David A. Banks (1); denying <a href="#">687</a> Motion for Speedy Trial as to David A. Banks (1); denying 696 Motion to Dismiss for Speedy Trial as to Demetrius K. Harper, (2)Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), and Kendrick Barnes (6) by Judge Christine M. Arguello on 6/28/12. (cmacd ) Modified on 6/28/2012 to add Walker, Steward, Zirpolo, Barnes(cmacd ). (Entered: 06/28/2012)
06/28/2012	<a href="#">755</a>	ORDER denying <a href="#">679</a> Motion for Acquittal as to David A. Banks (1) by Judge Christine M. Arguello on 6/28/12. (cmacd ) (Entered: 06/28/2012)
07/09/2012	<a href="#">756</a>	MOTION for Non-Guideline Sentence <i>Sentencing Memorandum and Incorporated Motion for Variance</i> by Gary L. Walker. (Lowther, Joshua) (Entered: 07/09/2012)
07/09/2012	<a href="#">757</a>	MOTION for Non-Guideline Sentence <i>Sentencing Memorandum and Incorporated Motion for Variance</i> by Kendrick Barnes. (Lowther, Joshua) (Entered: 07/09/2012)
07/11/2012	<a href="#">758</a>	RESTRICTED PRESENTENCE REPORT as to Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/11/2012)

07/11/2012	<a href="#">759</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">758</a> as to Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/11/2012)
07/12/2012	<a href="#">760</a>	RESTRICTED PRESENTENCE REPORT as to Gary L. Walker (Attachments: # <a href="#">1</a> Exhibit A)(aarag, ) (Entered: 07/12/2012)
07/12/2012	<a href="#">761</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">760</a> as to Gary L. Walker (Attachments: # <a href="#">1</a> Exhibit A)(aarag, ) (Entered: 07/12/2012)
07/13/2012	<a href="#">762</a>	MOTION for Non-Guideline Sentence <i>Sentencing Memorandum and Incorporated Motion for Variance</i> by Clinton A. Stewart. (Lowther, Joshua) (Entered: 07/13/2012)
07/16/2012	<a href="#">763</a>	MOTION for Non-Guideline Sentence <i>Sentencing Memorandum and Incorporated Motion for Variance</i> by David A. Zirpolo. (Lowther, Joshua) (Entered: 07/16/2012)
07/18/2012	<a href="#">764</a>	MOTION for Order <i>MOTION FOR CONTINUED RELEASE PENDING AN APPELLATE OPINION IN THIS CASE AND/OR PERMISSION TO SELF REPORT AND REQUEST FOR RECOMMENDATION TO BE CONFINED AT THE CLOSEST MINIMUM SECURITY FACILITY</i> by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 07/18/2012)
07/19/2012	<a href="#">765</a>	RESTRICTED PRESENTENCE REPORT as to David A. Banks (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">766</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">765</a> as to David A. Banks (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">767</a>	RESTRICTED PRESENTENCE REPORT as to Clinton A. Stewart (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">768</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">767</a> as to Clinton A. Stewart (Attachments: # <a href="#">1</a> Exhibit A)(srich, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">769</a>	RESTRICTED PRESENTENCE REPORT as to David A. Zirpolo (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(emaso, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">770</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">769</a> as to David A. Zirpolo (emaso, ) (Entered: 07/19/2012)
07/19/2012	<a href="#">771</a>	Unopposed MOTION to Continue by Kendrick Barnes. (Casper, Dana) (Entered: 07/19/2012)
07/20/2012	772	ORDER GRANTING <a href="#">771</a> Motion to Continue as to Kendrick Barnes (6). Sentencing as to Defendant Barnes is RESET to 07/23/2012 at 2:30 PM in Courtroom A602 before Judge Christine M. Arguello. SO ORDERED BY Judge Christine M. Arguello on 07/20/12. Text Only Entry (cmasec) (Entered: 07/20/2012)

07/23/2012	773	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/23/2012 as to defendant Gary L. Walker.MOTIONS: Denying Defendant Walker's Motion for Non-Guideline Sentencing Variance. Defendant Walker's Oral Motion to Withdraw as Counsel is granted. Michael Lindsey is permitted to withdraw as counsel for the defendant.Defendant sentenced as reflected on the record.; Defendant present on bond, Defendant remanded, (Total time: 1:03, Hearing time: 8:59-10:03)</p> <p><b>APPEARANCES:</b> Matthew Kirsch on behalf of the Government, Joshua Lowther, Michael Lindsey, Gwendolyn Solomon on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darlene Martinez. (sahsl, ) Text Only Entry (Entered: 07/23/2012)</p>
07/23/2012	<a href="#">774</a>	<p>Unopposed MOTION to Continue <i>SENTENCING HEARING</i> by USA as to Demetrius K. Harper. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 07/23/2012)</p>
07/23/2012	775	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/23/2012 as to defendant Kendrick Barnes. MOTIONS: Denying <a href="#">757</a> Motion for Non-Guideline Sentence; granting defendant's Oral Motion for Withdrawal of Attorney. Dana Casper is permitted to withdraw as as counsel. Defendant sentenced as reflected on the record.; Defendant present on bond, Defendant remanded, (Total time: 00:46, Hearing time: 2:30-3:12)</p> <p><b>APPEARANCES:</b> Matthew Kirsch on behalf of the Government, Gwendolyn Soloman, Joshua Lowther, Dana Casper on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darlene Martinez. (sahsl, ) Text Only Entry (Entered: 07/23/2012)</p>
07/23/2012	<a href="#">776</a>	<p>SUPPLEMENT to <a href="#">738</a> MOTION For Downward Departure Pursuant to 5K1.1 and <i>Response to Government Sentencing Statement, the Pre-Sentence Report and Defendants Sentencing Memorandum</i> by David A. Banks (Attachments: # <a href="#">1</a> Exhibit Attachment A)(Torres, Charles) (Entered: 07/23/2012)</p>
07/23/2012	777	<p>ORDER GRANTING <a href="#">774</a> Motion to Continue as to Demetrius K. Harper (2). Sentencing as to Defendant Harper, currently set for 08/07/2012, is VACATED and RESET to 07/27/2012 at 1:30 PM in Courtroom A602 before Judge Christine M. Arguello. SO ORDERED BY Judge Christine M. Arguello on 07/23/12. Text Only Entry (cmasec) (Entered: 07/23/2012)</p>
07/24/2012	<a href="#">778</a>	<p>MOTION for Non-Guideline Sentence <i>Sentencing Memorandum and Incorporated Motion for Variance</i> by Demetrius K. Harper. (Lowther, Joshua) (Entered: 07/24/2012)</p>

07/24/2012	<a href="#">779</a>	RESTRICTED PRESENTENCE REPORT as to Demetrius K. Harper (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(dgall, ) (Entered: 07/24/2012)
07/24/2012	<a href="#">780</a>	RESTRICTED ADDENDUM to Presentence Report <a href="#">779</a> as to Demetrius K. Harper (dgall, ) (Entered: 07/24/2012)
07/24/2012	<a href="#">782</a>	VACATED by <a href="#">1082</a> - JUDGMENT as to defendant Gary L. Walker (3), Count(s) 1, Defendant is to be imprisoned for 135 months. Supervised Release: 3 years. Assessment: \$100. Restitution: \$5,018,959.66. By Judge Christine M. Arguello on 7/24/12. (dkals, ) Modified on 6/28/2017 (cmasec). (Entered: 07/25/2012)
07/25/2012	<a href="#">781</a>	RESPONSE in Opposition by USA as to David A. Banks re <a href="#">764</a> MOTION for Order <i>MOTION FOR CONTINUED RELEASE PENDING AN APPELLATE OPINION IN THIS CASE AND/OR PERMISSION TO SELF REPORT AND REQUEST FOR RECOMMENDATION TO BE CONFINED AT THE CLOSEST MINIMUM SECURITY FACILITY</i> (Kirsch, Matthew) (Entered: 07/25/2012)
07/25/2012	<a href="#">783</a>	CJA 20/30 Payment Request as to Kendrick Barnes. (Attachments: # <a href="#">1</a> CJA Attachment, # <a href="#">2</a> CJA Attachment, # <a href="#">3</a> CJA Attachment)(Casper, Dana) (Entered: 07/25/2012)
07/26/2012	<a href="#">784</a>	REPLY TO RESPONSE to Motion by David A. Banks re <a href="#">764</a> MOTION for Order <i>MOTION FOR CONTINUED RELEASE PENDING AN APPELLATE OPINION IN THIS CASE AND/OR PERMISSION TO SELF REPORT AND REQUEST FOR RECOMMENDATION TO BE CONFINED AT THE CLOSEST MINIMUM SECURITY FACILITY</i> (Torres, Charles) (Entered: 07/26/2012)
07/27/2012	785	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/27/2012 as to defendant David A. Banks. MOTIONS: Denying <a href="#">738</a> Motion for Downward Departure Pursuant to 5K1.1 ; denying <a href="#">764</a> Motion for Order. Defendant sentenced as reflected on the record. Defendant present on bond, Defendant remanded, (Total time: 02:14, Hearing time: 10:55-1:09)  <b>APPEARANCES:</b> Matt Kirch, Suneeta Hazra on behalf of the Government, Charles Torrez on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darlene Martinez. (sahsl, ) Text Only Entry (Entered: 07/27/2012)
07/27/2012	<a href="#">786</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">496</a> Notice of Appeal as to Gary L. Walker. (USCA Case No. 11-1491) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment filed 7/24/12)(lswsl, ) (Entered: 07/27/2012)

07/27/2012	787	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/27/2012 as to defendant Demetrius K. Harpe. MOTIONS: Defendant Harper's Oral Motion to Withdraw Mr. Hammond as counsel is granted; denying <a href="#">778</a> Motion for Non-Guideline Sentence. Defendant sentenced as reflected on the record.; Defendant present on bond, Defendant remanded, (Total time: 1:04, Hearing time: 2:01-3:05)</p> <p><b>APPEARANCES:</b> Matt Kirch on behalf of the Government, Joshua Lowther, Gwendolyn Soloman, Tom Hammond on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darelene Martinez. (sahsl, ) Text Only Entry (Entered: 07/27/2012)</p>
07/27/2012	<a href="#">788</a>	CJA 20/30 Payment Request as to David A. Banks. (Attachments: # <a href="#">1</a> CJA Attachment)(Torres, Charles) (Entered: 07/27/2012)
07/27/2012	789	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/27/2012 as to defendant Clinton A. Stewart. MOTIONS: Denying <a href="#">762</a> Motion for Non-Guideline Sentence. Defendant Stewart's Oral Motion to Withdraw Counsel is granted. Defendant sentenced as reflected on the record.; Defendant present on bond, Defendant remanded, (Total time: 00:54, Hearing time: 3:29-4:26)</p> <p><b>APPEARANCES:</b> Matt Kirsch on behalf of the Government, Joshua Lowther, Gwendolyn Soloman, Richard Banta on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darlene Martinez. (sahsl, ) Text Only Entry (Entered: 07/30/2012)</p>
07/30/2012	790	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 7/30/2012 as to defendant David A. Zirpolo. MOTIONS: Denying <a href="#">763</a> Motion for Non-Guideline Sentence. Defendant Zirpolo's Oral Motion to Withdraw Counsel is granted. Defendant sentenced as reflected on the record. Defendant present on bond, Defendant remanded, (Total time: 01:07, Hearing time: 3:03-4:10)</p> <p><b>APPEARANCES:</b> Matt Kirsch, on behalf of the Government, Joshua Lowther, Gwendolyn Soloman, William Taylor on behalf of the defendant, Susan Heckman on behalf of probation. Court Reporter: Darlene Martinez. (sahsl, ) Text Only Entry (Entered: 07/30/2012)</p>
07/30/2012	<a href="#">791</a>	MOTION for Release from Custody <i>Pending Appeal</i> by Demetrius K. Harper. (Lowther, Joshua) (Entered: 07/30/2012)
07/30/2012	<a href="#">792</a>	MOTION for Release from Custody <i>Pending Appeal</i> by Gary L. Walker. (Lowther, Joshua) (Entered: 07/30/2012)



07/30/2012	<a href="#">793</a>	MOTION for Release from Custody <i>Pending Appeal</i> by Clinton A. Stewart. (Lowther, Joshua) (Entered: 07/30/2012)
07/30/2012	<a href="#">794</a>	MOTION for Release from Custody <i>Pending Appeal</i> by David A. Zirpolo. (Lowther, Joshua) (Entered: 07/30/2012)
07/30/2012	<a href="#">795</a>	MOTION for Release from Custody <i>Pending Appeal</i> by Kendrick Barnes. (Lowther, Joshua) (Entered: 07/30/2012)
08/01/2012	<a href="#">798</a>	JUDGMENT as to defendant Demetrius K. Harper (2), Counts 1, 3-4, 8-9, 11-13, 15-19, 21, and 24: Defendant is to be imprisoned for 121 months. Supervised Release 36 months. Assessment \$1,500. Restituion \$5,018,959.66. By Judge Christine M. Arguello on 8/1/12. (dkals, ) (Entered: 08/03/2012)
08/01/2012	<a href="#">800</a>	JUDGMENT as to defendant David A. Zirpolo (5), Counts 1, 3, 5, 7, 11-13, and 17-23: Defendant is to be imprisoned for 121 months. Superised Release 36 months. Assessment \$1,400. Restitution \$5,018,959.66. By Judge Christine M. Arguello on 8/1/12. (dkals, ) (Entered: 08/03/2012)
08/01/2012	<a href="#">801</a>	JUDGMENT as to defendant Kendrick Barnes (6), Counts 1, 4-5, 7-8, 20, and 23: Defendant is to be imprisoned for 87 months. Supervised Release 36 months. Assessment \$700. Restitution \$5,018,959.66. By Judge Christine M. Arguello on 8/1/12. (dkals, ) (Entered: 08/03/2012)
08/02/2012	<a href="#">796</a>	CJA 20/30 Payment Request as to Gary L. Walker. (Attachments: # <a href="#">1</a> CJA Attachment)(Lindsey, Michael) (Entered: 08/02/2012)
08/02/2012	<a href="#">797</a>	JUDGMENT as to defendant David A. Banks (1), Counts 1, 4-8, 10, 13, 14, 16-20, and 23: Defendant is to be imprisoned for 135 months. Supervised release 36 months. Assessment \$1,500.00. Restitution \$5,018,959.66.; Counts 2 and 25: Dismissed. By Judge Christine M. Arguello on 8/2/12. (dkals, ) (Entered: 08/03/2012)
08/02/2012	<a href="#">799</a>	JUDGMENT as to defendant Clinton A. Stewart (4), Counts 1, 4, 8, 12, 18, and 20-21: Defendant to be imprisoned for 121 months. Supervised Release 36 months. Assessment \$700. Restitution \$5,018,959.66. By Judge Christine M. Arguello on 8/2/12. (dkals, ) (Entered: 08/03/2012)
08/03/2012	<a href="#">802</a>	RESPONSE in Opposition by USA as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 792 MOTION for Release from Custody <i>Pending Appeal</i> , 795 MOTION for Release from Custody, <a href="#">791</a> MOTION for Release from Custody <i>Pending Appeal</i> , 793 MOTION for Release from Custody <i>Pending Appeal</i> , 794 MOTION for Release from Custody <i>Pending Appeal</i> (Kirsch, Matthew) (Entered: 08/03/2012)
08/06/2012	<a href="#">803</a>	ORDER of USCA as to Demetrius K. Harper re <a href="#">490</a> Notice of Appeal. (USCA Case No. 11-1489) Abatement remains pending clarification of



		who will be representing this defendant-appellant. (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">804</a>	ORDER of USCA as to David A. Banks re <a href="#">483</a> Notice of Appeal. Abatement remains pending clarification of who will be representing this defendant- appellant. (USCA Case No. 11-1487) (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">805</a>	ORDER of USCA as to Kendrick Barnes re <a href="#">487</a> Notice of Appeal. Abatement remains pending clarification of who will be representing this defendant- appellant. (USCA Case No. 11-1488) (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">806</a>	ORDER of USCA as to Clinton A. Stewart re <a href="#">493</a> Notice of Appeal. Abatement remains pending clarification of who will be representing this defendant- appellant. (USCA Case No. 11-1490) (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">807</a>	ORDER of USCA as to David A. Zirpolo re <a href="#">499</a> Notice of Appeal. Abatement remains pending clarification of who will be representing this defendant- appellant. (USCA Case No. 11-1492) (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">808</a>	ORDER of USCA as to Gary L. Walker re <a href="#">496</a> Notice of Appeal. Abatement remains pending clarification of who will be representing this defendant- appellant. (USCA Case No. 11-1491) (lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">809</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">483</a> Notice of Appeal as to David A. Banks. (USCA Case No. 11-1487) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment filed on 8/2/12)(lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">810</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">490</a> Notice of Appeal as to Demetrius K. Harper. (USCA Case No. 11-1489) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment filed on 8/1/12)(lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">811</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">493</a> Notice of Appeal as to Clinton A. Stewart. (USCA Case No. 11-1490) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment filed on 8/2/12)(lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">812</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">499</a> Notice of Appeal as to David A. Zirpolo. (USCA Case No. 11-1492) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment filed on 8/1/12)(lsWSL, ) (Entered: 08/06/2012)
08/06/2012	<a href="#">813</a>	LETTER Transmitting to US Court of Appeals Supplemental Preliminary Record re: <a href="#">487</a> Notice of Appeal as to Kendrick Barnes.

		(USCA Case No. 11-1488) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Judgment 8/1/12)(lsWSL, ) (Entered: 08/06/2012)
08/07/2012	<a href="#">814</a>	MOTION to Appoint CJA Counsel by David A. Banks. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Torres, Charles) (Entered: 08/07/2012)
08/08/2012	815	MINUTE ORDER as to David A. Banks re <a href="#">814</a> MOTION to Appoint CJA Counsel filed by David A. Banks. Defendant Banks is DIRECTED to file CJA Form 23 Financial Affidavit with the Court to supplement his Motion for Appointment Pursuant to CJA (Doc. #814). SO ORDERED BY Judge Christine M. Arguello on 08/08/12. Text Only Entry (cmasec) (Entered: 08/08/2012)
08/08/2012	<a href="#">817</a>	ORDER denying <a href="#">791</a> Motion for Release from Custody as to Demetrius K. Harper (2), denying 792 Motion for Release from Custody as to Gary L. Walker (3), denying 793 Motion for Release from Custody as to Clinton A. Stewart (4), denying 794 Motion for Release from Custody as to David A. Zirpolo (5), and denying 795 Motion for Release from Custody as to Kendrick Barnes (6) by Judge Christine M. Arguello on 8/8/12. (dkals, ) (Entered: 08/09/2012)
08/09/2012	<a href="#">816</a>	AFFIDAVIT by David A. Banks <a href="#">814</a> MOTION to Appoint CJA Counsel filed by David A. Banks (Torres, Charles) (Entered: 08/09/2012)
08/10/2012	<a href="#">818</a>	ORDER re: <a href="#">814</a> Motion to Appoint CJA Counsel as to David A. Banks (1) by Judge Christine M. Arguello on 8/10/12. (dkals, ) (Entered: 08/10/2012)
08/10/2012	<a href="#">819</a>	CJA 21/31 Payment Request as to Clinton A. Stewart. (Attachments: # <a href="#">1</a> CJA Attachment Worksheet)(Banta, Richard) (Entered: 08/10/2012)
08/13/2012	<a href="#">820</a>	LETTER Transmitting to US Court of Appeals Second Supplemental Preliminary Record re: <a href="#">483</a> Notice of Appeal as to David A. Banks. (USCA Case No. 11-1487) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Order Regarding Motion for Appointment of Counsel filed on 8/10/12)(lsWSL, ) (Entered: 08/13/2012)
08/13/2012	<a href="#">821</a>	CJA 20/30 Payment Request as to Clinton A. Stewart. (Attachments: # <a href="#">1</a> CJA Attachment Worksheet)(Banta, Richard) (Entered: 08/13/2012)
08/14/2012	<a href="#">822</a>	TRANSCRIPT of Sentencing Hearing as to David A. Banks held on 7/27/12 before Judge Arguello. Pages: 1-99. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at</b>

		<a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a> .	Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">823</a>	TRANSCRIPT of Sentencing Hearing as to Demetrius K. Harper held on 7/27/12 before Judge Arguello. Pages: 1-51. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at</b> <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a> .	Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">824</a>	TRANSCRIPT of Sentencing Hearing as to Gary L. Walker held on 7/23/12 before Judge Arguello. Pages: 1-53. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at</b> <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a> .	Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">825</a>	TRANSCRIPT of Sentencing Hearing as to Clinton A. Stewart held on 7/27/12 before Judge Arguello. Pages: 1-47. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at</b> <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a> .	Transcript may only be viewed at the court public terminal or purchased through the Court

		Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">826</a>	TRANSCRIPT of Sentencing Hearing as to David A. Zirpolo held on 7/30/12 before Judge Arguello. Pages: 1-54. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">827</a>	TRANSCRIPT of Sentencing Hearing as to Kendrick Barnes held on 7/23/12 before Judge Arguello. Pages: 1-37. <P> <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> </P> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/16/2012. (Martinez, Darlene) (Entered: 08/14/2012)
08/14/2012	<a href="#">828</a>	ORDER of USCA as to David A. Banks re <a href="#">483</a> Notice of Appeal. Appointment of Charles Henry Torres as CJA counsel. (USCA Case No. 11-1487) (lswsl, ) (Entered: 08/14/2012)
08/16/2012	<a href="#">830</a>	CJA 20/30 Payment Authorization as to Gary L. Walker by Judge Christine M. Arguello on 8/16/2012. (mjwcd) (Entered: 08/22/2012)
08/17/2012	<a href="#">829</a>	ORDER of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. The previously ordered abatements are lifted. The six cases are consolidated for purposes of record preparation. (USCA Case No. 11-1487, 11-1488, 11-1489, 11-1490,) (lswsl, ) (Entered: 08/17/2012)

08/23/2012	<a href="#"><u>831</u></a>	CJA 20/30 Payment Request as to David A. Banks. (Attachments: # <a href="#"><u>1</u></a> CJA Attachment)(Torres, Charles) (Entered: 08/23/2012)
08/30/2012	<a href="#"><u>832</u></a>	STIPULATION <i>re: transcript pursuant to Fed. R. App. P. Rule 10(c) (proposed)</i> by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B)(Solomon, Gwendolyn) (Entered: 08/30/2012)
09/04/2012	<a href="#"><u>833</u></a>	USCA Appeal Fees received \$ 455, receipt number 50048; Full Payment (USCA Case No. 11-1488) as to Kendrick Barnes. (lsWSL, ) (Entered: 09/05/2012)
09/04/2012	<a href="#"><u>834</u></a>	USCA Appeal Fees received \$ 455, receipt number 50047; Full Payment (USCA Case No. 11-1489) as to Demetrius K. Harper. (lsWSL, ) (Entered: 09/05/2012)
09/04/2012	<a href="#"><u>835</u></a>	USCA Appeal Fees received \$ 455, receipt number 50049; Full Payment (USCA Case No. 11-1490) as to Clinton A. Stewart. (lsWSL, ) (Entered: 09/05/2012)
09/04/2012	<a href="#"><u>836</u></a>	USCA Appeal Fees received \$ 455, receipt number 50050; Full Payment (USCA Case No. 11-1491) as to Gary L. Walker. (lsWSL, ) (Entered: 09/05/2012)
09/04/2012	<a href="#"><u>837</u></a>	USCA Appeal Fees received \$ 455, receipt number 50051; Full Payment (USCA Case No. 11-1492) as to David A. Zirpolo. (lsWSL, ) (Entered: 09/05/2012)
09/07/2012	<a href="#"><u>838</u></a>	DESIGNATION OF RECORD ON APPEAL re 487 Notice of Appeal, <a href="#"><u>483</u></a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 09/07/2012)
09/07/2012	<a href="#"><u>839</u></a>	TRANSCRIPT ORDER FORM re 487 Notice of Appeal, <a href="#"><u>483</u></a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Lowther, Joshua) (Entered: 09/07/2012)
09/09/2012	<a href="#"><u>842</u></a>	CJA 20/30 Payment Authorization as to Kendrick Barnes by Judge Christine M. Arguello on 9/9/2012. (mjwcd) (Entered: 09/14/2012)
09/12/2012	<a href="#"><u>840</u></a>	Transmitted Record on Appeal as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes to US Court of Appeals re 487 Notice of Appeal, <a href="#"><u>483</u></a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal Volume Numbers: I, II, III and IV. (lsWSL, ) (Entered: 09/12/2012)

09/12/2012	<a href="#">843</a>	CJA 20/30 Payment Authorization as to Clinton A. Stewart by Judge Christine M. Arguello on 9/12/12. (mjwcd) (Entered: 09/14/2012)
09/13/2012	<a href="#">841</a>	RESPONSE by USA as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re: 832 Stipulation filed by Demetrius K. Harper, Kendrick Barnes, David A. Zirpolo, Clinton A. Stewart, Gary L. Walker (Kirsch, Matthew) Modified on 9/14/2012 to correct parties (dkals, ). (Entered: 09/13/2012)
09/14/2012	<a href="#">844</a>	REPLY by David A. Banks to <a href="#">841</a> Response, <i>Reply to Govt's Response in Opposition of Stipulation</i> (Torres, Charles) (Entered: 09/14/2012)
09/17/2012	<a href="#">845</a>	REPLY by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes to <a href="#">841</a> Response, <i>by the United States Response to Defendants Proposed Stipulation</i> (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Solomon, Gwendolyn) Modified on 9/18/2012 to correct parties (dkals, ). (Entered: 09/17/2012)
10/16/2012	<a href="#">846</a>	ORDER Rejecting <a href="#">832</a> Stipulation as inaccurate as to Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes by Judge Christine M. Arguello on 10/16/12. (dkals, ) (Entered: 10/16/2012)
10/19/2012	<a href="#">847</a>	STATEMENT <i>Joint Statement of the Evidence</i> by Defendants Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit Doc 631, # <a href="#">6</a> Exhibit Doc 633, # <a href="#">7</a> Exhibit Doc 635, # <a href="#">8</a> Exhibit Doc 636, # <a href="#">9</a> Exhibit Doc 652, # <a href="#">10</a> Exhibit Doc 753, # <a href="#">11</a> Exhibit Doc 841, # <a href="#">12</a> Exhibit Doc 846)(Solomon, Gwendolyn) (Entered: 10/19/2012)
10/23/2012	<a href="#">848</a>	ORDER of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. Motion to Supplement the Record on Appeal is granted. Clerk for the District Court shall immediately transmit the supplemental record. (USCA Case No. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491, 11-1492) (lswsl ) (Entered: 10/23/2012)
10/23/2012	<a href="#">849</a>	Supplemental Record on Appeal as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes transmitted to US Court of Appeals re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. Supplemental Volume Number: I. (lswsl ) (Entered: 10/23/2012)



10/23/2012	<a href="#">850</a>	CJA 20/30 Payment Authorization as to David A. Banks by Judge Christine M. Arguello on 10/23/2012. (mjwcd) (Entered: 11/08/2012)
11/21/2012	<a href="#">851</a>	RESTRICTED DOCUMENT - Level 3: by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 11/21/2012)
11/21/2012	<a href="#">852</a>	RESTRICTED DOCUMENT - Level 3: by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 11/21/2012)
11/21/2012	<a href="#">853</a>	MOTION for Leave to Restrict Document by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Kirsch, Matthew) (Entered: 11/21/2012)
11/21/2012	<a href="#">854</a>	RESTRICTED DOCUMENT - Level 3: by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Solomon, Gwendolyn) Modified on 11/23/2012 to correct parties (dkals, ). (Entered: 11/21/2012)
11/21/2012	<a href="#">855</a>	MOTION for Leave to Restrict Document by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Solomon, Gwendolyn) Modified on 11/23/2012 to correct parties (dkals, ). (Entered: 11/21/2012)
11/27/2012	<a href="#">856</a>	ORDER granting <a href="#">851</a> Ex Parte Motion and <a href="#">853</a> Motion to Restrict at Level 3 Docket Entries 851 & 852, denying as moot <a href="#">854</a> Motion to Unrestrict Governments Documents #851 and #852, and denying <a href="#">855</a> Motion to Restrict at Level 3 Docket Entries [sic] # 854 as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) by Judge Christine M. Arguello on 11/27/12. (dkals, ) (Entered: 11/27/2012)
11/27/2012	<a href="#">857</a>	RESTRICTED DOCUMENT - Level 3 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (dkals, ) (Entered: 11/27/2012)
11/27/2012	<a href="#">858</a>	Joint MOTION to Unrestrict Document <a href="#">852</a> Restricted Document - Level 3 filed by USA by Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Solomon, Gwendolyn) (Entered: 11/27/2012)
11/28/2012	859	ORDER DENYING <a href="#">858</a> Motion to Unrestrict Document as to Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6), by Judge Christine M. Arguello on 11/28/12. Text Only Entry (cmasec) (Entered: 11/28/2012)



12/19/2012	<a href="#"><u>860</u></a>	Receipt for transfer of Passport to the Department of State as to David A. Banks. (kltsl) (Entered: 12/19/2012)
12/19/2012	<a href="#"><u>861</u></a>	Receipt for transfer of Passport to the Department of State as to Kendrick Barnes. (kltsl) (Entered: 12/19/2012)
12/19/2012	<a href="#"><u>862</u></a>	Receipt for transfer of Passport to the Department of States as to Demetrius K. Harper. (kltsl) (Entered: 12/19/2012)
12/19/2012	<a href="#"><u>863</u></a>	Receipt for transfer of Passport to the Department of State as to Clinton A. Stewart. (kltsl) (Entered: 12/19/2012)
12/19/2012	<a href="#"><u>864</u></a>	Receipt for transfer of Passport to the Department of State as to Gary L. Walker. (kltsl) (Entered: 12/19/2012)
12/19/2012	<a href="#"><u>865</u></a>	Receipt for transfer of Passport to the Department of State as to David A. Zirpolo. (kltsl) (Entered: 12/19/2012)
01/29/2013	<a href="#"><u>866</u></a>	ORDER EXONERATING BOND as to David A. Banks by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/29/2013	<a href="#"><u>867</u></a>	ORDER EXONERATING BOND as to Demetrius K. Harper by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/29/2013	<a href="#"><u>868</u></a>	ORDER EXONERATING BOND as to Gary L. Walker by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/29/2013	<a href="#"><u>869</u></a>	ORDER EXONERATING BOND as to Clinton A. Stewart by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/29/2013	<a href="#"><u>870</u></a>	ORDER EXONERATING BOND as to David A. Zirpolo by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/29/2013	<a href="#"><u>871</u></a>	ORDER EXONERATING BOND as to Kendrick Barnes by Judge Christine M. Arguello on 1/29/13. (dkals, ) (Entered: 01/29/2013)
01/30/2013	<a href="#"><u>872</u></a>	BOND EXONERATED as to David A. Banks: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)
01/30/2013	<a href="#"><u>873</u></a>	BOND EXONERATED as to Demetrius K. Harper: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)
01/30/2013	<a href="#"><u>874</u></a>	BOND EXONERATED as to Gary L. Walker: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)
01/30/2013	<a href="#"><u>875</u></a>	BOND EXONERATED as to Clinton A. Stewart: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)
01/30/2013	<a href="#"><u>876</u></a>	BOND EXONERATED as to David A. Zirpolo: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)
01/30/2013	<a href="#"><u>877</u></a>	BOND EXONERATED as to Kendrick Barnes: Surety Secured Appearance Bond (dkals, ) (Entered: 01/30/2013)

03/29/2013	<a href="#">878</a>	<p>TRANSCRIPT of Motion Hearing as to David A. Banks held on April 20, 2012 before Magistrate Judge Shaffer. Pages: 1-9.</p> <p><b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 7/1/2013. (Avery Woods Reporting, ) (Entered: 03/29/2013)</p>
10/08/2013	<a href="#">879</a>	<p>PETITION for Writ of Mandamus [Re: USCA Nos. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491 &amp; 11-1492] by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Attachments)(dbrow, ) (Entered: 10/08/2013)</p>
10/08/2013	<a href="#">880</a>	<p>USCA Case Number as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes 13-1416 for 487 Notice of Appeal filed by Kendrick Barnes, <a href="#">483</a> Notice of Appeal filed by David A. Banks, 496 Notice of Appeal filed by Gary L. Walker, 493 Notice of Appeal filed by Clinton A. Stewart, 490 Notice of Appeal filed by Demetrius K. Harper, 499 Notice of Appeal filed by David A. Zirpolo. See <a href="#">879</a> PETITION for Writ of Mandamus [Re: USCA Nos. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491 &amp; 11-1492] (dbrow, ) (Entered: 10/08/2013)</p>
10/11/2013	<a href="#">881</a>	<p>ORDER of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 496 Notice of Appeal, 487 Notice of Appeal 490 Notice of Appeal, 499 Notice of Appeal. Attorney Joshua Sabert Lowther is hereby removed as counsel of record for Appellants Kendrick Barnes, Demetrius K. Harper, Clinton A. Stewart, Gary L. Walker, and David A. Zirpolo. Attorney Gwendolyn Maurice Solomon will continue to represent the appellants.(USCA Case No. 11-1488; 11-1489; 11-1490; 11-1491 and 11-1492) (dbrow, ) (Entered: 10/11/2013)</p>
10/16/2013	<a href="#">882</a>	<p>ORDER of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. The</p>

		petition for a writ of mandamus is denied. (USCA Case No. 13-1416) (dbrow, ) (Entered: 10/16/2013)
01/30/2014	<a href="#">883</a>	RESTRICTED DOCUMENT - Level 3: by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 01/30/2014)
01/30/2014	<a href="#">884</a>	MOTION for Leave to Restrict Document as to docket entry # by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 01/30/2014)
01/30/2014	<a href="#">885</a>	RESTRICTED DOCUMENT - Level 3: by USA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kirsch, Matthew) (Entered: 01/30/2014)
01/30/2014	<a href="#">886</a>	RESTRICTED DOCUMENT - Level 3 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (dkals, ) (Entered: 01/30/2014)
01/31/2014	<a href="#">887</a>	RESPONSE in Opposition by David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">884</a> MOTION for Leave to Restrict Document as to docket entry # 883, 885 and 886 (Solomon, Gwendolyn) (Entered: 01/31/2014)
02/05/2014	888	ORDER GRANTING <a href="#">884</a> Motion for Leave to Restrict as to David A. Banks (1), Demetrius K. Harper (2), Gary L. Walker (3), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6). Doc. <a href="#">883</a> and Doc. <a href="#">885</a> , and any orders that may reveal the contents of these documents shall have a Level 3 Restriction until further order of this Court. SO ORDERED BY Judge Christine M. Arguello on 02/05/14. Text Only Entry (cmasec) (Entered: 02/05/2014)
08/04/2014	<a href="#">889</a>	USCA OPINION as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal : AFFIRMED. [USCA CASE No. 11-1487, 11-1488, 11-1489, 11-1480, 11-1491 and 11-1492. (This document is not the Mandate) (Attachments: # <a href="#">1</a> David A. Banks Judgment, # <a href="#">2</a> Demetrius K. Harper Judgment, # <a href="#">3</a> Gary L. Walker Judgment, # <a href="#">4</a> Clinton A. Stewart Judgment, # <a href="#">5</a> David Zirpolo Judgment, # <a href="#">6</a> Kendrick Barnes Judgment)(dbrow, ) (Entered: 08/04/2014)
08/26/2014	<a href="#">890</a>	MANDATE of USCA as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal.

		[USCA CASE No. 11-1487, 11-1488, 11-1489, 11-1480, 11-1491 and 11-1492]. (dbrow, ) (Entered: 08/26/2014)
08/28/2014	<a href="#">891</a>	Supreme Court LETTER as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal. The petition for a writ of certiorari in the above entitled case was filed on August 23, 2014 and placed on the docket August 27, 2014 as No. 14-229. (USCA Case No. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491, 11-1492) (athom, ) (Entered: 09/03/2014)
10/07/2014	<a href="#">892</a>	Letter from U.S. Supreme Court regarding Petition for Writ of Certiorari re 487 Notice of Appeal, <a href="#">483</a> Notice of Appeal, 496 Notice of Appeal, 493 Notice of Appeal, 490 Notice of Appeal, 499 Notice of Appeal ; assigned Supreme Court No. 14-299 as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. The petition for a writ of certiorari is denied. ( Appeal No. 11-1487, 11-1488, 11-1489, 11-1490, 11-1491, 11-1492) (athom, ) (Entered: 10/08/2014)
07/28/2015	<a href="#">893</a>	Joint MOTION for Return of Property <i>Or Request for a Hearing</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Continuation of Main Document Notice, # <a href="#">2</a> Proposed Order (PDF Only) Proposed Order, # <a href="#">3</a> Exhibit Exhibit A, # <a href="#">4</a> Exhibit Attachment B)(Lawson, Gwendolyn) (Entered: 07/28/2015)
07/30/2015	894	MINUTE ORDER REGARDING JOINT MOTION for Return of Property Pursuant to Fed. R. Crim. P. 41(g) or Request for a Hearing, as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes <a href="#">893</a> . The Government SHALL RESPOND to Defendants' Motion on or before 8/13/2015. SO ORDERED BY Judge Christine M. Arguello on 7/30/2015. Text Only Entry (cmalc2) (Entered: 07/30/2015)
08/12/2015	<a href="#">895</a>	TRANSCRIPT of Motions Hearing as to Gary L. Walker, Clinton A. Stewart held on December 20, 2010 before Magistrate Judge Hegarty. Pages: 1-52.  <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of</b>

		<p><b>Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Avery Woods Reporting, ) (Entered: 08/12/2015)</p>
08/13/2015	<a href="#">896</a>	<p>RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">893</a> Joint MOTION for Return of Property <i>Or Request for a Hearing</i> (Kirsch, Matthew) (Entered: 08/13/2015)</p>
08/17/2015	<a href="#">897</a>	<p>ORDER denying <a href="#">893</a> Motion for Return of Property as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. However, it is ORDERED that the Government return the property listed in Doc. # 893-1 to Defendants (with the exception of the forensic images described above) as soon as practicable, either (1) after 10/7/2015, or (2) after receipt of waivers from all Defendants, including non-moving Defendant Gary Walker, of their rights to collaterally attack their conviction. By Judge Christine M. Arguello on 08/17/2015. (athom, ) (Entered: 08/17/2015)</p>
10/05/2015	<a href="#">898</a>	<p>MOTION for Leave to Restrict by Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 10/05/2015)</p>
10/05/2015	<a href="#">899</a>	<p>RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Proposed Order (PDF Only))(Collins, Patrick) (Entered: 10/05/2015)</p>
10/05/2015	<a href="#">900</a>	<p>MOTION for Leave to File <i>Tile 18 U.S.C. Section 2255 Memorandum in Excess of 30 Pages</i> by Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrick) (Entered: 10/05/2015)</p>
10/05/2015	<a href="#">901</a>	<p>CERTIFICATE of Mailing/Service re <a href="#">898</a> MOTION for Leave to Restrict, <a href="#">899</a> Restricted Document - Level 2 by Defendant Gary L. Walker (Collins, Patrice) (Entered: 10/05/2015)</p>
10/05/2015	<a href="#">902</a>	<p>RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4)(Collins, Patrick) (Entered: 10/05/2015)</p>
10/07/2015	903	<p>ORDER granting <a href="#">900</a> Motion for Leave to File as to Gary L. Walker (3). The Clerk of the Court is directed to file the Motion <a href="#">902</a> as of the date of this Order. SO ORDERED by Judge Christine M. Arguello on 10/7/2015. Text Only Entry (vbarn) (Entered: 10/07/2015)</p>
10/07/2015	904	<p>MOTION to Vacate under 28 U.S.C. 2255 by Gary L. Walker. Regarding <a href="#">902</a> Restricted Document Level-2 (evana, ) Civil case 1:15-cv-02223 opened. TEXT ONLY ENTRY (Entered: 10/07/2015)</p>



10/08/2015	<a href="#">905</a>	ORDER to answer <a href="#">902</a> Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, as to Gary L. Walker, by Judge Christine M. Arguello on 10/8/15. (dkals, ) (Entered: 10/08/2015)
10/21/2015	<a href="#">906</a>	Joint MOTION for Return of Property <i>for Immediate Return</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 10/21/2015)
10/28/2015	<a href="#">907</a>	NOTICE OF ATTORNEY APPEARANCE James Coyle Murphy appearing for USA. Attorney James Coyle Murphy added to party USA(pty:pla) (Murphy, James) (Entered: 10/28/2015)
10/28/2015	<a href="#">908</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">902</a> Restricted Document - Level 2 by USA as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Murphy, James) (Entered: 10/28/2015)
10/29/2015	909	ORDER granting <a href="#">908</a> Unopposed Motion for Extension of Time to File Response as to Gary L. Walker (3). United States shall have up to and including 12/8/2015 within which to Answer or otherwise respond to Defendant's Motion and Memorandum under 28 U.S.C. § 2255. SO ORDERED by Judge Christine M. Arguello on 10/29/2015. Text Only Entry (vbarn) (Entered: 10/29/2015)
11/02/2015	<a href="#">910</a>	Joint MOTION for Return of Property <i>Pursuant to 41g and Fourth Amendment</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order, # <a href="#">2</a> Exhibit Exhibit A, # <a href="#">3</a> Exhibit Exhibit B)(Lawson, Gwendolyn) (Entered: 11/02/2015)
11/03/2015	<a href="#">911</a>	ORDER Regarding Government's and Gary Walker's Response to Defendants' Motions for Return of Property as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. The Government is ORDERED to respond to Defendants' Motions on or before 11/24/2015. Mr. Walker is hereby granted leave to RESPOND, if he so wishes, on or before 11/24/2015, regarding the Motions for Return of Property. By Judge Christine M. Arguello on 11/03/2015. (athom, ) (Entered: 11/03/2015)
11/08/2015	<a href="#">912</a>	Second MOTION for Return of Property <i>Includng Illegally Seized Property Outside the Scope of the Warrant &amp; Pursuant to Fed. R. Crim. P. 41(g) in Violation of the Fourth Amendment Immediately</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo,

		Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 11/08/2015)
11/10/2015	<a href="#">913</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Collins, Patrice) (Entered: 11/10/2015)
11/11/2015	<a href="#">914</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Certificate of Service)(Collins, Patrice) (Entered: 11/11/2015)
11/20/2015	<a href="#">915</a>	Third MOTION for Return of Property <i>Including Illegally Seized Property Outside the Scope of the Warrant and Pursuant to Fed. R. Crim P. 41(g) in Violation of the Fourth Amendment Immediately</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed order)(Lawson, Gwendolyn) (Entered: 11/20/2015)
11/23/2015	<a href="#">916</a>	RESPONSE in Opposition by USA as to David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">906</a> Joint MOTION for Return of Property <i>for Immediate Return</i> , <a href="#">910</a> Joint MOTION for Return of Property <i>Pursuant to 41g and Fourth Amendment</i> , <a href="#">915</a> Third MOTION for Return of Property <i>Including Illegally Seized Property Outside the Scope of the Warrant and Pursuant to Fed. R. Crim P. 41(g) in Violation of the Fourth Amendment Immediately</i> (Kirsch, Matthew) (Entered: 11/23/2015)
11/24/2015	<a href="#">917</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (jhawk, ) (Entered: 11/24/2015)
11/24/2015	918	MINUTE ORDER as to Gary L. Walker, re: Docs. <a href="#">913</a> , <a href="#">914</a> , and <a href="#">917</a> . Counsel has failed to comply with D.C.COLO.LCivR 7.2(c). Counsel shall file the appropriate motions by no later than 12/4/2015, or these documents shall be unrestricted. SO ORDERED BY Judge Christine M. Arguello on 11/24/2015. Text Only Entry (cmalc2) (Entered: 11/24/2015)
11/24/2015	<a href="#">919</a>	REPLY TO RESPONSE to Motion by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">893</a> Joint MOTION for Return of Property <i>Or Request for a Hearing</i> , <a href="#">906</a> Joint MOTION for Return of Property <i>for Immediate Return</i> , <a href="#">915</a> Third MOTION for Return of Property <i>Including Illegally Seized Property Outside the Scope of the Warrant and Pursuant to Fed. R. Crim P. 41(g) in Violation of the Fourth Amendment Immediately</i> , <a href="#">912</a> Second MOTION for Return of Property <i>Includng Illegally Seized Property Outside the Scope of the Warrant &amp; Pursuant to Fed. R. Crim. P. 41(g) in Violation of the Fourth Amendment Immediately</i> , <a href="#">910</a> Joint MOTION



		for Return of Property <i>Pursuant to 41g and Fourth Amendment by the United States Doc 916</i> (Lawson, Gwendolyn) (Entered: 11/24/2015)
12/03/2015	<a href="#">920</a>	MOTION for Leave to Restrict by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 12/03/2015)
12/03/2015	<a href="#">921</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only), # <a href="#">2</a> Certificate of Service)(Collins, Patrice) (Entered: 12/03/2015)
12/07/2015	<a href="#">922</a>	RESPONSE to Motion by USA as to Gary L. Walker re 904 MOTION to Vacate under 28 U.S.C. 2255 (Murphy, James) (Entered: 12/07/2015)
12/11/2015	923	ORDER GRANTING <a href="#">920</a> Motion for Leave to Restrict as. Docs. 913 , 914 , 917 , and <a href="#">921</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY by Judge Christine M. Arguello on 12/11/2015. Text Only Entry (vbarn) (Entered: 12/11/2015)
12/15/2015	924	MINUTE ORDER as to Gary L. Walker (3). Any Reply brief in support of Mr. Walker's Motion to Vacate under 28 U.S.C. 2255 (Doc. # 904) is due on or before 1/5/2016. SO ORDERED BY Judge Christine M. Arguello on 12/15/2015. Text Only Entry (cmalc2) (Entered: 12/15/2015)
12/18/2015	<a href="#">925</a>	MOTION for Extension of Time to File Response/Reply as to 924 Minute Order, by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 12/18/2015)
12/22/2015	926	ORDER GRANTING UNOPPOSED MOTION for Extension of Time to File Reply as to Gary L. Walker (3) <a href="#">925</a> . Petitioner shall have up to and including 1/15/2016 to file his Reply in support of his Motion to Vacate under 28 U.S.C. § 2255 (Doc. # 904). SO ORDERED BY Judge Christine M. Arguello on 12/22/2015. Text Only Entry (cmalc2) (Entered: 12/22/2015)
12/23/2015	<a href="#">927</a>	Joint MOTION for Return of Property <i>Fourth</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Order)(Lawson, Gwendolyn) (Entered: 12/23/2015)

01/13/2016	<a href="#">928</a>	Fifth MOTION for Return of Property by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 01/13/2016)
01/14/2016	<a href="#">929</a>	MOTION for Leave to Restrict by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 01/14/2016)
01/14/2016	<a href="#">930</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 01/14/2016)
01/14/2016	<a href="#">931</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 01/14/2016)
01/19/2016	932	ORDER GRANTING <a href="#">929</a> Motion for Leave to Restrict. Doc. <a href="#">930</a> and Doc. <a href="#">931</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY Judge Christine M. Arguello on 1/19/2016. Text Only Entry (vbarn) (Entered: 01/19/2016)
02/16/2016	<a href="#">933</a>	Sixth MOTION for Return of Property <i>and Joint</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 02/16/2016)
03/26/2016	<a href="#">934</a>	Seventh MOTION for Return of Property <i>and Joint</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 03/26/2016)
03/26/2016	935	NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">934</a> Seventh MOTION for Return of Property <i>and Joint</i> :Gwendolyn Lawson has failed to comply with D.C.COLO.LAttyR 5(c) and 3.5 of the Electronic Case Filing Procedures (Criminal Cases), which requires an attorney to notify the court of a change in contact information within five days of the change. Counsel must file a notice of change of contact information in all active cases and submit a change of contact information form through the Attorney Services Portal Account; email address on signature block

		does not match address on file. Failure in the future to follow these procedures may lead to mandatory CM/ECF training, or action by the court. (Text Only Entry) (cthom, ) (Entered: 03/28/2016)
06/16/2016	<a href="#">936</a>	MOTION for Leave to Restrict by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 06/16/2016)
06/16/2016	<a href="#">937</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 06/16/2016)
06/16/2016	<a href="#">938</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Supplemental Reply Brief, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 06/16/2016)
06/20/2016	939	ORDER GRANTING <a href="#">936</a> Motion for Leave to Restrict. Doc. <a href="#">938</a> , and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY Judge Christine M. Arguello on 6/20/2016. Text Only Entry (vbarn) (Entered: 06/20/2016)
06/20/2016	<a href="#">940</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 06/20/2016)
06/20/2016	<a href="#">941</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 06/20/2016)
06/24/2016	<a href="#">942</a>	ORDER Denying Defendants' Joint Motions for Return of Seized Property Pursuant to FED. R. CRIM. P. 41(g) as to David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. Because the Government has met its burden to show that the evidence it has retained i.e., the trial exhibits, the property seized from Mr. Walker's office, and the forensic images is relevant to its defense of Mr. Walker's Section 2255 Petition and/or Mr. Walker's retrial/resentencing, the Court DENIES Defendants' Motions. (Doc. ## <a href="#">906</a> , <a href="#">910</a> , <a href="#">912</a> , <a href="#">915</a> , <a href="#">927</a> , <a href="#">928</a> , <a href="#">933</a> , and <a href="#">934</a> . ) However, the Government is ORDERED to return the trial exhibits and the property seized from Mr. Walker's office, as well as to destroy the forensic images, after Mr. Walker's Section 2255 Petition is resolved as indicated in the attached Order. By Judge Christine M. Arguello on 06/24/2016. (athom, ) (Entered: 06/24/2016)
07/05/2016	<a href="#">943</a>	Eighth MOTION for Return of Property <i>Joint pursuant to 41(g)</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A.

		Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order, # <a href="#">2</a> Exhibit Exhibit A)(Lawson, Gwendolyn) (Entered: 07/05/2016)
08/18/2016	<a href="#">944</a>	ORDER DENYING MOTION for Return of Property as to David A. Banks (1), Demetrius K. Harper (2), Clinton A. Stewart (4), David A. Zirpolo (5), Kendrick Barnes (6) <a href="#">943</a> . Defendants' Motion is denied for the same reasons set forth in the Court's prior Order, Doc. <a href="#">942</a> . SO ORDERED BY Judge Christine M. Arguello on 8/18/2016. Text Only Entry (cmalc2) (Entered: 08/18/2016)
09/27/2016	<a href="#">945</a>	NOTICE of Change of Address/Contact Information (Collins, Patrice) (Entered: 09/27/2016)
09/28/2016	<a href="#">946</a>	MOTION for Leave to Restrict by Gary L. Walker as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 09/28/2016)
09/28/2016	<a href="#">947</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Collins, Patrice) (Entered: 09/28/2016)
09/28/2016	<a href="#">948</a>	RESTRICTED DOCUMENT - Level 2: as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 09/28/2016)
09/29/2016	<a href="#">949</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 09/29/2016)
10/03/2016	<a href="#">950</a>	ORDER GRANTING <a href="#">946</a> Motion for Leave to Restrict. Doc. <a href="#">947</a> and Doc. <a href="#">948</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY Judge Christine M. Arguello on 10/3/2016. Text Only Entry (vbarn) (Entered: 10/03/2016)
10/26/2016	<a href="#">951</a>	MOTION for Leave to Restrict by Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 10/26/2016)
10/26/2016	<a href="#">952</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 10/26/2016)
10/26/2016	<a href="#">953</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit)(Collins, Patrice) (Entered: 10/26/2016)
10/26/2016	<a href="#">954</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 10/26/2016)

10/27/2016	<a href="#">955</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 10/27/2016)
10/27/2016	<a href="#">956</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit Spiegle CV, # <a href="#">2</a> Exhibit Wolfsohn CV)(Collins, Patrice) (Entered: 10/27/2016)
10/28/2016	<a href="#">957</a>	MOTION/RESPONSE by USA as to Gary L. Walker re: <a href="#">954</a> Restricted Document - Level 2 (Kirsch, Matthew) Modified on 10/31/2016 correct event (athom, ). (Entered: 10/28/2016)
10/31/2016	958	ORDER GRANTING <a href="#">951</a> and Motion for Leave to Restrict. Doc. <a href="#">952</a> and Doc. <a href="#">953</a> and Doc. <a href="#">954</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY Judge Christine M. Arguello on 10/31/2016. Text Only Entry (vbarn) (Entered: 10/31/2016)
10/31/2016	959	ORDER granting <a href="#">957</a> Motion for Extension of Time to File Additional Response. Government's Additional Response due 11/4/2016. SO ORDERED Judge Christine M. Arguello on 10/31/2016. Text Only Entry (vbarn) (Entered: 10/31/2016)
11/04/2016	<a href="#">960</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Kirsch, Matthew) (Entered: 11/04/2016)
11/07/2016	<a href="#">961</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 11/07/2016)
11/21/2016	<a href="#">962</a>	RESTRICTED DOCUMENT - Level 2: Response to <a href="#">954</a> Motion and Request for Hearing as to Gary L. Walker. (Kirsch, Matthew) Modified on 1/19/2017 to add title of document and to unrestrict pursuant to 968 Order (athom, ). Modified on 1/26/2017 to re-restrict at level 2 pursuant to chambers (athom, ). (Entered: 11/21/2016)
11/30/2016	<a href="#">963</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Collins, Patrice) (Entered: 11/30/2016)
12/01/2016	<a href="#">964</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 12/01/2016)
12/19/2016	<a href="#">965</a>	MOTION for Leave to Restrict by Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 12/19/2016)
12/19/2016	<a href="#">966</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 12/19/2016)
01/06/2017	967	ORDER GRANTING <a href="#">965</a> Motion for Leave to Restrict. Doc. <a href="#">963</a> and Doc. <a href="#">966</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO

		ORDERED BY Judge Christine M. Arguello on 1/6/2017. Text Only Entry (cmasec) (Entered: 01/06/2017)
01/12/2017	968	ORDER as to <a href="#">962</a> . Counsel has failed to comply with D.C.COLO.LCr.R 47.1(e). Counsel shall file the appropriate motion no later than 1/17/2017, or Doc. <a href="#">962</a> shall be unrestricted. SO ORDERED by Judge Christine M. Arguello on 1/12/2017. Text Only Entry (cmasec) (Entered: 01/12/2017)
01/25/2017	<a href="#">969</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 01/25/2017)
01/25/2017	<a href="#">970</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 01/25/2017)
01/25/2017	<a href="#">971</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 01/25/2017)
01/26/2017	<a href="#">972</a>	Joint MOTION to Disclose Grand Jury Material to Defendant by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) PROPOSED ORDER)(Lawson, Gwendolyn) (Entered: 01/26/2017)
01/26/2017	<a href="#">973</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 01/26/2017)
01/26/2017	<a href="#">974</a>	ORDER denying <a href="#">972</a> Motion to Disclose Grand Jury Material as to David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. By Judge Christine M. Arguello on 01/26/2017. (athom, ) (Entered: 01/26/2017)
01/30/2017	975	ORDER GRANTING <a href="#">969</a> Motion for Leave to Restrict. Doc. <a href="#">970</a> and Doc. <a href="#">971</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED BY Judge Christine M. Arguello on 1/30/2017. Text Only Entry (cmasec) (Entered: 01/30/2017)
01/30/2017	<a href="#">976</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 01/30/2017)
01/30/2017	<a href="#">977</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 01/30/2017)
01/31/2017	<a href="#">978</a>	MOTION to Withdraw as Attorney <i>To Terminate CM/ECF Notices</i> by Kendrick Barnes. (Casper, Dana) Modified on 1/31/2017 to reflect proper event type. (cmasec). (Entered: 01/31/2017)



01/31/2017	979	ORDER granting <a href="#">978</a> Ms. Casper's Motion for Order, which the Court construes as a Motion to Withdraw as Attorney. Dana Casper is withdrawn as counsel for the Defendant Barnes. The Clerk of the Court is DIRECTED to delete Mr. Casper's email address from future ECF filings and electronic notifications in this case. The Court notes that Defendant Barnes continues to be represented by Gwendolyn Lawson. SO ORDERED BY Judge Christine M. Arguello on 1/31/2017. Text Only Entry (cmasec) (Entered: 01/31/2017)
02/01/2017	<a href="#">980</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Kirsch, Matthew) (Entered: 02/01/2017)
02/01/2017	<a href="#">981</a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 02/01/2017)
02/01/2017	<a href="#">982</a>	NOTICE of Change of Address/Contact Information (Kirsch, Matthew) (Entered: 02/01/2017)
02/01/2017	<a href="#">983</a>	NOTICE of Change of Address/Contact Information (Murphy, James) (Entered: 02/01/2017)
02/01/2017	<a href="#">984</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 02/02/2017)
02/06/2017	985	ORDER GRANTING <a href="#">981</a> Motion for Leave to Restrict. Doc. <a href="#">980</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 2/6/2017. Text Only Entry (cmasec) (Entered: 02/06/2017)
02/07/2017	<a href="#">986</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 02/07/2017)
03/07/2017	<a href="#">987</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 03/07/2017)
03/07/2017	<a href="#">988</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 03/07/2017)
03/07/2017	<a href="#">989</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 03/07/2017)
03/14/2017	990	ORDER GRANTING <a href="#">987</a> Motion for Leave to Restrict. Docs. <a href="#">988</a> and <a href="#">989</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 3/14/2017. Text Only Entry (cmasec) (Entered: 03/14/2017)
03/14/2017	<a href="#">991</a>	MOTION for Leave to Restrict by Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 03/14/2017)



03/14/2017	<a href="#"><u>992</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 03/14/2017)
03/14/2017	<a href="#"><u>993</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 03/14/2017)
03/17/2017	994	ORDER GRANTING <a href="#"><u>991</u></a> Motion for Leave to Restrict. Doc. <a href="#"><u>992</u></a> and <a href="#"><u>993</u></a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 3/17/2017. Text Only Entry (cmasec) (Entered: 03/17/2017)
04/04/2017	<a href="#"><u>995</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (athom, ) (Entered: 04/04/2017)
04/14/2017	<a href="#"><u>996</u></a>	NOTICE OF ATTORNEY APPEARANCE: Patrice Bernadette Collins <i>Gerald J. Rafferty</i> appearing for Gary L. Walker (Collins, Patrice) (Entered: 04/14/2017)
04/17/2017	997	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#"><u>996</u></a> Notice of Attorney Appearance - Defendant filed by attorney Gerald J. Rafferty; Patrice Bernadette Collins. The s/signature did not match the filers name on the account for which the login and password are registered. <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCivR 49.1(a) and 4.3(c) of the Electronic Case Filing Procedures (Criminal Cases). (Text Only Entry) (athom, ) (Entered: 04/17/2017)
04/20/2017	<a href="#"><u>998</u></a>	MOTION for Leave to Restrict by Gary L. Walker. (Attachments: # <a href="#"><u>1</u></a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 04/20/2017)
04/20/2017	<a href="#"><u>999</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 04/20/2017)
04/20/2017	<a href="#"><u>1000</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#"><u>1</u></a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 04/20/2017)
04/24/2017	<a href="#"><u>1001</u></a>	<b>VACATED</b> - RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) Modified on 5/1/2017 to vacate pursuant to <a href="#"><u>1003</u></a> (athom, ). (Entered: 04/24/2017)
04/25/2017	1002	ORDER GRANTING <a href="#"><u>998</u></a> Motion for Leave to Restrict. Docs. <a href="#"><u>999</u></a> and <a href="#"><u>1000</u></a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 4/25/2017. Text Only Entry (cmasec) (Entered: 04/25/2017)
05/01/2017	<a href="#"><u>1003</u></a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 05/01/2017)

05/03/2017	<a href="#">1004</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/03/2017)
05/03/2017	<a href="#">1005</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/03/2017)
05/03/2017	<a href="#">1006</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 05/03/2017)
05/03/2017	<a href="#">1007</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 05/03/2017)
05/08/2017	<a href="#">1008</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Stipulated Protective Order)(Kirsch, Matthew) (Entered: 05/08/2017)
05/08/2017	<a href="#">1009</a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 05/08/2017)
05/10/2017	<a href="#">1010</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/10/2017)
05/10/2017	<a href="#">1011</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Collins, Patrice) (Entered: 05/10/2017)
05/11/2017	1012	ORDER GRANTING <a href="#">1009</a> Motion for Leave to Restrict. Doc. <a href="#">1008</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/11/2017. Text Only Entry (cmasec) (Entered: 05/11/2017)
05/16/2017	<a href="#">1013</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/16/2017)
05/16/2017	<a href="#">1014</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/16/2017)
05/16/2017	<a href="#">1015</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 05/16/2017)
05/17/2017	<a href="#">1016</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Document)(Kirsch, Matthew) (Entered: 05/17/2017)
05/17/2017	<a href="#">1017</a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 05/17/2017)
05/22/2017	1018	ORDER GRANTING <a href="#">1004</a> , <a href="#">1013</a> , <a href="#">1017</a> , and <a href="#">1010</a> Motions for Leave to Restrict. Docs. <a href="#">1005</a> , <a href="#">1006</a> , <a href="#">1011</a> , <a href="#">1014</a> , <a href="#">1015</a> , and <a href="#">1016</a> , all

		exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/22/2017. Text Only Entry (cmasec) Modified on 5/22/2017 to correct linkage (athom, ). (Entered: 05/22/2017)
05/22/2017	<a href="#"><u>1019</u></a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/22/2017)
05/22/2017	<a href="#"><u>1020</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/22/2017)
05/22/2017	<a href="#"><u>1021</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 05/22/2017)
05/23/2017	<a href="#"><u>1022</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (agarc, ) (Entered: 05/23/2017)
05/23/2017	<a href="#"><u>1023</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (agarc, ) (Entered: 05/23/2017)
05/23/2017	<a href="#"><u>1024</u></a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/23/2017)
05/23/2017	<a href="#"><u>1025</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/23/2017)
05/23/2017	<a href="#"><u>1026</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2)(Collins, Patrice) (Entered: 05/23/2017)
05/24/2017	<a href="#"><u>1027</u></a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 05/24/2017)
05/25/2017	<a href="#"><u>1028</u></a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/25/2017)
05/25/2017	<a href="#"><u>1029</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/25/2017)
05/26/2017	<a href="#"><u>1030</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Kirsch, Matthew) (Entered: 05/26/2017)
05/26/2017	<a href="#"><u>1031</u></a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 05/26/2017)
05/26/2017	<a href="#"><u>1032</u></a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 05/26/2017)
05/26/2017	<a href="#"><u>1033</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 05/26/2017)

05/26/2017	<a href="#">1034</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 05/26/2017)
05/26/2017	<a href="#">1035</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 05/26/2017)
05/30/2017	<a href="#">1036</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (cthom, ) (Entered: 05/30/2017)
05/31/2017	1037	ORDER granting <a href="#">1019</a> Motion for Leave to Restrict. Docs. ## <a href="#">1020</a> and <a href="#">1021</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/31/2017. Text Only Entry (cmasec) (Entered: 05/31/2017)
05/31/2017	1038	ORDER granting <a href="#">1024</a> Motion for Leave to Restrict. Docs. ## <a href="#">1025</a> and <a href="#">1026</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/21/2017. Text Only Entry (cmasec) (Entered: 05/31/2017)
05/31/2017	1039	ORDER granting <a href="#">1028</a> Motion for Leave to Restrict. Doc. # <a href="#">1029</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/31/2017. Text Only Entry (cmasec) (Entered: 05/31/2017)
05/31/2017	1040	ORDER granting <a href="#">1031</a> Motion for Leave to Restrict. Doc. # <a href="#">1030</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/31/2017. Text Only Entry (cmasec) (Entered: 05/31/2017)
05/31/2017	1041	ORDER granting <a href="#">1032</a> Motion for Leave to Restrict. Doc. # <a href="#">1033</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 5/31/2017. Text Only Entry (cmasec) (Entered: 05/31/2017)
06/01/2017	<a href="#">1042</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/01/2017)
06/01/2017	<a href="#">1043</a>	MOTION to Quash <i>Subpoena in Civil Action 15cv02223</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Lawson, Gwendolyn) (Entered: 06/01/2017)

06/02/2017	<a href="#">1044</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Kirsch, Matthew) (Entered: 06/02/2017)
06/02/2017	<a href="#">1045</a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 06/02/2017)
06/02/2017	<a href="#">1046</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 06/02/2017)
06/02/2017	<a href="#">1047</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Exhibit 1)(Collins, Patrice) (Entered: 06/02/2017)
06/02/2017	<a href="#">1048</a>	SUPPLEMENT to <a href="#">1043</a> MOTION to Quash <i>Subpoena in Civil Action 15cv02223</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Lawson, Gwendolyn) Modified on 6/5/2017 to create linkage (athom, ). (Entered: 06/02/2017)
06/05/2017	<a href="#">1049</a>	RESPONSE in Opposition by Gary L. Walker re <a href="#">1043</a> MOTION to Quash <i>Subpoena in Civil Action 15cv02223</i> (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Collins, Patrice) (Entered: 06/05/2017)
06/06/2017	<a href="#">1050</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/06/2017)
06/06/2017	1051	ORDER denying <a href="#">1043</a> Motion to Quash. By Judge Christine M. Arguello on 06/06/2017. Text Only Entry (athom, ) (Entered: 06/06/2017)
06/06/2017	<a href="#">1052</a>	REPLY TO RESPONSE to Motion by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">1043</a> MOTION to Quash <i>Subpoena in Civil Action 15cv02223</i> (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D)(Lawson, Gwendolyn) Modified on 6/6/2017 to note that counsel is aware that the signature page is missing from this document and may file that page alone as a supplement to this reply (athom, ). (Entered: 06/06/2017)
06/06/2017	<a href="#">1053</a>	Amended REPLY TO RESPONSE to Motion by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes re <a href="#">1043</a> MOTION to Quash <i>Subpoena in Civil Action 15cv02223 Amended</i> (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D)(Lawson, Gwendolyn) Modified on 6/6/2017 to add text (athom, ). (Entered: 06/06/2017)
06/06/2017	<a href="#">1054</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 06/06/2017)

06/06/2017	<a href="#">1055</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 06/06/2017)
06/07/2017	<a href="#">1056</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/07/2017)
06/07/2017	1057	ORDER GRANTING <a href="#">1045</a> Motion for Leave to Restrict. Doc. <a href="#">1044</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 6/7/2017. Text Only Entry (cmasec) (Entered: 06/07/2017)
06/07/2017	1058	ORDER GRANTING <a href="#">1046</a> Motion for Leave to Restrict. Doc. <a href="#">1047</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 6/7/2017. Text Only Entry (cmasec) (Entered: 06/07/2017)
06/09/2017	<a href="#">1059</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/09/2017)
06/12/2017	1060	ORDER GRANTING <a href="#">1054</a> Motion for Leave to Restrict. Doc. <a href="#">1055</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 6/12/2017. Text Only Entry (cmasec) (Entered: 06/12/2017)
06/12/2017	1061	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Evidentiary Hearing as to Gary L. Walker held on 6/12/2017. WITNESSES SWORN AND TESTIFIED: Gary Lebell Walker; Lucja Klein; Brian Leedy. EXHIBITS RECEIVED: A, B, D, F, OO, PP, JJ, JJ-1, K, L, N, O, T, 3-7, 9; X, Z. ORDERED: GRANTING Defendant's oral motion to continue Defendant Walker's writ. FURTHER ORDERED: Witnesses sequestered. Hearing continued to 06/15/2017. Defendant present in custody; Defendant remanded. (Total time: 6:22, Hearing time: 9:00 a.m. -- 5:10 p.m.)  <b>APPEARANCES:</b> Matthew Kirsch and James Murphy on behalf of the Government; Patrice Collins and Gerald Rafferty on behalf of the Defendant. Court Reporter: Darlene Martinez. (swest) Text Only Entry (Entered: 06/13/2017)
06/14/2017	<a href="#">1062</a>	NOTICE <i>Subpoena to Testify served on Gwendolyn Lawson</i> re 1051 Order on Motion to Quash by Gary L. Walker (Attachments: # <a href="#">1</a> Exhibit 1)(Collins, Patrice) (Entered: 06/14/2017)
06/15/2017	1063	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Evidentiary Hearing as to Gary L. Walker held on 6/15/2017. WITNESSES SWORN AND TESTIFIED: Vernon Lee Gaines;



		<p>Celestine Walker; Richard Spiegle; Jason Henderson; Gwendolyn Lawson; Joshua Lowther. EXHIBITS RECEIVED: AA1-12, 1, EE, FF-1, FF-40, FF-43, FF-44, HH. ORDERED: Hearing continued to 06/16/2017. Defendant present in custody; Defendant remanded. (Total time: 6:17, Hearing time: 10:01 a.m. - 6:00 p.m.)</p> <p><b>APPEARANCES:</b> Matthew Kirsch and James Murphy on behalf of the Government' Patrice Collins and Gerald Rafferty on behalf of the Defendant. Court Reporter: Darlene Martinez. (swest) Text Only Entry (Entered: 06/16/2017)</p>
06/16/2017	1064	<p>MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Evidentiary Hearing as to Gary L. Walker held on 6/16/2017. WITNESSES SWORN AND TESTIFIED: LaShonna Ruff; Michael Petteway; Stanley Solomon; Enrico Howard; Michael Yarros; Patrick O'Reilly. EXHIBITS RECEIVED: GG, V, W-1, W-2. ORDERED: Hearing continued to 06/21/2017. Defendant present in custody; Defendant remanded. (Total time: 4:50, Hearing time: 9:02 a.m. - 4:54 p.m.)</p> <p><b>APPEARANCES:</b> Matthew Kirsch and James Murphy on behalf of the Government; Patrice Collins and Gerald Rafferty on behalf of the Defendant. Court Reporter: Darlene Martinez. (swest) Text Only Entry (Entered: 06/16/2017)</p>
06/20/2017	<a href="#">1065</a>	<p>RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/20/2017)</p>
06/22/2017	<a href="#">1066</a>	<p>RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Kirsch, Matthew) (Entered: 06/22/2017)</p>
06/22/2017	<a href="#">1067</a>	<p>MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 06/22/2017)</p>
06/23/2017	<a href="#">1068</a>	<p>RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/23/2017)</p>
06/23/2017	1069	<p>ORDER granting in part 904 Motion to Vacate (2255) as to Gary L. Walker. Re-Sentencing set for 6/28/2017 11:00 AM in Courtroom A 602 before Judge Christine M. Arguello. By Judge Christine M. Arguello on 06/23/2017. Text Only Entry (swest) Civil Case 1:15-cv-02223-CMA closed. (Entered: 06/23/2017)</p>
06/23/2017	<a href="#">1070</a>	<p>FINAL JUDGMENT as to Gary L. Walker re 1069 Order on Motion to Vacate (2255) by Clerk on 06/23/2017. (swest) (Entered: 06/23/2017)</p>
06/26/2017	<a href="#">1071</a>	<p>RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Kirsch, Matthew) (Entered: 06/26/2017)</p>



06/26/2017	<a href="#">1072</a>	MOTION for Leave to Restrict by USA as to Gary L. Walker. (Kirsch, Matthew) (Entered: 06/26/2017)
06/26/2017	<a href="#">1073</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 06/26/2017)
06/26/2017	<a href="#">1074</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Attachments: # <a href="#">1</a> Evid Hrg. Exhibit O, # <a href="#">2</a> Evid Hrg. Exhibit T, # <a href="#">3</a> Exhibit S, # <a href="#">4</a> Exhibit A-1, # <a href="#">5</a> Exhibit A-2, # <a href="#">6</a> Exhibit A-3, # <a href="#">7</a> Exhibit A-4, # <a href="#">8</a> Exhibit A-5)(Collins, Patrice) (Entered: 06/26/2017)
06/27/2017	<a href="#">1075</a>	MOTION to Continue <i>Re-sentencing hearing for Gary Walker</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) proposed order)(Lawson, Gwendolyn) (Entered: 06/27/2017)
06/27/2017	<a href="#">1076</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 06/27/2017)
06/28/2017	1077	ORDER GRANTING <a href="#">1067</a> Motion for Leave to Restrict. Doc. <a href="#">1066</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 6/28/2017. Text Only Entry (cmasec) (Entered: 06/28/2017)
06/28/2017	1078	ORDER denying as moot <a href="#">1075</a> Motion to Continue Sentencing, pursuant to hearing held on 6/28/2017. SO ORDERED by Judge Christine M. Arguello on 6/28/2017. Text Only Entry (cmasec) (Entered: 06/28/2017)
06/28/2017	1079	MINUTE ENTRY for proceedings held before Judge Christine M. Arguello: Sentencing held on 6/28/2017 as to Defendant Gary L. Walker. ORDERED: Granting <a href="#">1074</a> . Defendant sentenced as reflected on the record.. FURTHER ORDERED counsel for the parties shall retain custody of their respective exhibits until such time as all need for the exhibits has terminated and the time to appeal has expired or all appellate proceedings have been terminated plus sixty days. Defendant present in custody; Defendant remanded. (Total time: 33 Minutes, Hearing time: 11:05 a.m. - 11:38 a.m.)  <b>APPEARANCES:</b> Matthew Kirsch and Patrick Murphy on behalf of the Government; Patrice Collins and Gerald Rafferty on behalf of the Defendant; Andrea Bell on behalf of Probation. Court Reporter: Darlene Martinez. (swest) Text Only Entry (Entered: 06/28/2017)
06/28/2017	<a href="#">1080</a>	MOTION for Leave to Restrict by Gary L. Walker. (Collins, Patrice) (Entered: 06/28/2017)

06/28/2017	<a href="#">1081</a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. (Collins, Patrice) (Entered: 06/28/2017)
06/28/2017	<a href="#">1082</a>	JUDGMENT as to defendant Gary L. Walker (3): Defendant committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of SEVENTY (70) MONTHS. Supervised Release of THREE (3) YEARS. Special Assessment of \$100.00. Restitution of \$5,018,959.66. Count 25, Dismissed. SO ORDERED by Judge Christine M. Arguello on 6/28/2017. (cmasec) (Entered: 06/28/2017)
06/28/2017	<a href="#">1083</a>	STATEMENT OF REASONS as to Gary L. Walker. (cmasec) (Entered: 06/28/2017)
07/10/2017	1084	ORDER GRANTING <a href="#">1072</a> and <a href="#">1073</a> Motions for Leave to Restrict. Docs. ## <a href="#">1071</a> and <a href="#">1074</a> , all exhibits attached thereto, and any orders that may reveal the contents of these documents shall have a Level 2 Restriction. SO ORDERED by Judge Christine M. Arguello on 7/10/2017. Text Only Entry (cmasec) (Entered: 07/10/2017)
07/18/2017	<a href="#">1085</a>	RESTRICTED DOCUMENT - Level 2 as to Gary L. Walker. (athom, ) (Entered: 07/18/2017)
07/18/2017	1086	ORDER granting <a href="#">1080</a> Motion for Leave to Restrict as to Gary L. Walker. By Judge Christine M. Arguello on 07/18/2017. Text Only Entry (athom, ) (Entered: 07/18/2017)
08/01/2017	<a href="#">1087</a>	TRANSCRIPT of Sentencing Hearing as to Gary L. Walker held on 6/28/17 before Judge Arguello. Pages: 1-26.    <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>    Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (dmart, ) (Entered: 08/01/2017)
10/20/2017	<a href="#">1088</a>	MOTION to Unrestrict Document <i>transcript</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) proposed order)(Lawson, Gwendolyn) (Entered: 10/20/2017)
10/30/2017	<a href="#">1089</a>	RESPONSE in Opposition by Gary L. Walker re <a href="#">1088</a> MOTION to Unrestrict Document <i>transcript</i> (Collins, Patrice) (Entered: 10/30/2017)

10/31/2017	<a href="#">1090</a>	ORDER granting in part and denying in part <a href="#">1088</a> Motion Receive Transcript From June 15, 2017 as to Gary L. Walker. The Court GRANTS the Motion and LIFTS the Level 2 Restriction only with respect to Ms. Lawson's testimony from June 15, 2017. The Court DENIES the Motion in all other respects. Thus, for the reasons set forth in this Court's previous order restricting access (Doc. # 1086 ), the remainder of the transcripts from the evidentiary hearing that occurred on June 12, 15, and 16, 2017, shall maintain a Level 2 Restriction. By Judge Christine M. Arguello on 10/31/2017. (athom, ) (Entered: 10/31/2017)
11/02/2017	<a href="#">1091</a>	MOTION to Unrestrict Document <i>evidentiary hearing transcripts June 12, 15, &amp; 16 for G Walker</i> by David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) proposed order)(Lawson, Gwendolyn) (Entered: 11/02/2017)
11/03/2017	1092	ORDER denying <a href="#">1091</a> Motion to Unrestrict for the same reasons as stated in <a href="#">1090</a> Order dated 10/31/3017. SO ORDERED by Judge Christine M. Arguello on 11/3/2017. Text Only Entry (cmasec) (Entered: 11/03/2017)
11/10/2017	<a href="#">1093</a>	NOTICE OF APPEAL as to 1092 Order on Motion to Unrestrict Document, <a href="#">1090</a> Order on Motion to Unrestrict Document,, by Demetrius K. Harper. ( Filing fee \$ 505, Receipt Number 1082-5801151) (Lawson, Gwendolyn) (Entered: 11/10/2017)
11/14/2017	1094	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1093</a> Notice of Appeal filed by attorney Gwendolyn Maurice Lawson. The document was scanned and not converted directly to portable document format (PDF). <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCr49.1(a) and 1.3(f) of the Electronic Case Filing Procedures (Criminal Cases). (Text Only Entry) (dkals, ) (Entered: 11/14/2017)
11/14/2017	<a href="#">1095</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">1093</a> Notice of Appeal as to Demetrius K. Harper to the U.S. Court of Appeals. ( Retained Counsel, Fee paid,) (Attachments: # <a href="#">1</a> Preliminary Record)(dkals, ) (Entered: 11/14/2017)
11/14/2017	<a href="#">1096</a>	USCA Case Number 17-1415 as to Demetrius K. Harper for <a href="#">1093</a> Notice of Appeal filed by Demetrius K. Harper. (athom, ) (Entered: 11/14/2017)

11/27/2017	<a href="#">1097</a>	MOTION to Appoint Counsel by Gary L. Walker. (Attachments: # <a href="#">1</a> Affidavit, # <a href="#">2</a> Proposed Order (PDF Only))(Collins, Patrice) (Entered: 11/27/2017)
11/28/2017	<a href="#">1098</a>	TRANSCRIPT ORDER FORM re <a href="#">1093</a> Notice of Appeal <i>for Gary Walker evidentiary hearing</i> by Demetrius K. Harper. (Lawson, Gwendolyn) (Entered: 11/28/2017)
11/30/2017	1099	ORDER: This Motion is filed in the wrong Court. Accordingly, the <a href="#">1097</a> Motion to Appoint Counsel as to Gary L. Walker (3)is denied. SO ORDERED by Judge Christine M. Arguello on 11/30/2017. Text Only Entry (cmasec) (Entered: 11/30/2017)
12/04/2017	<a href="#">1100</a>	REPORTER TRANSCRIPT ORDER FORM filed by Darlene Martinez re 1093 Notice of Appeal. Transcript due by 1/2/2018. (nrich) (Entered: 12/04/2017)
12/19/2017	<a href="#">1101</a>	ORDER of USCA denying, without prejudice motion for court-appointed appellate counsel filed by Appellee Gary L. Walker re <a href="#">1093</a> Notice of Appeal. (USCA Case No. 17-1415) (athom, ) (Entered: 12/19/2017)
12/29/2017	<a href="#">1102</a>	Partial TRANSCRIPT of Motions Hearing - Testimony of G. Lawson as to Gary L. Walker held on 06/15/17 before Judge Arguello. Pages: 1-64.    <b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>    Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (dmart, ) (Entered: 12/29/2017)
01/18/2018	<a href="#">1103</a>	ORDER of USCA as to Demetrius K. Harper re <a href="#">1093</a> Notice of Appeal. Within 30 days from the date of this order, the court reporter is directed to prepare a certified copy of the full transcript of the evidentiary hearing held on June 12, 15, and 16, 2017. Once complete, the court reporter shall file the transcripts in the district court, with access restricted to Level 2 as directed by the district court. The clerk of the district court is then directed to transmit the restricted transcripts to this court. (USCA Case No. 17-1415) (athom, ) (Entered: 01/18/2018)
01/22/2018	<a href="#">1104</a>	ORDER of USCA on the Court Reporter's Motion for Reconsideration of Payment for Preparing the Transcript as to Demetrius K. Harper re <a href="#">1093</a> Notice of Appeal. (USCA Case No. 17-1415) (athom, ) (Entered: 01/22/2018)

01/30/2018	<a href="#"><u>1105</u></a>	ORDER of USCA denying the court reporter's motion for reconsideration as to Demetrius K. Harper re <a href="#"><u>1093</u></a> Notice of Appeal. (USCA Case No. 17-1415) (athom, ) (Entered: 01/31/2018)
02/01/2018	<a href="#"><u>1106</u></a>	MOTION for Order <i>To Unseal Court Records</i> by Colorado Springs Fellowship Church as to Gary L. Walker. (Fitz-Gerald, Patrick) Modified on 2/1/2018 to correct filer and text (athom, ). (Entered: 02/01/2018)
02/16/2018	<a href="#"><u>1107</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. TRANSCRIPT of Motions Hearing Day 1 as to Gary L. Walker held on 06/12/17 before Judge Arguello. Pages: 1-260. Filed as a Level 2 Restricted Document pursuant to <a href="#"><u>1103</u></a> and <a href="#"><u>1105</u></a> USCA Orders. After 90 days, this transcript will be made electronically available ONLY to defense counsel for Gary Walker and the AUSA until further order of the court. Prior to the 90 day deadline, counsel for Gary Walker or AUSA may purchase the transcript through the Court Reporter. (athom, ) (Entered: 02/16/2018)
02/16/2018	<a href="#"><u>1108</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. Partial TRANSCRIPT of Motions Hearing Day 2 excluding testimony of G. Lawson as to Gary L. Walker held on 06/15/17 before Judge Arguello. Pages: 261-469. Filed as a Level 2 Restricted Document pursuant to <a href="#"><u>1103</u></a> and <a href="#"><u>1105</u></a> USCA Orders. After 90 days, this transcript will be made electronically available ONLY to defense counsel for Gary Walker and the AUSA until further order of the court. Prior to the 90 day deadline, counsel for Gary Walker or AUSA may purchase the transcript through the Court Reporter. (athom, ) (Entered: 02/16/2018)
02/16/2018	<a href="#"><u>1109</u></a>	RESTRICTED DOCUMENT - Level 2: as to Gary L. Walker. TRANSCRIPT of Motions Hearing Day 3 as to Gary L. Walker held on 06/16/17 before Judge Arguello. Pages: 470-683. Filed as a Level 2 Restricted Document pursuant to <a href="#"><u>1103</u></a> and <a href="#"><u>1105</u></a> USCA Orders. After 90 days, this transcript will be made electronically available ONLY to defense counsel for Gary Walker and the AUSA until further order of the court. Prior to the 90 day deadline, counsel for Gary Walker or AUSA may purchase the transcript through the Court Reporter. (athom, ) (Entered: 02/16/2018)
02/16/2018	1110	LETTER Transmitting to US Court of Appeals: Certified copy of the full transcript of the evidentiary hearing held on June 12, 15, and 16, 2017 pursuant to <a href="#"><u>1103</u></a> and <a href="#"><u>1105</u></a> USCA Orders re: <a href="#"><u>1093</u></a> Notice of Appeal as to Demetrius K. Harper. Certified Copies of Transcripts emailed to the Tenth Circuit 02/16/2018. (USCA Case No. 17-1415) Text Only Entry (athom, ) (Entered: 02/16/2018)
02/16/2018	1111	RECORD ON APPEAL Filed as to <a href="#"><u>1093</u></a> Notice of Appeal filed by Demetrius K. Harper. Volume I - RESTRICTED transcripts (court

		only); (USCA Case No. 17-1415). Text Only Entry (athom, ) (Entered: 02/16/2018)
04/25/2018	<a href="#">1112</a>	First MOTION for Order <i>to Request Forthwith Ruling on Motion to Unseal or in the Alternative to Request that the Motion be Addressed</i> by Colorado Springs Fellowship Church as to Gary L. Walker. (Fitz-Gerald, Patrick) (Entered: 04/25/2018)
04/27/2018	1113	ORDER denying <a href="#">1112</a> Motion for to Request Forthwith Ruling. An order on <a href="#">1106</a> Motion to Unseal Court Records will issue in due course. SO ORDERED by Judge Christine M. Arguello on 4/27/2018. Text Only Entry (cmasec) (Entered: 04/27/2018)
06/01/2018	<a href="#">1114</a>	ORDER Denying <a href="#">1106</a> Motion to Unseal Court Records as to Gary L. Walker. By Judge Christine M. Arguello on 06/01/2018. (athom, ) (Entered: 06/01/2018)
06/29/2018	<a href="#">1115</a>	NOTICE OF APPEAL re <a href="#">1114</a> Order Denying Motion to Unseal Court Records by Colorado Springs Fellowship Church as to Gary L. Walker ( Filing fee \$ 505, Receipt Number 1082-6177913) (Fitz-Gerald, Patrick) Modified on 7/2/2018 to create linkage and add text (athom, ). (Entered: 06/29/2018)
07/02/2018	<a href="#">1116</a>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <a href="#">1115</a> Notice of Appeal, as to Gary L. Walker to the U.S. Court of Appeals. ( Retained Counsel, Fee paid,) (Attachments: # <a href="#">1</a> Docket Sheet, # <a href="#">2</a> Preliminary Record) (athom, ) (Entered: 07/02/2018)
07/02/2018	<a href="#">1117</a>	USCA Case Number 18-1273 as to Gary L. Walker for <a href="#">1115</a> Notice of Appeal, filed by Colorado Springs Fellowship Church. (athom, ) (Entered: 07/02/2018)
07/13/2018	<a href="#">1118</a>	MOTION to Dismiss <i>Appeal and Notice to Withdraw</i> by Colorado Springs Fellowship Church as to Gary L. Walker. (Fitz-Gerald, Patrick) (Entered: 07/13/2018)
07/16/2018	1119	ORDER denying <a href="#">1118</a> Motion to Dismiss as to Gary L. Walker (3) for lack of jurisdiction. SO ORDERED by Judge Christine M. Arguello on 7/16/2018. Text Only Entry (cmasec) (Entered: 07/16/2018)
07/16/2018	1120	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1118</a> Notice to Withdraw filed by attorney Patrick J. Fitz-Gerald. In order for an attorney to be withdrawn as counsel of record, a Motion to Withdraw as Attorney must be filed. An attorney cannot be withdrawn by a Notice to Withdraw. (Text Only Entry) (athom, ) (Entered: 07/16/2018)
07/16/2018	<a href="#">1121</a>	MOTION to Withdraw as Attorney by Patrick Fitz-Gerald by Colorado Springs Fellowship Church as to Gary L. Walker. (Fitz-Gerald, Patrick) (Entered: 07/16/2018)



07/28/2018	<a href="#">1122</a>	TRANSCRIPT ORDER FORM re 1115 Notice of Appeal, by Colorado Springs Fellowship Church as to Gary L. Walker (Lawson, Gwendolyn) Modified on 7/30/2018 to correct applicable party text (athom, ). (Entered: 07/28/2018)
07/31/2018	<a href="#">1123</a>	ORDER of USCA as to Gary L. Walker re <a href="#">1115</a> Notice of Appeal filed by Colorado Springs Fellowship Church. (USCA Case No. 18-1273) (athom, ) (Entered: 07/31/2018)
08/06/2018	<a href="#">1125</a>	ORDER of USCA as to Demetrius K. Harper re <a href="#">1093</a> Notice of Appeal; as to Gary L. Walker re 1115 Notice of Appeal. These appeals are procedurally consolidated for oral argument and disposition. (USCA Case No. 17-1415, 18-1273) (athom, ) (Entered: 01/23/2019)
01/23/2019	<a href="#">1124</a>	USCA Order and Judgment as to Demetrius K. Harper re <a href="#">1093</a> Notice of Appeal; as to Gary L. Walker re 1115 Notice of Appeal : We AFFIRM the district court's orders denying the 17-1415 Appellants' motions to receive the transcript. However, we VACATE the district court's order denying the CSFC's motion to unseal and REMAND for further proceedings consistent with this Order and Judgment. (USCA Case No. 17-1415, 18-1273) (This document is not the Mandate) (athom, ) (Entered: 01/23/2019)
03/18/2019	<a href="#">1126</a>	MANDATE of USCA for <a href="#">1124</a> USCA Order and Judgment as to Demetrius K. Harper re <a href="#">1093</a> Notice of Appeal; as to Gary L. Walker re 1115 Notice of Appeal. (USCA Case No. 17-1415, 18-1273) (athom, ) (Entered: 03/18/2019)
03/25/2019	<a href="#">1127</a>	ORDER of USCA as to Gary L. Walker re <a href="#">1115</a> Notice of Appeal, This matter is before us on the movant/appellant's Motion to Enforce Mandate. Upon consideration, the motion is denied. (USCA Case No. 18-1273) (evana, ) (Entered: 03/25/2019)
06/03/2019	<a href="#">1128</a>	NOTICE OF ATTORNEY APPEARANCE: Bernard V. Kleinman appearing for Movant Colorado Springs Fellowship ChurchAttorney Bernard V. Kleinman added to party Colorado Springs Fellowship Church(pty:mov) (Kleinman, Bernard) (Entered: 06/03/2019)
06/05/2019	<a href="#">1129</a>	NOTICE <i>Letter re Transcript Request</i> by Colorado Springs Fellowship Church as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kleinman, Bernard) (Entered: 06/05/2019)
06/05/2019	1130	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1129</a> Notice (Other) filed by attorney Bernard Kleinman. The document is incorrectly formatted. Please refer to the CRIMINAL PRACTICE STANDARDS JUDGE CHRISTINE M. ARGUELLO. CMA Crim. Practice Standard 12. (a) Procedure, Format, and Length. (1) ALL requests for the Court to take action, make



		any type of ruling, or provide any type of relief must be contained in a written motion. <b>PLEASE REFILE THE DOCUMENT. Action to take</b> - (Text Only Entry) (evana, ) (Entered: 06/05/2019)
06/09/2019	<a href="#">1131</a>	First MOTION to Unrestrict Document 1102 Transcript,, <a href="#">1122</a> Transcript Order Form filed by Colorado Springs Fellowship Church, 1108 Restricted Document - Level 2,, 1106 MOTION for Order <i>To Seal Court Records</i> filed by Colorado Springs Fellowship Church, 1107 Restricted Document - Level 2,, by Colorado Springs Fellowship Church as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Proposed Order (PDF Only))(Kleinman, Bernard) (Entered: 06/09/2019)
07/01/2019	<a href="#">1132</a>	LETTER <i>Status Letter Request</i> by Colorado Springs Fellowship Church as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kleinman, Bernard) (Modified on 7/2/2019 This is not a Status Report)(evana, ). (Entered: 07/01/2019)
07/01/2019	1133	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1132</a> Status Report, filed by attorney Bernard Kleinman. The document is incorrectly formatted. <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCrR 49.3. (Text Only Entry) (evana, ) (Entered: 07/02/2019)
07/01/2019	1136	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1132</a> Status Report, <a href="#">1134</a> Status Report filed by attorney Bernard Kleinman. The document is incorrectly formatted. <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCrR 49.3. (Text Only Entry) (evana, ) (Entered: 07/03/2019)
07/02/2019	<a href="#">1134</a>	LETTER Status letter Request by Colorado Springs Fellowship Church as to David A. Banks, Demetrius K. Harper, Gary L. Walker, Clinton A. Stewart, David A. Zirpolo, Kendrick Barnes (Kleinman, Bernard) (Modified on 7/5/2019 This is not a Status report)(evana, ). (Entered: 07/02/2019)
07/02/2019	1135	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">1134</a> Status Report filed by attorney Bernard Kleinman. The document is incorrectly formatted. <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCrR 49.3. (Text Only Entry) (evana, ) (Entered: 07/03/2019)

PACER Service Center			
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07/14/2019 07:21:11			
<b>PACER Login:</b>	bk0142:2514532:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:09-cr-00266-CMA
<b>Billable Pages:</b>	30	<b>Cost:</b>	3.00

## **Attachment 2**

**Docket Sheet Entries,  
*Walker v. United  
States, 1:15-cv-02223-  
CMA***

**U.S. District Court - District of Colorado  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:15-cv-02223-CMA**

Walker v. USA  
Assigned to: Judge Christine M. Arguello  
Related Case: [1:09-cr-00266-CMA-3](#)  
Cause: 28:2255 Motion to Vacate / Correct Illegal  
Sentenc

Date Filed: 10/07/2015  
Date Terminated: 06/23/2017  
Jury Demand: None  
Nature of Suit: 510 Prisoner: Vacate  
Sentence  
Jurisdiction: U.S. Government  
Defendant

**Petitioner**

**Gary L. Walker**

represented by **Patrick Joseph Collins**  
Collins & Collins, LLC  
700 17th Street  
Suite 1820  
Denver, CO 80202  
303-946-1340  
Fax: 303-295-7160  
Email: [pcollins@lawcc.us](mailto:pcollins@lawcc.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Respondent**

**USA**

**Interested Party**

**Colorado Springs Fellowship  
Church**

represented by **Bernard V. Kleinman**  
Bernard V. Kleinman, PLLC  
108 Village Square  
Suite 313  
Somers, NY 10589-2305  
914-644-6660  
Fax: 914-694-1647  
Email: [attrnylwyr@yahoo.com](mailto:attrnylwyr@yahoo.com)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/07/2015	1	Case assigned to Judge Christine M. Arguello Text Only Entry (evana, ) (Entered: 10/07/2015)

01/12/2018	<a href="#">2</a>	MOTION to Intervene <i>and Unseal Court Records</i> by Interested Party Colorado Springs Fellowship Church. (Fitz-Gerald, Patrick) Modified on 1/31/2018 to note that counsel has been informed that document should not have been filed in this case and needs to be re-filed correctly in 09-cr-266-3 (athom, ). (Entered: 01/12/2018)
01/12/2018	3	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: <a href="#">2</a> MOTION to Intervene <i>and Unseal Court Records</i> filed by attorney Patrick Fitz-Gerald. The document was scanned and not converted directly to portable document format (PDF). <b>DO NOT REFILE THE DOCUMENT. Action to take</b> - future documents must be filed pursuant to D.C.COLO.LCivR 5.1(a) and 1.3(f) of the Electronic Case Filing Procedures (Civil cases). (Text Only Entry) (cthom, ) (Entered: 01/16/2018)
06/28/2018	<a href="#">4</a>	<b>DISREGARD - FILED IN THE INCORRECT CASE</b> - NOTICE OF APPEAL by Interested Party Colorado Springs Fellowship Church (Filing fee \$ 505, Receipt Number 1082-6175923) (Fitz-Gerald, Patrick) Modified on 6/29/2018 to note that attorney has been informed that the Notice of Appeal needs to be re-filed correctly in criminal case #09-cr-00266-3 with a new filing fee. Finance has been informed that the fee for Receipt Number 1082-6175923 will need to be refunded. (athom, ). (Entered: 06/28/2018)
06/29/2018	5	Administrative Notice: Notice of Appeal filed in the incorrect case. Financial notified and a refund is pending. (Text Only Entry) (athom, ) (Entered: 06/29/2018)
06/03/2019	<a href="#">6</a>	NOTICE of Entry of Appearance by Bernard V. Kleinman on behalf of Colorado Springs Fellowship ChurchAttorney Bernard V. Kleinman added to party Colorado Springs Fellowship Church(pty:ip) (Kleinman, Bernard) (Entered: 06/03/2019)
06/05/2019	7	<b>ADMINISTRATIVE NOTICE:</b> NOTICE of Entry of Appearance by Bernard V. Kleinman. This has been filed incorrectly in this case. <b>ALL FILINGS</b> are to be filed in 09-cr-266 CMA Defendant 3. (Text Only Entry) (evana, ) (Entered: 06/05/2019)

**PACER Service Center**

**Transaction Receipt**

07/11/2019 07:48:12

<b>PACER Login:</b>	bkleinman:3384315:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:15-cv-02223-CMA

<b>Billable Pages:</b>	2	<b>Cost:</b>	
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# **Attachment 3**

**Docket Sheet Entries,  
*United States v.*  
*Walker*, Tenth  
Circuit, 17-1415**



**General Docket  
Tenth Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 17-1415 <b>Nature of Suit:</b> 2510 Prisoner Petitions -Vacate Sentence United States v. Walker <b>Appeal From:</b> United States District Court for the District of Colorado - Denver <b>Fee Status:</b> Fee Paid	<b>Docketed:</b> 11/14/2017 <b>Termed:</b> 01/23/2019												
<b>Case Type Information:</b> 1) prisoner appeal 2) federal 3) 2255													
<b>Originating Court Information:</b> <b>District:</b> 1082-1 : <a href="#">1:15-CV-02223-CMA</a> <span style="float: right;"><b>Lead:</b> <a href="#">1:15-CV-02223-CMA</a></span> <b>Court Reporter:</b> Darlene Martinez, - <b>Trial Judge:</b> Christine M. Arguello, -, U.S. District Judge <b>Date Filed:</b> 10/07/2015 <b>Date NOA Filed:</b> 11/10/2017 <span style="float: right;"><b>Date Rec'd COA:</b> 11/14/2017</span>  <b>District:</b> 1082-1 : <a href="#">1:09-CR-00266-CMA-3</a> <span style="float: right;"><b>Lead:</b> <a href="#">1:15-CV-02223-CMA</a></span> <b>Date Filed:</b> 10/07/2015 <b>Date NOA Filed:</b> 11/10/2017 <span style="float: right;"><b>Date Rec'd COA:</b> 11/14/2017</span>													
<b>Prior Cases:</b> <a href="#">11-1491</a> <b>Date Filed:</b> 10/25/2011 <b>Date Disposed:</b> 08/04/2014 <b>Disposition:</b> Affirmed													
<b>Current Cases:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Lead</th> <th style="text-align: left;">Member</th> <th style="text-align: left;">Start</th> <th style="text-align: left;">End</th> </tr> </thead> <tbody> <tr> <td>Consolidated</td> <td></td> <td></td> <td></td> </tr> <tr> <td>17-1415</td> <td><a href="#">18-1273</a></td> <td>07/02/2018</td> <td></td> </tr> </tbody> </table>		Lead	Member	Start	End	Consolidated				17-1415	<a href="#">18-1273</a>	07/02/2018	
Lead	Member	Start	End										
Consolidated													
17-1415	<a href="#">18-1273</a>	07/02/2018											
<b>Panel Assignment:</b> Not available													

UNITED STATES OF AMERICA  
Plaintiff - Appellee

Suneeta Hazra  
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1801 California Street, Suite 1600  
Denver, CO 80202

v.

GARY L. WALKER  
Defendant - Appellee

Patrice Bernadette Collins  
Direct: 303-296-7700  
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Collins & Collins  
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Gerald J. Rafferty  
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700 Seventeenth Street, Suite 1820  
Denver, CO 80202

-----  
GWENDOLYN LAWSON  
Movant - Appellant

Gwendolyn Lawson  
Email: [gmjewell@yahoo.com](mailto:gmjewell@yahoo.com)  
[NTC Retained]  
Lawson Law  
Firm: 719-287-4511  
3472 Research Parkway  
Colorado Springs, CO 80920

UNITED STATES OF AMERICA,

Plaintiff - Appellee,



v.

GARY L. WALKER,















Defendant - Appellee.





















-----  
GWENDOLYN MAURICE LAWSON,








Movant - Appellant.









11/14/2017    
169 pg, 1.99 MB

[10513637] Prisoner case docketed. DATE RECEIVED:  
11/14/2017. Docketing statement, transcript order form and notice  
of appearance due 11/28/2017 for Gwendolyn Maurice Lawson.  
Notice of appearance due on 11/28/2017 for United States of  
America and Gary L. Walker. [17-1415] [Entered: 11/14/2017 03:21  
PM]














<p>11/15/2017   2 pg, 25.56 KB</p>	<p>[10513950] Order filed by Clerk of the Court - This matter comes on for consideration following a review of the preliminary record. Accordingly, on or before 11/29/2017 the appellant shall file a memorandum brief addressing the issue of whether she needs a certificate of appealability. The appellees are invited to file a memorandum brief on the same issue on or before 11/29/2017. Served on 11/15/2017. [17-1415] [Entered: 11/15/2017 03:16 PM]</p>
<p>11/28/2017 </p>	<p>[10516865] Notice of appearance submitted by Patrice B. Collins; Gerald J. Rafferty for Appellee Gary L. WalkerN/A for court review. Certificate of Interested Parties: No. Served on 11/28/2017. Manner of Service: email. [17-1415]--[Edited 11/28/2017 by LG to remove PDF from entry, as pleading was filed on 11/28/2017] PBC [Entered: 11/28/2017 11:50 AM]</p>
<p>11/28/2017 </p>	<p>[10516964] Notice of appearance submitted by James C. Murphy for Appellee United States of America for court review. Certificate of Interested Parties: No. Served on 11/28/2017. Manner of Service: email. [17-1415]--[Edited 11/28/2017 by AT to remove PDF as pleading was filed on 11/28/2017.] JCM [Entered: 11/28/2017 02:11 PM]</p>
<p>11/28/2017   2 pg, 35.73 KB</p>	<p>[10516978] Notice of appearance filed by Mr. James C. Murphy for United States of America. CERT. OF INTERESTED PARTIES: n. Served on 11/28/2017. Manner of Service: email. [17-1415] [Entered: 11/28/2017 02:29 PM]</p>
<p>11/28/2017   12 pg, 241.75 KB</p>	<p>[10517055] Appellee/Respondent's jurisdictional memorandum brief filed by United States of America. Served on 11/28/2017. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] JCM [Entered: 11/28/2017 04:10 PM]</p>
<p>11/28/2017   2 pg, 67.92 KB</p>	<p>[10517088] Notice of appearance filed by Ms. Patrice Bernadette Collins and Mr. Gerald J. Rafferty for Gary L. Walker. CERT. OF INTERESTED PARTIES: n. Served on 11/28/2017. Manner of Service: email [17-1415] [Entered: 11/28/2017 04:58 PM]</p>
<p>11/29/2017   21 pg, 321.04 KB</p>	<p>[10517120] Docketing statement filed by Gwendolyn Maurice Lawson. Served on 11/28/2017. Manner of Service: email. [17-1415] --[Edited 11/29/2017 by DD. Removed Notice of Appearance and Transcript order form and refiled as separate entries] GL [Entered: 11/29/2017 12:07 AM]</p>
<p>11/29/2017   2 pg, 37.38 KB</p>	<p>[10517156] Notice of appearance filed by Gwendolyn Maurice Lawson for Gwendolyn Maurice Lawson. CERT. OF INTERESTED PARTIES: n. Served on 11/28/2017. Manner of Service: email [17-1415] [Entered: 11/29/2017 07:22 AM]</p>















11/29/2017	 	[10517158] Acknowledgment of transcript order filed by Gwendolyn Maurice Lawson. Transcript order form due 12/13/2017 for Darlene Martinez. [17-1415] [Entered: 11/29/2017 07:25 AM]
11/29/2017	 	[10517207] Admissions letter sent. Response date set to 12/29/2017 for Patrice Bernadette Collins. [17-1415] [Entered: 11/29/2017 08:25 AM]
11/29/2017	 	[10517210] Admissions letter sent. Response date set to 12/29/2017 for Gerald J. Rafferty. [17-1415] [Entered: 11/29/2017 08:34 AM]
11/29/2017	 	[10517509] Appellee/Respondent's jurisdictional memorandum brief filed by Gary L. Walker. Served on 11/29/2017. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] PBC [Entered: 11/29/2017 06:12 PM]
11/29/2017	 	[10517512] Appellant/Petitioner's jurisdictional memorandum brief filed by Gwendolyn Maurice Lawson. Served on 11/29/2017. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 11/29/2017 11:41 PM]
11/30/2017	 	[10517803] Order filed by Clerk of the Court referring the matter identified in the court's 11/15/2017 order [ <a href="#">10513950-2</a> ] and the parties responses [ <a href="#">10517055-2</a> ] [ <a href="#">10517509-2</a> ] [ <a href="#">10517512-2</a> ] to the panel of judges that will later be assigned to consider this case on the merits (no ruling will issue at this time). Served on 11/30/2017. [17-1415] [Entered: 11/30/2017 03:13 PM]
12/04/2017	 	[10518591] Transcript order form filed by Darlene Martinez and Transcript due 01/02/2018 for Darlene Martinez. [17-1415] [Entered: 12/04/2017 02:43 PM]
12/15/2017	 	[10521787] Motion filed by Appellee Gary L. Walker to appoint attorney Patrice B. Collins, Gerald J. Rafferty. Served on: 12/15/2017. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] PBC [Entered: 12/15/2017 03:22 PM]
12/19/2017	 	[10522568] Order filed by Judges Matheson and Bacharach denying, without prejudice as more fully set forth in the order, motion for court-appointed appellate counsel filed by Appellee Gary L. Walker. See order for additional information. Served on 12/19/2017. [17-1415] [Entered: 12/19/2017 03:51 PM]
01/02/2018	 	[10524895] Attorney admission letter, second notice sent. Attorney admission response date set to 01/12/2018. [17-1415] [Entered: 01/02/2018 08:06 AM]













01/02/2018		This entry has been removed from the docket. Attorney Gerald Rafferty was previously admitted to our bar. [RLS] [10524898] Attorney admission letter, second notice sent. Attorney admission response date set to 01/12/2018. [17-1415] [Entered: 01/02/2018 08:09 AM]
01/02/2018		[10525149] Attorney Ms. Patrice Bernadette Collins for Gary L. Walker admitted to the bar of this court. [17-1415] [Entered: 01/02/2018 02:58 PM]
01/18/2018	 2 pg, 33.45 KB	[10529209] Order filed by Clerk of the Court - This matter is before the court as a follow up on the 11/29/17 transcript order. Ms. Lawson is appealing the district court's denial of her request for access to the entire transcript of hearings held June 12, 15 and 16, 2017. The district court granted Ms. Lawson access only to the portion of the hearing transcript containing her own testimony. The court reporter has prepared the portion of Ms. Lawson's testimony. The court reporter is relieved of any obligation to complete the remainder of Mr. Lawson's 11/29/17 transcript order. However, this court requires the full transcript. Transcript due 02/20/2018 for Darlene Martinez. Once completed the court reporter shall file the transcripts with the district court with access restricted (please see order). Appellant's brief and appendix due on 02/27/2018 for Gwendolyn Lawson. Served on 01/18/2018. [17-1415] [Entered: 01/18/2018 09:36 AM]
01/22/2018	 3 pg, 11.86 KB	[10530033] Court reporter's motion to reconsider [ <a href="#">10529209-2</a> ], filed by Darlene Martinez. Served on 01/22/2018. Manner of Service: email. [17-1415] [Entered: 01/22/2018 09:20 AM]
01/22/2018	 1 pg, 28 KB	[10530157] Order filed by Clerk of the Court - Response to Court Reporter motion to reconsider due on 01/29/2018 for Gwendolyn Lawson. Served on 01/22/2018. [17-1415] [Entered: 01/22/2018 11:50 AM]
01/28/2018	 6 pg, 141.55 KB	[10531820] Response filed by Ms. Gwendolyn Lawson to Court Reporters Motion for Reconsideration of payment for preparing transcript (Document number 01019933695). Served on 01/28/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 01/28/2018 04:55 PM]
01/30/2018	 2 pg, 32.47 KB	[10532489] Order filed by Judges Matheson and Bacharach denying the motion for reconsideration filed by Darlene Martinez. The court reporter is directed to prepare a certified copy of the full transcript of the evidentiary hearing held on June 12, 15, and 16, 2017 on or before February 20, 2018. See order for details. Served on 01/30/2018. [17-1415] [Entered: 01/30/2018 04:46 PM]



















02/16/2018		[10536653] Record on appeal filed. No. of Volumes: 1, Comments: Vol 1 - RESTRICTED transcripts (court only). [17-1415] [Entered: 02/16/2018 09:57 AM]
02/27/2018		This entry has been removed from the docket. See brief filed 03/12/2108. [sds] [10539051] Appellant/Petitioner's brief filed by Ms. Gwendolyn Lawson. 7 (Counseled) paper copies to be provided to the court. Served on 02/27/2018 by email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 02/27/2018 10:25 PM]
02/27/2018		This entry has been removed from the docket. See appendix filed 03/26/2018. [sds] [10539052] Appellant's appendix filed by Ms. Gwendolyn Lawson. Total number of volumes filed: 1. Served on 02/27/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 02/27/2018 11:43 PM]
02/27/2018	 89 pg, 2.18 MB	[10539053] Attachments to brief filed by Ms. Gwendolyn Lawson. Served on: 02/27/2018. Manner of Service: email. [17-1415] -- [Edited 02/28/2018 by AT to reflect counsel filed attachments to the appellant's brief and not a transcript order form.] GL [Entered: 02/27/2018 11:56 PM]
03/02/2018	 2 pg, 26.83 KB	[10539982] Notice of deficient appendix received from Ms. Gwendolyn Lawson. Type of deficiency: No table of contents; insufficient bookmarks; no pagination. See attached letter for specifics. Appendix due on 03/12/2018 for Gwendolyn Lawson [17-1415] [Entered: 03/02/2018 11:05 AM]
03/12/2018		This entry has been removed from the docket. See appendix filed 03/26/2018. [sds] [10542274] Appellant's appendix filed by Ms. Gwendolyn Lawson. Total number of volumes filed: 1. Served on 03/12/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 03/12/2018 06:42 PM]
03/12/2018	 119 pg, 2.32 MB	[10542281] Appellant/Petitioner's brief filed by Ms. Gwendolyn Lawson. 7 (Counseled) paper copies to be provided to the court. Served on 03/12/2018 by email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 03/12/2018 09:50 PM]
03/15/2018	 2 pg, 26.51 KB	[10543148] Notice of deficient electronic appendix received from Ms. Gwendolyn Lawson. Type of deficiency: No bookmarks. See







		attached letter for specifics. Appendix due on 03/26/2018 for Gwendolyn Lawson [17-1415] [Entered: 03/15/2018 12:20 PM]
03/26/2018	  179 pg, 570.34 KB	[10545565] Appellant's appendix filed by Ms. Gwendolyn Lawson. Total number of volumes filed: 1. Served on 03/26/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 03/26/2018 10:16 AM]
03/26/2018		[10545576] Minute order filed - Appellees brief now due 04/25/2018 for United States of America and Gary L. Walker. (Text Only - No Attachment) [17-1415] [Entered: 03/26/2018 10:41 AM]
04/09/2018	  5 pg, 344.89 KB	[10549703] Motion filed by Appellee Gary L. Walker to extend time to file a response brief until 05/25/2018. Served on: 04/09/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415]--[Edited 04/09/2018 by LG to correct event code] PBC [Entered: 04/09/2018 03:53 PM]
04/09/2018	  1 pg, 23.22 KB	[10549750] Order filed by Clerk of the Court granting appellee, Gary L. Walker's motion to extend time to file response brief. Appellee's brief now due 05/25/2018 for Gary L. Walker only. The due date of 4/25/18 for the response brief of the United States remains in effect. Served on 04/09/2018. [17-1415] [Entered: 04/09/2018 04:49 PM]
04/24/2018	  138 pg, 1.06 MB	[10553683] Appellee/Respondent's brief filed by United States of America. 7 (Counseled) paper copies to be provided to the court. Served on: 04/24/2018. Manner of service: email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] JCM [Entered: 04/24/2018 03:21 PM]
04/24/2018	  6 pg, 98.7 KB	[10553713] Motion filed by United States of America to seal United States' Motion to File Attachments Under Seal. Served on: 04/24/2018 Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] [Edited to add unsealed motion and sealed attachment-- Edited 04/25/2018 by NA] JCM [Entered: 04/24/2018 04:27 PM]
04/25/2018	  2 pg, 28.17 KB	[10553985] Order filed by Clerk of the Court - This matter is before the court on the United States' Motion to File Attachments Under Seal. As an initial matter, the court notes that the motion and all the attachments were electronically transmitted to all parties to this appeal at the time the motion was filed. Out of an abundance of caution, the Clerk's Office has separated the motion from the attachments and restricted access to the attachments to only the court and counsel for the the appellees. The motion to seal is granted

		subject to reconsideration by the panel of judges that will later be assigned to decide the merits of their appeal. Served on 04/25/2018. [17-1415] [Entered: 04/25/2018 01:26 PM]
05/02/2018		This entry - minute order - has been removed from the docket - it was entered in error. The appellee's brief for Mr. Walker remains due 5/25/18 - the reply brief is not yet due [NA] [10555563] [17-1415] [Entered: 05/02/2018 08:47 AM]
05/25/2018	  20 pg, 397.72 KB	[10562051] Appellee/Respondent's brief filed by Gary L. Walker. 7 (Counseled) paper copies to be provided to the court. Served on: 05/25/2018. Manner of service: email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] PBC [Entered: 05/25/2018 05:01 PM]
05/29/2018		[10562263] Minute order filed - Appellant's optional reply brief now due 06/08/2018 for Gwendolyn Lawson. (Text Only - No Attachment) [17-1415] [Entered: 05/29/2018 12:19 PM]
06/01/2018	  9 pg, 1.61 MB	[10563741] Motion filed by Appellant Ms. Gwendolyn Lawson to extend time to file a reply brief until 06/22/2018. Served on: 06/01/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 06/01/2018 09:55 PM]
06/04/2018	  1 pg, 23.12 KB	[10563799] Order filed by Clerk of the Court granting appellant's motion to extend time to file appellant's reply brief. Appellant's optional reply brief now due 06/22/2018 for Gwendolyn Lawson. No further extensions will be granted under the clerk's authority. Served on 06/04/2018. [17-1415] [Entered: 06/04/2018 08:39 AM]
06/20/2018	  9 pg, 355.8 KB	[10568133] Motion filed by Appellee Gary L. Walker to supplement the record on appeal, construed as motion to file a supplemental appendix. Served on: 06/20/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415]--[Edited 06/20/2018 by LG to show that actual relief sought] PBC [Entered: 06/20/2018 12:47 PM]
06/20/2018	  2 pg, 27.3 KB	[10568251] Order filed by Clerk of the Court, response to appellee Walker's motion to supplement the record on appeal, construed as a motion to file a supplemental appendix due on 07/02/2018 for Gwendolyn Lawson. Served on 06/20/2018. [17-1415] Please see order for additional important information. [Entered: 06/20/2018 02:36 PM]
06/20/2018	  6 pg, 420.46 KB	[10568340] Motion filed by Appellant Ms. Gwendolyn Lawson to extend time to file a reply brief until 07/05/2018. Served on: 06/20/2018. Manner of service: email. This pleading complies with

		all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 06/20/2018 05:36 PM]
06/21/2018	  1 pg, 23.39 KB	[10568458] Order filed by Clerk of the Court granting, as modified, Attorney motion to extend time to file a reply brief. Appellant's optional reply brief now due 07/06/2018 for Gwendolyn Lawson. The court will not grant additional extensions absent extraordinary circumstances. Served on 06/21/2018. [17-1415] [Entered: 06/21/2018 09:27 AM]
07/06/2018	  15 pg, 256.62 KB	[10572717] Appellant/Petitioner's reply brief filed by Ms. Gwendolyn Lawson. 7 (Counseled) paper copies to be provided to the court. Served on 07/06/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] GL [Entered: 07/06/2018 11:04 PM]
07/09/2018	  2 pg, 25.83 KB	[10572937] Order filed by Clerk of the Court referring appellee's motion to supplement the record on appeal [ <a href="#">10568133-2</a> ], construed as a motion to file a supplemental appendix, to the panel of judges that will later be assigned to consider this case on the merits (no ruling will issue at this time). If the court ultimately grants the motion, it will issue an order instructing appellee when to file his supplemental appendix and whether to do so under seal. Served on 07/09/2018. [17-1415] [Entered: 07/09/2018 01:13 PM]
08/06/2018	  2 pg, 28.58 KB	[10580003] Order filed by Clerk of the Court - These matters are before the court sua sponte for case management purposes. These appeals are consolidated for oral argument and disposition. The parties to 18-1273 shall file their brief only in that case. The Clerk's office shall remove Colorado Springs Fellowship's opening brief and appendix from 17-1415. Upon completion of briefing in 18-1273 these matters will be set for oral argument. Served on 08/06/2018. [17-1415, 18-1273] [Entered: 08/06/2018 03:07 PM]
09/17/2018	  2 pg, 209.35 KB	[10589648] Calendar notice sent to counsel. Arguments to be held on 11/15/2018 at 9:00 AM in Courtroom II, Byron White United States Courthouse, Denver, CO. Counsel is required to go to <a href="http://www.ca10.uscourts.gov">http://www.ca10.uscourts.gov</a> under the argument calendar tab to obtain an important notice regarding calendared cases and required forms. The calendar acknowledgment and custody status forms must be completed and filed with the clerk via Electronic Case Filing within 10 days of today's date. [17-1415, 18-1273] [Entered: 09/17/2018 10:43 AM]
09/18/2018	  7 pg, 292.27 KB	[10590289] Motion filed by Appellee Gary L. Walker to reschedule oral argument. Served on: 09/18/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. --[Edited 09/18/2018 by PJ to correct relief requested][17-1415] PBC [Entered: 09/18/2018 02:26 PM]

09/18/2018	  6 pg, 330.51 KB	[10590436] Response filed by Ms. Gwendolyn Lawson in 17-1415, Colorado Springs Fellowship Church in 18-1273 to Served on 09/18/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415, 18-1273] GL [Entered: 09/18/2018 11:19 PM]
09/20/2018	  2 pg, 27.75 KB	[10591141] Order filed by Clerk of the Court denying Appellee's motion to reschedule oral argument and submitting the cases on briefs. All counsel are excused from attendance in Denver, Colorado on November 15, 2018. Served on 09/20/2018. [17-1415, 18-1273] [Entered: 09/20/2018 02:17 PM]
10/03/2018	  1 pg, 96.88 KB	[10594610] Custody Status Form filed by Gary L. Walker. Served on 10/03/2018. Manner of Service: email. [17-1415] PBC [Entered: 10/03/2018 11:20 AM]
11/09/2018	  13 pg, 752.43 KB	[10604463] Motion filed by Appellant Ms. Gwendolyn Lawson to file a supplement appendix. Served on: 11/09/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415] --[Edited 11/13/2018 by AT to reflect counsel filed a motion to file a supplemental appendix.] GL [Entered: 11/09/2018 11:26 PM]
11/15/2018	  1 pg, 111.16 KB	[10605494] Case submitted on the briefs to Judges Briscoe, Murphy and McHugh. [17-1415, 18-1273] [Entered: 11/15/2018 11:00 AM]
11/15/2018	  6 pg, 372.45 KB	[10605500] Response filed by Gary L. Walker in 18-1273, 17-1415 to Appellant's Motion to Supplement the Record with Appendix. Served on 11/15/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273, 17-1415] PBC [Entered: 11/15/2018 11:05 AM]
11/15/2018	  14 pg, 2.19 MB	[10605698] Reply filed by Ms. Gwendolyn Lawson in 17-1415 to Served on 11/15/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415, 18-1273] GL [Entered: 11/15/2018 03:25 PM]
01/23/2019	  34 pg, 379.87 KB	[10621034] Affirmed as to the district court order's denying the 17-1415 Appellants' motions to receive the transcript. Vacated as to the district court's order denying the CSFC's motion to unseal and Remanded for further proceedings consistent with this opinion. Terminated on the merits after submissions without oral hearing; Written, signed, unpublished;. Judges Briscoe, Murphy and McHugh, author. Mandate to issue. [17-1415, 18-1273] [Entered: 01/23/2019 02:15 PM]
01/25/2019	  6 pg, 1.23 MB	[10621681] Notice filed by Gary L. Walker. Served on 01/25/2019 by email. [17-1415] PBC [Entered: 01/25/2019 01:17 PM]

01/25/2019	 	[10621745] Appendix Supplement filed by Gary L. Walker. Served on 01/25/2019. Manner of Service: email. [17-1415] [Entered: 01/25/2019 02:42 PM]
03/18/2019	 	[10633658] Mandate issued. [17-1415, 18-1273] [Entered: 03/18/2019 06:50 AM]

PACER Service Center			
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PACER Login:	bkleinman	Client Code:	
Description:	Docket Report (full)	Search Criteria:	17-1415
Billable Pages:	6	Cost:	0.60

# **Attachment 4**

**Decision of this  
Court, *United States  
v. Walker*, 761 Fed.  
App'x 822 (10<sup>th</sup> Cir.  
Jan. 23, 2019)**

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 23, 2019

Elisabeth A. Shumaker  
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARY L. WALKER,

Defendant - Appellee.

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GWENDOLYN MAURICE LAWSON,  
DEMETRIUS K. HARPER, CLINTON A.  
STEWART, DAVID A. ZIRPOLO, and  
KENDRICK BARNES,\*

Movants - Appellants.

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARY L. WALKER,

Defendant - Appellee.

No. 17-1415  
(D.C. Nos. 1:15-CV-02223-CMA  
and 1:09-CR-00266-CMA-3)  
(D. Colorado)

No. 18-1273  
(D.C. No. 1:15-CV-02223-CMA  
and 1:09-CR-00266-CMA-3)  
(D. Colorado)

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\* Collectively, we refer to these five appellants as the “17-1415 Appellants.” Section II(A) discusses the proper identity of the Movants-Appellants in Case Number 17-1415. In short, although the notice of appeal also identified David A. Banks as an appellant, Gwendolyn Maurice Lawson’s representation of Mr. Banks terminated prior to the motions and notice of appeal she filed on behalf of herself, the other named Appellants in Case Number 17-1415, and Mr. Banks.



COLORADO SPRINGS FELLOWSHIP  
CHURCH,

Movant - Appellant.

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**ORDER AND JUDGMENT\*\***

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Before **BRISCOE, MURPHY, and McHUGH**, Circuit Judges.

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Gary L. Walker, a former member of the Colorado Springs Fellowship Church (“CSFC”), was convicted of one count of conspiracy to commit mail fraud arising out of a business operated by CSFC members. He filed a 28 U.S.C. § 2255 motion, in part raising a claim of ineffective assistance of sentencing counsel. The district court convened an evidentiary hearing, at which sixteen witnesses testified, including Mr. Walker; former CSFC members; and Gwendolyn Maurice Lawson and Joshua Lowther, counsel for Mr. Walker at sentencing. The district court concluded Ms. Lawson, who is a member of the CSFC, operated under a conflict of interest because Pastor Rose Banks of the CSFC dictated counsel’s strategy.

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\*\* After examining the briefs, the appellate appendices, and the restricted records provided by the government, this panel has determined unanimously that oral argument would not materially assist in the determination of these appeals. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The cases are therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Federal Rule of Appellate Procedure 32.1 and Tenth Circuit Rule 32.1.

Mr. Walker moved to restrict access to the transcript of his § 2255 hearing, and the district court granted the motion. Ms. Lawson, on behalf of herself and Mr. Walker's codefendants, twice moved to obtain the hearing transcript. The district court predominantly denied the motions but permitted Ms. Lawson access to the portion of the transcript containing her own testimony. Ms. Lawson, again on behalf of herself and Mr. Walker's codefendants, noticed an appeal, commencing Case Number 17-1415. Thereafter, the CSFC moved to unseal the transcript. The district court denied the CSFC's motion, concluding that releasing the transcript was likely to result in CSFC members harassing and threatening Mr. Walker, as well as the former CSFC members who testified at the § 2255 hearing. The CSFC appealed, thereby initiating Case Number 18-1273.

The 17-1415 Appellants and the CSFC argue to this court that the strong presumption in favor of the public right of access to judicial records exceeded Mr. Walker's interest in restricting access to the transcript. The 17-1415 Appellants raise four additional arguments for vacating or reversing the district court's denial of their motions to receive the transcript. We vacate the district court's order as to the CSFC and remand for further proceedings because the district court did not adequately account for the strong presumption in favor of public right of access to judicial records and did not narrowly tailor its orders restricting access to the transcript. We, however, affirm the district court's rulings on the motions to receive the transcript by the 17-1415 Appellants. Unlike the CSFC, the 17-1415 Appellants did not raise a public right of access argument in their motions to the district court.

And the four remaining arguments of the 17-1415 Appellants are either also unpreserved or wholly without merit.

## I. BACKGROUND

### A. *Mr. Walker's Conviction & Sentence*

Mr. Walker, as well as his codefendants David A. Banks, Demetrius K. Harper, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes, were all members of the CSFC. These six individuals helped run IRP Solutions Corporation (“IRP”), a software development company. *United States v. Banks*, 761 F.3d 1163, 1170–71 (10th Cir. 2014). In the course of running IRP, Mr. Walker and his codefendants falsified employee time cards and hired several staffing companies without having any ability to pay for their services. *Id.* at 1171–73. A grand jury indicted Mr. Walker and his codefendants on various mail fraud and wire fraud charges. *Id.* at 1173. Mr. Walker and his codefendants proceeded pro se for their trial and were convicted on multiple counts. *Id.* at 1173–74.

For purposes of sentencing and appeal, Mr. Walker, Mr. Harper, Mr. Stewart, Mr. Zirpolo, and Mr. Barnes retained Mr. Lowther and Ms. Lawson as counsel.<sup>1</sup> *See id.* at 1169. Meanwhile, after Ms. Lawson withdrew from representing Mr. Banks,<sup>2</sup> the court appointed Charles Henry Torres as counsel for Mr. Banks, *see id.* At

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<sup>1</sup> At that time, Ms. Lawson was married and her legal name was Gwendolyn Maurice Solomon. *See United States v. Banks*, 761 F.3d 1163, 1169 (10th Cir. 2014).

<sup>2</sup> Ms. Lawson’s representation of Mr. Banks was limited to a post-trial, pre-sentencing bond hearing.

sentencing, and over Mr. Walker's objection, the district court concluded Mr. Walker was a leader of IRP and increased his United States Sentencing Guidelines Manual range accordingly. Mr. Walker moved for a downward variance, focusing predominantly on his personal characteristics and the potentially legitimate nature of IRP, but not presenting arguments about how his faith in God, the CSFC, and Pastor Banks influenced his actions when operating IRP. The district court rejected Mr. Walker's request for a downward variance and sentenced him to 135 months' imprisonment. This court affirmed the district court's judgment. *Banks*, 761 F.3d at 1202.

#### **B. *Mr. Walker's § 2255 Proceeding***

Mr. Walker submitted a § 2255 motion to the district court, accompanied by a motion to restrict access to his § 2255 filing. The § 2255 motion and the memorandum in support of the motion to restrict are marked as "restricted document-Level 2" such that only Mr. Walker, the government, and the court can access the documents. Mr. Walker's § 2255 motion raised three claims, including that Ms. Lawson operated under an actual conflict of interest when representing him at sentencing because Pastor Banks directed Ms. Lawson's mitigation strategy. The Government filed a non-restricted response to Mr. Walker's § 2255 motion. The district court convened a three-day evidentiary hearing, at which sixteen witnesses testified.<sup>3</sup> The witnesses included (1) Mr. Walker; (2) Vernon Lee Gaines, a process

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<sup>3</sup> The minute entries from the hearing reflect that fifteen witnesses testified. A review of the transcript reveals a sixteenth witness testified.

server; (3) Ms. Lawson; (4) Mr. Lowther; (5) several former CSFC members; and (6) a witness offered as an expert for the standard of a reasonably competent criminal defense attorney. Each witness testified in open court. The district court granted Mr. Walker's § 2255 motion as to his claim that Ms. Lawson operated under an actual conflict of interest when she represented him at sentencing. At resentencing, the district court reduced Mr. Walker's sentence to seventy months' imprisonment.

After announcing Mr. Walker's new sentence, the district court addressed Mr. Walker's relationship with the CSFC and Pastor Banks, a discussion which sheds some light on the restricted documents that we have reviewed but do not discuss in our opinion. In short, the district court noted the control the CSFC and Pastor Banks held over Mr. Walker during the commission of his offense, including how Pastor Banks required Mr. Walker to discontinue communication with his parents if he wanted to remain in the CSFC. The district court also praised Mr. Walker for divorcing himself from the beliefs of the CSFC and questioned whether Pastor Banks espoused values consistent with Christianity. Finally, the district court outlined actions taken by Pastor Banks subsequent to Mr. Walker questioning her divine prophecies, actions which the court had deemed harassing. Included in those actions were Pastor Banks (1) excommunicating Mr. Walker from the CSFC, (2) ordering Mr. Walker's wife and son not to have any further contact with Mr. Walker, and (3) writing Mr. Walker a letter in which she attributed his father's cancer and the proliferation of his own muscle disease to his decision to speak against her and the CSFC by filing his § 2255 motion.

**C. *Motions to Restrict, to Receive Transcript, & to Unseal***

Following his resentencing hearing, Mr. Walker moved to restrict access to the transcript of his § 2255 hearing, supporting his motion to restrict with a document that, itself, is restricted. Through a text order accompanied by a restricted access written order, the district court granted Mr. Walker's motion to restrict. Thereafter, Ms. Lawson, on behalf of herself and purportedly as counsel for Mr. Walker's codefendants, moved to receive the transcript from the day on which she testified, June 15, 2017.<sup>4</sup> In advancing the motion, Ms. Lawson relied on 28 U.S.C. § 753 and her need to review the transcript in preparation for defending against the attorney disciplinary proceedings. The district court granted the motion with respect to Ms. Lawson's own testimony but denied the motion with respect to the other witnesses who testified on June 15, 2017. In support of the partial denial, the district court cited its text order granting Mr. Walker's motion to restrict, but it did not provide Ms. Lawson with any of its analysis.

Thereafter, Ms. Lawson, again on behalf of herself and Mr. Walker's codefendants, moved to receive the transcript of all three days of the § 2255 hearing. This motion argued CSFC members never harassed any of the witnesses and challenged the propriety of the district court's decision to grant Mr. Walker § 2255 relief. The district court entered a text order denying the motion to receive a

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<sup>4</sup> Sometime after the resentencing hearing but before this motion to receive the transcript, the district court judge initiated attorney disciplinary proceedings against Ms. Lawson in the Colorado Supreme Court and the District of Colorado.

transcript of all three days of testimony “for the same reasons as stated in [its partial denial of Ms. Lawson’s motion to receive the transcript of all witnesses on the day she testified].” 17-1415 App’x at 38. Ms. Lawson, again on behalf of herself and Mr. Walker’s codefendants, filed an appeal. *See* Notice of Appeal, *United States v. Harper*, No. 1:09-cr-00266-CMA-2, (D. Colo. Nov. 10, 2017) ECF No. 1093. In pertinent part, the notice of appeal reads:

Gwendolyn M. Lawson Attorney of Record for co-defendants, Demetrius K. Harper, Kendrick Barnes, Clinton A. Stewart, David A. Banks and David Zirpolo in the above named case, hereby appeal to the United States Court of Appeals for the Tenth Circuit from Orders 1090 and 1092 denying access to the transcripts for the June 12, 15 and 16, 2017 from Gary Walker Evidentiary Hearing . . . .

*Id.* And, Ms. Lawson filed the notice of appeal in Mr. Harper’s case rather than Mr. Walker’s case. *See id.*

Thereafter, the CSFC, through counsel other than Ms. Lawson, moved to unseal the transcript of the § 2255 hearing, arguing (1) it had a private interest in the transcript because statements in the transcript impugned its reputation in the community and (2) a general First Amendment and common law public right of access to judicial records independently countenanced against the sealing of the transcript. In an unrestricted order, the district court denied the CSFC’s motion, concluding the CSFC primarily sought the transcript for personal purposes and faulting the CSFC for failing to advance a “less intrusive alternative[.]” than sealing the entire record. 18-1273 App’x at 84. The CSFC timely appealed, with Ms. Lawson



representing the CSFC on appeal. We consolidated the appeals in cases 17-1415 and 18-1273.

## II. DISCUSSION

Before reaching the merits of these appeals, we address three preliminary matters: (1) the identity of the appellants in case number 17-1415, (2) our jurisdiction over these appeals, and (3) the parties' motions to supplement the record on appeal.

### A. *Identity of Appellants in Case No. 17-1415*

Case No. 17-1415 is an appeal from two district court orders: (1) Docket Number 1090, which denied Docket Number 1088—the motion to receive the transcript of the June 15, 2017, portion of the § 2255 hearing; and (2) Docket Number 1092, which denied Docket Number 1091—a motion to receive the full transcript of the § 2255 hearing. The motions identify “Gwendolyn M. Lawson, Attorney at Law and Defendants, Demetrius K. Harper, David A. Banks, Clinton A. Stewart, David A. Zirpolo, and Kendrick Barnes, by and through their attorney” as the movants. 17-1415 App’x at 26, 31. Further, the notice of appeal identifies Ms. Lawson, Mr. Harper, Mr. Barnes, Mr. Stewart, Mr. Banks, and Mr. Zirpolo as parties to the appeal. And, as noted above, the notice of appeal was filed in Mr. Harper’s case.

From this, we conclude that, in addition to Ms. Lawson, Mr. Harper, Mr. Barnes, Mr. Stewart, and Mr. Zirpolo were movants below and are appellants in

Case Number 17-1415.<sup>5</sup> However, we reach a different conclusion with respect to Mr. Banks. In 2011, prior to the sentencing proceeding, Ms. Lawson moved to withdraw from representing Mr. Banks, and a magistrate judge granted the motion. Thereafter, for purposes of sentencing and appeal, Mr. Torres represented Mr. Banks. And nothing in the record, such as a new entry of appearance by Ms. Lawson on behalf of Mr. Banks, suggests Mr. Banks subsequently sought Ms. Lawson's legal services. We, therefore, conclude Ms. Lawson lacked a basis to file the motions and notice of appeal on behalf of Mr. Banks and we do not include him as an appellant in Case Number 17-1415.

### **B. Jurisdiction over Appeal**

We ordered the parties in both appeals to file jurisdictional memoranda addressing whether Appellants need certificates of appealability (COAs) for this court to possess jurisdiction over the appeals. The Government and the Appellants in both appeals argue COAs are not needed because Appellants are not § 2255 movants and are not appealing from the district court's order granting in part and denying in part Mr. Walker's § 2255 motion. Mr. Walker agrees the CSFC does not need a COA

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<sup>5</sup> We acknowledge the docketing statement filed by Ms. Lawson in this court identifies only herself as an appellant. However, under Federal Rule of Appellate Procedure 3(b)(1), "[w]hen two or more parties are entitled to appeal from a district-court judgment or order, and their interests make joinder practicable, *they may file a joint notice of appeal. They may then proceed on appeal as a single appellant.*" (emphasis added). Thus, where the motions identified Ms. Lawson, Mr. Harper, Mr. Barnes, Mr. Stewart, and Mr. Zirpolo as movants and the notice of appeal identified the same as appellants, Ms. Lawson was not required to identify Mr. Harper, Mr. Barnes, Mr. Stewart, and Mr. Zirpolo on the post-notice-of-appeal docketing statement.

but argues the 17-1415 Appellants need a COA to the extent they seek to challenge the district court's ruling on Mr. Walker's § 2255 motion.

Whether a party needs a COA is a threshold jurisdictional question. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (“[U]ntil a COA has been issued federal courts of appeals lack jurisdiction to rule on the merits of appeals from habeas petitioners.”). Thus, although the parties are largely in agreement that Appellants do not need COAs, we must assure ourselves that COAs are not required before considering the merits of the appeals. *See Chavez v. City of Albuquerque*, 402 F.3d 1039, 1043 (10th Cir. 2005) (“[W]e have a continuing obligation to assure ourselves that appellate jurisdiction exists.”); *see also Am. Fire & Cas. Co. v. Finn*, 341 U.S. 6, 17–18 (1951) (noting that parties cannot consent to the expansion of federal court jurisdiction).

Section 2253 of Title 28 establishes when a COA is required: “Unless a circuit justice or judge issues a certificate of appealability, an appeal may not be taken to the court of appeals from . . . *the final order* in a proceeding under section 2255.” 28 U.S.C. § 2253(c)(1) (emphasis added). Meanwhile, Federal Rule of Appellate Procedure 22 also addresses the issuance of a COA, stating:

In a habeas corpus proceeding in which the detention complained of arises from process issued by . . . a 28 U.S.C. § 2255 proceeding, *the applicant* cannot take an appeal unless a circuit justice or a circuit or district judge issues a certificate of appealability under 28 U.S.C. § 2253(c). If *an applicant* files a notice of appeal, the district clerk must send to the court of appeals the certificate (if any) . . . along with the notice of appeal and the file of the district-court proceedings. If the district judge has denied the certificate, *the applicant* may request a circuit judge to issue it.

Fed. R. App. P. 22(b)(1) (emphases added). Based on the emphasized language in 28 U.S.C. § 2253(c)(1) and Federal Rule of Appellate Procedure 22(b)(1), we conclude Appellants are not required to obtain a COA relative to their challenge to the district court’s decision to restrict access to the § 2255 hearing transcript.<sup>6</sup>

First, by its terms, § 2253(c)(1) applies when an appeal is taken from “*the* final order” in a § 2255 proceeding; but Appellants appeal from orders other than the final order granting Mr. Walker relief. Second, Rule 22(b)(1) focuses on the “applicant” needing to obtain a COA but does not place the same requirement on other individuals, such as Appellants, who might appeal from a collateral order in the course of a § 2255 case. *See United States v. Pearce*, 146 F.3d 771, 773 (10th Cir. 1998) (“[M]ost courts have held that Congress intended to require a certificate only in an appeal by an *applicant* for a writ.”).

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<sup>6</sup> To the extent the 17-1415 Appellants seek to challenge the district court’s decision to grant Mr. Walker § 2255 relief, we need not opine on whether a COA is required because a more apparent jurisdictional defect—a lack of standing—precludes reaching the merits of their potential argument. Parties have standing to challenge an action, if they “suffered ‘some threatened or actual injury resulting from the putatively illegal action.’” *Warth v. Seldin*, 422 U.S. 490, 499 (1975) (quoting *Linda R.S. v. Richard D.*, 410 U.S. 614, 617 (1973)). Where a party relies on a “threatened injury” the “injury must be ‘certainly impending’” to confer standing, and a speculative or attenuated injury will not suffice. *Whitmore v. Arkansas*, 495 U.S. 149, 158 (1990) (quoting *Babbitt v. Farm Workers*, 442 U.S. 289, 298 (1979)). Here, the 17-1415 Appellants do not identify any already-sustained injury resulting from the district court’s grant of habeas relief and their suggested prospective injuries are speculative and attenuated. Thus, the 17-1415 Appellants lack standing to challenge the district court’s decision to grant Mr. Walker § 2255 relief.

Our conclusion is consistent with the primary purposes of the COA requirement: “to protect government officials from the need to respond to large numbers of insignificant appeals.” David G. Knibb, *Federal Court Appeals Manual* § 16.2 (6th ed. 2018); *see* 16AA Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 3968.1 at 1–2 (4th ed. 2008) (“Courts have noted that the COA requirement serves to protect the government from having to defend against frivolous appeals.”). But very few appeals from § 2255 proceedings involve collateral matters, such as the denial of a motion to access a transcript of a proceeding. Thus, the government would not be flooded with appeals if a COA is not required before this court can take jurisdiction over appeals from matters collateral to the § 2255 proceeding. Our conclusion is also consistent with the conclusion we reached in an unpublished order where we held § 2255 applicants appealing from the denial of a motion to unseal did not need a COA. *See United States v. Pickard*, 733 F.3d 1297, 1301 n2. (10th Cir. 2013) (“This court previously determined that Defendants do not need to obtain a certificate of appealability . . . in order to appeal the district court’s decision denying their motion to unseal because that motion is separate from any challenge to their convictions and sentences under 28 U.S.C. § 2255.” (citing *United States v. Pickard*, Nos. 12–3142, 12–3143, Order (10th Cir. Oct. 2, 2012))). And if § 2255 applicants do not need COAs to appeal the denial of a motion to unseal, it follows non-applicants do not need COAs.

### C. *Motions to Supplement*

The 17-1415 Appellants, the CSFC, and Mr. Walker all separately move to supplement the record on appeal. We outline the legal standard for when supplementation is permissible before analyzing the three motions to supplement.

#### 1. Legal Standard

A party may supplement the record pursuant to either Federal Rule of Appellate Procedure 10(e) or the inherent equitable power exception to the constraints placed on supplementation by Rule 10(e).

Although “Rule 10(e) allows a party to supplement the record on appeal,” it “does not grant a license to build a new record.” *United States v. Kennedy*, 225 F.3d 1187, 1191 (10th Cir. 2000) (internal quotation marks omitted). Under Rule 10(e), a party may modify the record on appeal “only to the extent it is necessary to ‘truly disclose what occurred in the district court.’” *Id.* (quoting Fed. R. App. P. 10(e)(1)). To that point, as a general rule, “[t]his court will not consider material outside the record before the district court.” *Id.*; *cf. Magnum Foods, Inc. v. Cont’l Cas. Co.*, 36 F.3d 1491, 1502 n.12 (10th Cir. 1994) (“Although this court may appropriately take judicial notice of developments that are a matter of public record and are relevant to the appeal, our review of a grant of summary judgment is limited to the record before the trial court at the time it made its ruling.” (citation omitted)).

Apart from Rule 10(e), “under some circumstances, we have an inherent equitable power to supplement the record on appeal.” *Kennedy*, 225 F.3d at 1192

(citing *Ross v. Kemp*, 785 F.2d 1467 (11th Cir. 1986)).<sup>7</sup> In determining whether proposed supplemental material qualifies for the inherent equitable power exception to Rule 10(e), a court should evaluate factors such as: “1) whether ‘acceptance of the proffered material into the record would establish beyond any doubt the proper resolution of the pending issue;’ [and] 2) whether remand for the district court to consider the additional material would be contrary to the interests of justice and a waste of judicial resources.”<sup>8</sup> *Id.* at 1191 (quoting *Ross*, 785 F.2d at 1475).

## 2. The 17-1415 Appellants’ Motion

The 17-1415 Appellants seek to supplement the record with two e-mails Ms. Lawson received from her ex-husband, Stanley Solomon, a former CSFC member who testified at the § 2255 hearing. These e-mails were not part of the record before the district court. Accordingly, the e-mails cannot be added to the record through Rule 10(e). Furthermore, the e-mails shed little to no light on any

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<sup>7</sup> Although *United States v. Kennedy*, 225 F.3d 1187 (10th Cir. 2000), involved an appeal from the denial of § 2255 relief where the rules governing the development of the record are more exacting, *see* Rules 7 & 8 of the Rules Governing §§ 2254 & 2255 Proceedings, this court has cited *Kennedy* and the inherent equitable power exception in appeals from non-§ 2255 proceedings, *see Rio Grande Silvery Minnow v. Bureau of Reclamation*, 601 F.3d 1096, 1110 n.11 (10th Cir. 2010); *see also Breen v. Black*, 709 F. App’x 512, 514 (10th Cir. 2017); *Chytka v. Wright Tree Serv., Inc.*, 617 F. App’x 841, 846 (10th Cir. 2015); *Pennington v. Northrop Grumman Space & Mission Sys. Corp.*, 269 F. App’x 812, 817 (10th Cir. 2008).

<sup>8</sup> *Kennedy* identified a third factor specific to an appeal from the denial of § 2255 relief, a factor which is not applicable in this case. *See* 225 F.3d at 1191 (identifying third factor as “whether supplementation is warranted in light of the ‘unique powers that federal appellate judges have in the context of habeas corpus actions’” (quoting *Ross v. Kemp*, 785 F.2d 1467, 1475 (11th Cir. 1986))).



matter dispositive to these appeals such that the factors underlying the inherent equitable power exception to Rule 10(e) counsel against supplementation. Therefore, we deny the 17-1415 Appellants' motion to supplement.

### **3. The CSFC's Motion**

The CSFC moves to supplement the record with (1) an undated letter from a CSFC member to Mr. Walker's probation officer detailing Mr. Walker's August 28, 2018, attempted delivery of a birthday card to Kyle Walker—Mr. Walker's son and a member of the CSFC; and (2) an August 28, 2018, letter from Kyle Walker. As both of these letters were drafted subsequent to the district court's last order on June 1, 2018, the letters were not part of the district court record and are not proper materials for supplementation under Rule 10(e). Furthermore, the letters do not prove relevant to the public right of access argument upon which we resolve the CSFC's appeal. Therefore, the factors underlying the inherent equitable power exception to Rule 10(e) counsel against supplementation, and we deny the CSFC's motion to supplement.

### **4. Mr. Walker's Motion**

Mr. Walker moves to supplement the record with (1) a June 14, 2018, e-mail from a CSFC member to Mr. Walker's counsel; (2) a radio advertisement about the district court judge; and (3) a letter from the Colorado Supreme Court Office of Attorney Regulation Counsel indicating that the disciplinary action instituted by the district court judge against Ms. Lawson was resolved in Ms. Lawson's favor. The first two items post-date the district court's June 1, 2018, order such that

supplementation is not appropriate under Rule 10(e). Furthermore, the first two items are neither dispositive nor relevant to the issues that dominate this matter.

Accordingly, the inherent equitable power exception to Rule 10(e) does not favor supplementation of the first two items, and we deny Mr. Walker’s motion as to those two items.

Regarding the letter from the Colorado Supreme Court Office of Attorney Regulation Counsel, matters in state bar disciplinary proceedings are subject to judicial notice. *Rose v. Utah State Bar*, 471 F. App’x 818, 820 (10th Cir. 2012); *see White v. Martel*, 601 F.3d 882, 885 (9th Cir. 2010) (identifying “state bar record reflecting disciplinary proceedings” as documents “appropriate for judicial notice”). And where we may take judicial notice of a matter that occurs subsequent to the district court’s ruling, supplementation is permissible. *See Magnum Foods, Inc.*, 36 F.3d at 1502 n.12. Furthermore, the letter is relevant to Ms. Lawson’s argument that she has a personal interest in the full transcript because she needs it to properly defend against the state disciplinary proceeding. Accordingly, we grant Mr. Walker’s motion with respect to the letter from the Colorado Supreme Court Office of Attorney Regulation Counsel. However, because Ms. Lawson acknowledges in her reply brief that the state disciplinary proceeding was resolved in her favor, we see no need to delay issuance of our ruling to allow Mr. Walker to formally supplement the record. Rather, we accept as true that the state disciplinary proceeding concluded, but we permit Mr. Walker ten days from the issuance of this opinion to supplement the record.

### **D. *Analysis of Merits of Appeals***

We state the standard of review and the requirements governing preservation of arguments before outlining the law surrounding the public’s right of access to judicial records. Thereafter, we address the public right of access argument in each appeal, concluding the district court abused its discretion when it denied the CSFC’s motion to unseal but that the 17-1415 Appellants failed to preserve a public right of access argument. Finally, we consider and reject the 17-1415 Appellants’ four additional arguments for vacating or reversing the district court’s orders denying their motions to receive the transcript.

#### **1. Standard of Review**

The district court’s decision to seal or unseal documents is reviewed for an abuse of discretion, but any legal principles the district court applied when making its decision are reviewed de novo. *Pickard*, 733 F.3d at 1302. We apply the overarching abuse of discretion standard because the decision whether to seal or unseal is “necessarily fact-bound.” *United States v. Hickey*, 767 F.2d 705, 708 (10th Cir. 1985). A district court abuses its discretion where it “(1) commits legal error, (2) relies on clearly erroneous factual findings, or (3) where no rational basis exists in the evidence to support its ruling.” *Dullmaier v. Xanterra Parks & Resorts*, 883 F.3d 1278, 1295 (10th Cir. 2018); *see Pickard*, 733 F.3d at 1302 (district court abuses its discretion if it “appl[ies] incorrect legal principles”).

## 2. Preservation Requirement

“An appellant can fail to preserve an appeal point through either forfeiture or waiver.” *Sprint Nextel Corp. v. Middle Man, Inc.*, 822 F.3d 524, 531 (10th Cir. 2016). “A federal appellate court will not consider an issue not passed upon below.” *FDIC v. Noel*, 177 F.3d 911, 915 (10th Cir. 1999) (quoting *Singleton v. Wulff*, 428 U.S. 106, 120 (1976)). “Consequently, when a litigant fails to raise an issue below in a timely fashion and the court below does not address the merits of the issue, the litigant has not preserved the issue for appellate review.” *Id.* Finally, where a party forfeits an argument by not raising it in district court, we will only overlook the forfeiture if the party advancing the argument on appeal presents the argument through the lens of plain error review. *See Richison v. Ernest Grp., Inc.*, 634 F.3d 1123, 1128, 1131 (10th Cir. 2011) (“[T]he failure to argue for plain error and its application on appeal . . . surely marks the end of the road for an argument for reversal not first presented to the district court.”).

## 3. Public Right of Access Argument

On appeal, the Appellants argue the district court, when granting Mr. Walker’s motion to restrict the § 2255 hearing transcript and denying the various motions to gain access to said transcripts, failed to accord proper weight to the public right of access to inspect judicial records. We outline the prevailing legal standard before analyzing the issue as to each appellate case.

a. *Legal standard*

“It is clear that the courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents.”

*Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 (1978) (footnote omitted).

Generally, this right is not conditioned “on a proprietary interest in the document or upon a need for it as evidence in a lawsuit.” *Id.* Rather, “[t]he interest necessary to support the issuance of a writ compelling access has been found, for example, in the citizen’s desire to keep a watchful eye on the workings of public agencies.” *Id.* at 597–98. Likewise, the common law right to access court records “is an important aspect of the overriding concern with preserving the integrity of the law enforcement and judicial processes.” *Hickey*, 767 F.2d at 708.

Based on these principles, “there is a *strong presumption* in favor of public access” as “the interests of the public . . . are presumptively paramount[] [when weighed] against those advanced by the parties.” *Pickard*, 733 F.3d at 1302 (emphasis added) (internal quotation marks omitted). And at least three factors may amplify this strong presumption in favor of public access. First, the purposes behind allowing public access to judicial records are heightened when “the district court used the sealed documents to determine litigants’ substantive legal rights.” *Id.* (internal quotation marks omitted). Second, where a criminal proceeding does not involve presentation to a jury, the importance of public access to the proceeding is “even more significant.” *See Press-Enter. Co. v. Superior Court of Cal.*, 478 U.S. 1, 12–13 (1986) (applying right to access to preliminary hearings); *cf. In re Hearst*

*Newspapers, L.L.C.*, 641 F.3d 168, 179 (5th Cir. 2011) (“[T]he fact that there is no jury at the sentencing proceeding, in contrast to jury trials, heightens the need for public access.”). Third, where the information sealed has already been disclosed in a public proceeding, a party’s personal interest in sealing the material is diminished.<sup>9</sup> *Mann v. Boatright*, 477 F.3d 1140, 1149 (10th Cir. 2007); *see Pickard*, 733 F.3d at 1305 (“The fact that some of the sealed information has already been made public suggests that much of the information . . . could be unsealed.”).

The right of public access to judicial records, however, is “not absolute” as “[e]very court has supervisory power over its own records and files,” which gives it the authority to seal documents. *Nixon*, 435 U.S. at 598; *see Pickard*, 733 F.3d at 1300. The “strong presumption of openness can be overcome where countervailing interests *heavily outweigh* the public interests in access.” *Pickard*, 733 F.3d at 1302 (emphasis added) (internal quotation marks omitted). Put another way, “[t]he party seeking to seal any part of a judicial record bears the heavy burden of showing that ‘the material is the kind of information that courts will protect’ and that ‘disclosure will work a clearly defined and serious injury to the party seeking closure.’” *Miller v. Ind. Hosp.*, 16 F.3d 549, 551 (3d Cir. 1994) (quoting *Publicker Indus., Inc. v. Cohen*, 733 F.2d 1059, 1071 (3d Cir. 1984)).

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<sup>9</sup> While we state these three factors as having enhanced the strong presumption in favor of the public interest here, we do not conclude the CSFC necessarily perfected its arguments on each of these factors. Nonetheless, these factors are matters the district court may need to address on remand.

Situations where the right to public access is sufficiently subservient to a party's interest include where the records are likely to be used for "improper purposes," including "to gratify private spite or promote public scandal" or to "serve as reservoirs of libelous statements for press consumption." *Nixon*, 435 U.S. at 598 (quoting *In re Caswell*, 29 A. 259, 259 (R.I. 1893)). However, any denial of public access to the record must be "*narrowly tailored* to serve th[e] interest" being protected by sealing or restricting access to the records. *Press-Enter. Co.*, 478 U.S. at 13–14 (emphasis added); see *Pickard*, 733 F.3d at 1304 (noting that district court, when sealing record, should consider whether supplying a redacted version of the record would adequately protect the interests of the party seeking the seal); cf. *Waller v. Georgia*, 467 U.S. 39, 48 (1984) ("[T]he party seeking to close the hearing must advance an overriding interest that is likely to be prejudiced, *the closure must be no broader than necessary to protect that interest*, [and] the trial court must consider reasonable alternatives to closing the proceeding." (emphasis added)). And a district court abuses its discretion if it does "not narrowly tailor its order" closing the record to public inspection. See *Davis v. Reynolds*, 890 F.2d 1105, 1110 (10th Cir. 1989).

After "a court orders documents before it sealed, the court continues to have authority to enforce its order sealing those documents, as well as authority to loosen or eliminate any restrictions on the sealed documents. This is true even if the case in which the documents were sealed has ended." *Pickard*, 733 F.3d at 1300 (citations omitted). If after a court seals its records a motion is made "to remove such a seal, the district court should closely examine whether circumstances have changed



sufficiently to allow the presumption allowing access to court records to prevail.” *Miller*, 16 F.3d at 551–52. And, when reviewing a motion to unseal, the district court must remember that “the party seeking to keep records sealed bears the burden of justifying that secrecy,” as the granting of the earlier motion to seal does not shift the burden onto the party seeking to unseal. *Pickard*, 733 F.3d at 1302; *see id.* at 1303–04 (holding district court abused its discretion where it did not continue to “apply the presumption of public access to judicial records” when confronted with motion to unseal). Finally, in granting a motion to seal, or denying a motion to unseal, “[t]he trial court must articulate [the interest warranting sealing] ‘along with findings specific enough that a reviewing court can determine whether the closure order was properly entered.’” *Phoenix Newspapers, Inc. v. U.S. Dist. Court for the Dist. of Ariz.*, 156 F.3d 940, 949 (9th Cir. 1998) (quoting *Press-Enter. Co.*, 478 U.S. at 9–10).

b. *Analysis as to the CSFC*

The CSFC presented a public right of access argument to the district court when moving to unseal the transcript.<sup>10</sup> Accordingly, the CSFC’s argument is properly before us. And, after a review of the full record, including the transcript of the § 2255 hearing, we conclude the district court abused its discretion by (1) not

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<sup>10</sup> The CSFC moved to unseal the entire record in Mr. Walker’s § 2255 proceeding. The district court, however, only addressed the motion relative to the hearing transcript. And, on appeal, the CSFC does not specifically argue that the district court’s failure to address its motion relative to sealed documents other than the transcript was error. Thus, we confine our analysis to what the district court did decide—that the transcript of the hearing would not be unsealed.

fully acknowledging the strong presumption in favor of the public right of access, including several factors that heightened the strong presumption in this instance; (2) failing to narrowly tailor its orders restricting access to the record and, relatedly, failing to connect the interests asserted by Mr. Walker to the sealing of the testimony of *each witness* at the § 2255 hearing; and (3) faulting the CSFC for not proposing an alternative to sealing the entire record. We address each abuse of discretion in turn.

When granting Mr. Walker's motion to restrict and denying the CSFC's motion to unseal, the district court failed to acknowledge and account for three facts that heightened the already strong presumption in favor of the public right of access. First, the district court relied on the § 2255 hearing testimony to grant Mr. Walker relief. *See Pickard*, 733 F.3d at 1302. Second, the proceeding, although technically civil, impacted Mr. Walker's criminal sentence and occurred in the absence of a jury. *See Press-Enter. Co.*, 478 U.S. at 12–13. Third, not only was the § 2255 hearing not sealed such that the information restricted was already exposed to the public but during Mr. Walker's resentencing hearing, the district court, in open court, discussed aspects of the restricted record.<sup>11</sup> *See Mann*, 477 F.3d at 1149; *see also Pickard*, 733 F.3d at 1305. In not acknowledging and addressing these facts in its orders restricting the transcript and denying the CSFC's motion to unseal, the district court either failed to apply the appropriate legal standard or failed to adequately articulate its

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<sup>11</sup> At least one member of the CSFC, Ms. Lawson, was present at the resentencing hearing, and the transcript of the resentencing hearing is not restricted.

analysis in support of restricting the record so as to permit meaningful appellate review.

Next, by restricting access to the entire transcript, the district court failed to narrowly tailor its order to the interest asserted by Mr. Walker—that he and the former CSFC members that testified were likely to face harassment if the CSFC gained access to the transcript. It is not apparent why restricting access to the testimony of Mr. Lowther, who served as counsel for Mr. Walker and four of his codefendants, and of Mr. Gaines, who served process on Ms. Lawson, furthers the personal interest advanced by Mr. Walker.<sup>12</sup> Certainly, the district court did nothing to tie the private interests raised by Mr. Walker to the need to restrict access to the testimony of these two witnesses. And, the district court also failed to consider whether redacting aspects of the testimony of other witnesses, especially the expert witnesses, would allow for the unsealing of their testimony.<sup>13</sup>

Interestingly, the district court, in its order denying the CSFC's motion to unseal, implicitly acknowledged it had not narrowly tailored its order granting

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<sup>12</sup> We observe that, despite not having access to the transcript, the CSFC was well aware of Mr. Lowther's and Mr. Gaines's identities and roles in the proceedings. Yet the district court did not cite any evidence suggesting CSFC members took steps to harass Mr. Lowther or Mr. Gaines. Nor is it apparent from the record how or why the CSFC would use a transcript of Mr. Lowther's or Mr. Gaines's testimony for a spiteful or scurrilous purpose.

<sup>13</sup> In particular, we are skeptical of the need to restrict entirely access to the testimony of the expert for the standard of a reasonably competent criminal defense attorney, as redacting the expert's name and place of employment is likely sufficient to mitigate the concerns raised by Mr. Walker.

Mr. Walker’s motion to restrict when it stated: “Because of this Court’s need to protect *virtually all of the witnesses* at the hearing, including Mr. Walker and his reasons for requesting habeas relief, which were discussed throughout the three-day hearing, sealing the transcript[] in [its] entirety is warranted.” 18-1273 App’x at 84 (emphasis added). But if the restriction was necessary to protect only “virtually all of the witnesses,” it follows that the restriction was not necessary for the protection of at least one witness. Yet, the district court did not follow our precedent and narrowly tailor its orders restricting access to the transcript. As such, the district court abused its discretion.

Finally, the district court erred when it faulted the CSFC for not proposing alternatives to restricting access to the entire transcript. *See id.* (“CSFC presents this Court with no less intrusive alternatives, instead requesting complete and unfettered access to ‘all documents associated with and introduced at the hearing, along with the immediate unsealing of the transcript associated with the proceeding.’” (quoting *id.* at 67 (CSFC Mot. to Unseal at 3))). But the duty was on the district court, not the CSFC, to consider alternatives to restricting access to the entire transcript. *See Davis*, 890 F.2d at 1110; *Waller*, 467 U.S. at 48. And placing such a duty on the district court, rather than the party seeking access, is logical because the district court had full access to the transcript while the CSFC had no access to the restricted transcript. Thus, the CSFC could not comb through the transcript and meaningfully advance a narrower alternative than unsealing the entire transcript.

Where access to Mr. Walker's filings was restricted *ab initio*, the issue of restricting access to the record proceeded in a quasi-*ex parte* manner, with the individuals and entity against whom Mr. Walker alleged wrongdoing not before the court. But a court must take extra care when granting an *ex parte* motion. Here, the district court issued a series of text orders that neither stated the requirements for restricting access to judicial records nor critically analyzed whether sealing the *full* transcript was appropriate. And while the record supports the conclusion that the CSFC is far from the most upstanding litigant, the court was still required to carefully consider the public's interest in judicial records and craft a narrowly tailored order.

In summation, we conclude the district court abused its discretion when it denied the CSFC's motion to unseal. Accordingly, we vacate the district court's order and remand for further proceedings. On remand, the district court should consider the factors that heighten the public right of access to the transcript of Mr. Walker's § 2255 hearing, address how the interests advanced by Mr. Walker connect to the restriction placed on public access to the testimony of each witness, and consider whether there exists a narrower alternative to restricting access to the full transcript. Finally, because a non-insignificant amount of time has elapsed since the district court restricted access to the judicial records, the district court may need to consider whether circumstances have changed so as to diminish Mr. Walker's interests. *See Miller*, 16 F.3d at 551–52 (“Even if the initial sealing was justified, when there is a subsequent motion to remove such a seal, the district court should closely examine

whether circumstances have changed sufficiently to allow the presumption allowing access to court records to prevail.”).

*c. Analysis as to the 17-1415 Appellants*

Unlike the CSFC’s motion in the district court, neither of the two motions to the district court filed by the 17-1415 Appellants raised a public right of access argument. As such, the argument is forfeited. And although the 17-1415 Appellants raise the argument on appeal, neither their opening brief nor their reply brief presents the argument through the lens of plain error review. This is true even though Mr. Walker, in his response brief, pointed out the forfeiture of the argument. Accordingly, we do not reach the merits of the 17-1415 Appellants’ argument to unseal based on a public right of access. *See Richison*, 634 F.3d at 1131 (“[T]he failure to argue for plain error and its application on appeal . . . surely marks the end of the road for an argument for reversal not first presented to the district court.”).

#### **4. Additional Arguments by the 17-1415 Appellants**

The 17-1415 Appellants raise four additional arguments for vacating or reversing the district court’s orders denying their motions to receive the transcript. These additional arguments range from unpreserved, to meritless, to illogical, to incomprehensible.

*a. Right to Notice Before Restriction*

The 17-1415 Appellants argue the district court had a duty to provide them notice and an opportunity to be heard before granting Mr. Walker’s motions to restrict access to the records in his § 2255 proceeding. The 17-1415 Appellants,

however, failed to present this argument to the district court; thus, the argument is forfeited. And where the 17-1415 Appellants do not raise this argument on appeal through the lens of plain error review, we do not reach the merits of the argument. *See id* (“[T]he failure to argue for plain error and its application on appeal . . . surely marks the end of the road for an argument for reversal not first presented to the district court.”).

b. *Right of access under 28 U.S.C. § 753*

Ms. Lawson argues 28 U.S.C. § 753 grants her a right to receive the transcript. This argument, although presented to the district court, is without merit. The relevant portion of 28 U.S.C. § 753 states:

The reporter or other individual designated to produce the record shall transcribe and certify such parts of the record of proceedings as may be required by any rule or order of court, including all . . . proceedings in connection with the imposition of sentence in criminal cases. . . . He shall also transcribe and certify such other parts of the record of proceedings as may be required by rule or order of court. *Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter or other individual designated to produce the record shall promptly transcribe the original records of the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request.*

28 U.S.C. § 753(b) (emphasis added). By its terms, § 753(b) conveys a right of access only to parties to the proceeding and judges of the court. It does not convey any right of access to witnesses such as Ms. Lawson. Furthermore, while Mr. Harper, Mr. Stewart, Mr. Zirpolo, and Mr. Barnes were parties to the criminal trial, they were



not parties to Mr. Walker's § 2255 proceeding. Accordingly, we reject this argument as without merit.

*c. Personal interest in transcript*

Next, Ms. Lawson argues she has a personal interest in obtaining the full transcript because the transcript contains (1) false statements against her and she cannot defend her name and reputation as an attorney without access to the transcript; and (2) statements relevant to the disciplinary proceedings instituted against her in the Colorado Supreme Court and the District of Colorado. Both of these personal interest arguments were presented to the district court. Ms. Lawson's first argument, however, is illogical. To the extent the transcript contains statements against Ms. Lawson's name and reputation, maintaining the restriction of access and keeping the transcript out of the public eye will protect Ms. Lawson's name and reputation. Ms. Lawson's second argument is partially moot and partially unsupported by the record before us. As Ms. Lawson acknowledges in her reply brief, the disciplinary proceeding in the Colorado Supreme Court was resolved in her favor. *See* 17-1415 Reply Br. at 5 ("The Attorney Regulation has determined that Attorney Lawson has not violated any Rules of Professional conduct and did not provide Mr. Walker ineffective assistance of counsel."). Thus, any need Ms. Lawson had for the full transcript relative to that proceeding evaporated with the termination of the proceeding. As for the disciplinary proceeding in the District of Colorado, Ms. Lawson fails to enlighten us as to the nature of the charge(s) against her. Thus, Ms. Lawson has not demonstrated the district court abused its discretion when it

determined that providing her with a transcript of her own testimony was sufficient to permit her to defend against the allegations levied by the district court judge.

d. *Violation of Federal Rule of Appellate Procedure 4*

Finally, Ms. Lawson argues the district court, by denying her access to the full transcript, violated her constitutional right to appeal, as provided by Federal Rule of Appellate Procedure 4. The contours of Ms. Lawson's argument on this point are beyond our powers of comprehension given that (1) the district court docketed Ms. Lawson's notice of appeal; (2) Ms. Lawson presented her appellate arguments to this court; and (3) Federal Rule of Appellate Procedure 4 does not, in and of itself, create any constitutional rights. To the extent Ms. Lawson is trying to argue that we cannot effectively consider her arguments on appeal without access to the transcript, we reviewed the full transcript and would have ruled in Ms. Lawson's favor on the public right of access argument had she had the foresight to include such an argument in the motions to the district court or argue for plain error review in this court. She did not.

### III. CONCLUSION

We **DENY** the 17-1415 Appellants' motion to supplement and the CSFC's motion to supplement, and **DENY IN PART** and **GRANT IN PART** Mr. Walker's motion to supplement. Mr. Walker shall have ten days from the issuance of this opinion to submit the letter from the Colorado Supreme Court Office of Attorney Regulation Counsel. Further, we **AFFIRM** the district court's orders denying the 17-1415 Appellants' motions to receive the transcript. However, we **VACATE** the

district court's order denying the CSFC's motion to unseal and **REMAND** for further proceedings consistent with this Order and Judgment.

Entered for the Court

Carolyn B. McHugh  
Circuit Judge

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

January 23, 2019

Chris Wolpert  
Chief Deputy Clerk

Gwendolyn Lawson  
Lawson Law  
3472 Research Parkway  
Colorado Springs, CO 80920

**RE: 17-1415, 18-1273, United States v. Walker**  
Dist/Ag docket: 1:15-CV-02223-CMA, 1:09-CR-00266-CMA-3

Dear Counsel:

Enclosed is a copy of the order and judgment issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40(a)(1), any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 3900 words or 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. If requesting rehearing en banc, the requesting party must file 6 paper copies with the clerk, in addition to satisfying all Electronic Case Filing requirements. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R.35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: Patrice Bernadette Collins  
Patrick Joseph Collins  
Suneeta Hazra  
Matthew T. Kirsch  
James C. Murphy  
Amy Lenore Padden  
Gerald J. Rafferty

EAS/lg

# **Attachment 5**

**Motion to Compel in  
District Court,  
Dkt. Entry No. 1131**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

=====	:	
UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
	:	
— versus —	:	1:09-cr-00266 (CMA)
	:	1:15-cv-02223 (CMA)
DAVID BANKS, et al.,	:	
Defendant,	:	
COLORADO SPRINGS FELLOWSHIP	:	
CHURCH,	:	
Movant.	:	
=====	:	

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MOTION TO DIRECT COURT REPORTER TO PROVIDE TRANSCRIPT TO MOVANT,  
AND TO UNSEAL ALL DOCUMENTS SUBMITTED THEREIN

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Comes now the Movant, COLORADO SPRINGS FELLOWSHIP CHURCH, by  
and through its counsel of record, Bernard V. Kleinman, Esq., an attorney duly admitted  
to practice law before the Bar of this Court,

Seeking an Order from this Court:

1. Directing the Court Reporter to provide a certified copy of the transcript of  
the habeas corpus proceedings, as set forth in *Walker v. United States*,  
1:15-cv-02223 (CMA),
2. Directing the Clerk of the Court to unseal all documents and other records  
as submitted in the proceeding, *Walker v. United States*, 1:15-cv-02223  
(CMA), and
3. For such other and further relief as this Court shall deem just and proper.

On January 23<sup>rd</sup>, 2019, the Order and Judgment of the Tenth Circuit Court of  
Appeals, in *United States v. Walker*, 761 Fed. App'x 822 (Dkt. Nos. 17-1415, 18-1273),



was duly entered in this Court's Docket. See Dkt. Entry Nos. 1124, 1126. Annexed hereto as Exhibit 1 is the opinion therein.

As directed by the Court of Appeals to this Court, it "VACATE[d] the district court's order [*i.e.*, this court's Order] denying the CSFC's motion to unseal and remand[ed] for further proceedings consistent with this Order." See *United States v. Walker*, 17-1415, 18-1273 at pp. 31-32 (10<sup>th</sup> Cir. Jan. 23, 2019).

As such, Movant, COLORADO SPRINGS FELLOWSHIP CHURCH, seeks an immediate Order from this Court directing the Court Reporter to provide a certified copy of the aforesaid transcript to the Movant's Counsel.

Furthermore, it is respectfully requested that the Court direct the Clerk of the Court to provide to counsel for the Movant, a copy of all of the Exhibits, Documents, and other Pleadings as submitted in the aforesaid action, that are currently under Seal.

It is acknowledged that the Court of Appeals confined itself to the transcript in its direction to this Court to release the record, *viz.*,

on appeal, the CSFC does not specifically argue that the district court's failure to address its motion relative to sealed documents other than the transcript was error. Thus, we confine our analysis to what the district court did decide — that the transcript of the hearing would not be unsealed.

See *United States v. Walker, supra*, at n. 10.

Nevertheless, the same principles and reasoning that the Court of Appeals relied upon in vacating the Order regarding the access to the transcript applies to all other documents, exhibits and pleadings as submitted to this Court in the aforesaid habeas corpus petition.

Dated: 09 June 2019  
Somers, NY

Respectfully submitted,  
Law Office of Bernard V. Kleinman, PLLC

/s/ Bernard V. Kleinman

Bernard V. Kleinman, Esq.  
Attorney for Movant Colorado Springs  
Fellowship Church  
108 Village Square  
Suite 313  
Somers, NY 10589-2305  
Tel. 914.644.6660  
Fax 914.694.1647  
Email: attrnylwyuer@yahoo.com

CERTIFICATE OF SERVICE

I do hereby Certify, under penalty of perjury, hat on the 9<sup>th</sup> day of June, 2019, I did serve the within Motion, Proposed Order and Exhibit, upon all counsel of record by electronic filing with this Court's ECF system.

Dated:09 June 2019  
Somers, NY

Respectfully submitted,  
Law Office of Bernard V. Kleinman, PLLC

/s/ Bernard V. Kleinman

# **Attachment 6**

**Status Request Letter  
dated July 2, 2019,  
Dkt. Entry Nos. 1132,  
1134**

**LAW OFFICE OF BERNARD V. KLEINMAN, PLLC**

**ATTORNEY - AT - LAW**

108 VILLAGE SQUARE, SUITE 313  
SOMERS, NEW YORK 10589-2305

TEL: (914) 644-6660 E-MAIL: ATTRNYLWYR@YAHOO.COM FAX: (914) 694-1647

July 01, 2019

Hon. Christine Arguello  
U.S. District Judge  
District of Colorado  
Alfred A. Arraj U.S. Courthouse  
901 19<sup>th</sup> Street  
Denver, CO 80294

Re: United States v. Davis, et al., 1:09-cr-00266  
Walker v. United States, 1:15-cv-02223

Your Honor:

I am the retained counsel for the Movant, Colorado Springs Fellowship Church.

On 09 June 2019 I filed a Motion to Unseal the transcript of the habeas corpus proceeding of Defendant Walker. See Docket Entry No. 1131.

At the request of my client, the Colorado Springs Fellowship Church, I respectfully make inquiry as to the status of this Motion. As of this date the Government has filed no Response, nor made any request to file such a Response. As such, its time to Respond has expired. See L.Civ.R. 7.1(d).

I would therefore, respectfully request, that the Court grant the relief requested, or so much as it is in compliance with the Order of the Tenth Circuit in *United States v. Walker*, 761 Fed. App'x 822 (10<sup>th</sup> Cir. 2019).

Respectfully submitted,

/s/ Bernard V. Kleinman  
Bernard V. Kleinman  
Attorney for Movant Colorado  
Springs Fellowship Church

cc: All Counsel of Record by ECF

# **Attachment 7**

**Docket Sheet Entries,  
*United States v.*  
*Walker*, Tenth  
Circuit, 18-1273**

**General Docket  
Tenth Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 18-1273 <b>Nature of Suit:</b> 2510 Prisoner Petitions -Vacate Sentence United States, et al v. Walker <b>Appeal From:</b> United States District Court for the District of Colorado - Denver <b>Fee Status:</b> Fee Paid	<b>Docketed:</b> 07/02/2018 <b>Termed:</b> 01/23/2019												
<b>Case Type Information:</b> 1) prisoner appeal 2) federal 3) 2255													
<b>Originating Court Information:</b> <b>District:</b> 1082-1 : <a href="#">1:15-CV-02223-CMA</a> <b>Court Reporter:</b> Darlene Martinez, - <b>Trial Judge:</b> Christine M. Arguello, -, U.S. District Judge <b>Date Filed:</b> 10/07/2015 <table style="width: 100%;"> <tr> <td style="width: 50%;"><b>Date NOA Filed:</b></td> <td style="width: 50%;"><b>Date Rec'd COA:</b></td> </tr> <tr> <td>06/29/2018</td> <td>07/02/2018</td> </tr> </table> <b>District:</b> 1082-1 : <a href="#">1:09-CR-00266-CMA-3</a> <b>Date Filed:</b> 06/09/2009 <table style="width: 100%;"> <tr> <td style="width: 50%;"><b>Date NOA Filed:</b></td> <td style="width: 50%;"><b>Date Rec'd COA:</b></td> </tr> <tr> <td>06/29/2018</td> <td>07/02/2018</td> </tr> </table>		<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>	06/29/2018	07/02/2018	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>	06/29/2018	07/02/2018				
<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>												
06/29/2018	07/02/2018												
<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>												
06/29/2018	07/02/2018												
<b>Prior Cases:</b> <a href="#">11-1491</a> <b>Date Filed:</b> 10/25/2011 <b>Date Disposed:</b> 08/04/2014 <b>Disposition:</b> Affirmed													
<b>Current Cases:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Lead</th> <th style="text-align: left;">Member</th> <th style="text-align: left;">Start</th> <th style="text-align: left;">End</th> </tr> </thead> <tbody> <tr> <td>Consolidated</td> <td></td> <td></td> <td></td> </tr> <tr> <td><a href="#">17-1415</a></td> <td>18-1273</td> <td>07/02/2018</td> <td></td> </tr> </tbody> </table>		Lead	Member	Start	End	Consolidated				<a href="#">17-1415</a>	18-1273	07/02/2018	
Lead	Member	Start	End										
Consolidated													
<a href="#">17-1415</a>	18-1273	07/02/2018											
<b>Panel Assignment:</b> Not available													

UNITED STATES OF AMERICA  
Plaintiff - Appellee

James C. Murphy  
 Direct: 303-454-0100  
 Email: james.murphy3@usdoj.gov  
 [COR NTC Government]  
 Office of the United States Attorney  
 District of Colorado  
 Firm: 303-454-0100



v.

GARY L. WALKER  
Defendant - Appellee

1801 California Street, Suite 1600  
Denver, CO 80202

Patrice Bernadette Collins  
Direct: 303-296-7700  
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Denver, CO 80202

Gerald J. Rafferty  
Email: grafferty@lawcc.us  
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700 Seventeenth Street, Suite 1820  
Denver, CO 80202

-----  
COLORADO SPRINGS FELLOWSHIP  
CHURCH  
Movant - Appellant

Gwendolyn Lawson  
Email: gmjewell@yahoo.com  
[COR NTC Retained]  
Lawson Law  
Firm: 719-287-4511  
3472 Research Parkway  
Colorado Springs, CO 80920

UNITED STATES OF AMERICA,















Plaintiff - Appellee,
















v.














GARY L. WALKER,  
Defendant - Appellee.















-----  
COLORADO SPRINGS FELLOWSHIP CHURCH,














Movant - Appellant.

07/02/2018	 	[10571073] Prisoner case docketed. DATE RECEIVED: 07/02/2018,07/02/2018. Docketing statement due 07/16/2018 for Colorado Springs Fellowship Church. Transcript order form due 07/16/2018 for Colorado Springs Fellowship Church. Notice of appearance due on 07/16/2018 for Colorado Springs Fellowship Church, United States of America and Gary L. Walker [18-1273] [Entered: 07/02/2018 09:47 AM]
07/02/2018	 	[10571239] Order filed by Clerk of the Court. This matter is before the court sua sponte following the opening of this appeal. Parties memorandum briefs due 07/16/2018 for Colorado Springs Fellowship Church, United States of America and Gary L. Walker. All other deadlines remain in effect. Please see order for additional information. Served on 07/02/2018. [18-1273] [Entered: 07/02/2018 01:07 PM]
07/11/2018	 	[10573787] Appellee/Respondent's jurisdictional memorandum brief filed by United States of America. Served on 07/11/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] JCM [Entered: 07/11/2018 02:04 PM]
07/11/2018		[10573817] Entry of appearance submitted by James C. Murphy for Appellee United States of America for court review. Certificate of Interested Parties: No. Served on 07/11/2018. Manner of Service: email. --[Edited 07/11/2018 by SDS to remove pdf from entry as the pleading has been filed] [18-1273] JCM [Entered: 07/11/2018 03:11 PM]
07/11/2018	 	[10573840] Entry of appearance filed by Mr. James C. Murphy for United States of America. CERT. OF INTERESTED PARTIES: n. Served on 07/11/2018. Manner of Service: email. [18-1273] [Entered: 07/11/2018 03:31 PM]
07/16/2018		[10575050] Entry of appearance submitted by Patrice B. Collins; Gerald J. Rafferty for Appellee Gary L. Walker for court review. Certificate of Interested Parties: No. Served on 07/16/2018. Manner of Service: email. [18-1273]--[Edited 07/16/2018 by LG to remove PDF from entry, as pleading was filed on 7/16/2018] PBC [Entered: 07/16/2018 03:59 PM]
07/16/2018	 	[10575051] Appellee/Respondent's jurisdictional memorandum brief filed by Gary L. Walker. Served on 07/16/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] PBC [Entered: 07/16/2018 04:01 PM]
07/16/2018	 	[10575069] Entry of appearance filed by Ms. Patrice Bernadette Collins and Mr. Gerald J. Rafferty for Gary L. Walker. CERT. OF














	INTERESTED PARTIES: n. Served on 07/16/2018. Manner of Service: email [18-1273] [Entered: 07/16/2018 04:35 PM]
07/16/2018   2 pg, 9.98 KB	[10575079] Motion filed by Appellant Colorado Springs Fellowship Church in 18-1273 to dismiss case. Served on: 07/16/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. --[Edited 07/31/2018 by LAB to remove from appeal 17-1415.][18-1273] PF [Entered: 07/16/2018 05:51 PM]
07/17/2018   2 pg, 34.16 KB	[10575187] Order filed by Clerk of the Court denying the motion to dismiss case filed by Appellant Colorado Springs Fellowship Church, without prejudice to renewal for failure to comply with 10th Cir. Rule 27.1. See attached order for further details. Served on 07/17/2018. [18-1273] [Entered: 07/17/2018 10:01 AM]
07/20/2018   2 pg, 20.39 KB	[10576177] Deficiency notice issued. Type of deficiency: appellant's memo brief, docketing statement, transcript order form and entry of appearance not filed. Appellant's memorandum brief, notice of appearance, docketing statement, and transcript order due 07/30/2018 for Colorado Springs Fellowship Church. [18-1273] [Entered: 07/20/2018 10:39 AM]
07/28/2018 	[10577901] Entry of appearance submitted by Gwendolyn Maurice Lawson for Appellant Colorado Springs Fellowship Church for court review. Certificate of Interested Parties: No. Served on 07/28/2018. Manner of Service: email. [18-1273]--[Edited 07/30/2018 by LG to remove PDF from entry, as pleading was filed on 7/30/2018] GL [Entered: 07/28/2018 12:30 PM]
07/30/2018   3 pg, 409.64 KB	[10577932] Entry of appearance filed by Gwendolyn Lawson for Colorado Springs Fellowship Church. CERT. OF INTERESTED PARTIES: n. Served on 07/28/2018. Manner of Service: email [18-1273] [Entered: 07/30/2018 07:53 AM]
07/30/2018   15 pg, 690.45 KB	[10577964] Docketing statement filed by Colorado Springs Fellowship Church. Served on 07/30/2018. Manner of Service: email. [18-1273] GL [Entered: 07/30/2018 08:23 AM]
07/30/2018   2 pg, 645.56 KB	[10577970] Acknowledgment of transcript order filed by Colorado Springs Fellowship Church. Transcript ordered: Transcripts from Section 2255 Evidentiary hearing for Gary Walker held 06/12, 06/15/ and 06/17 2017. Served on: 07/30/2018. Manner of Service: email. [18-1273] GL [Entered: 07/30/2018 08:34 AM]
07/30/2018   6 pg, 302.79 KB	[10578003] Appellant/Petitioner's jurisdictional memorandum brief filed by Colorado Springs Fellowship Church. Served on 07/30/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 07/30/2018 09:07 AM]

07/30/2018	  2 pg, 10.26 KB	[10578021] Motion filed by Appellant Colorado Springs Fellowship Church in 18-1273 to dismiss case. Served on: 07/30/2018. Manner of service: US mail. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. --[Edited 07/30/2018 by SDS to remove from case 17-1415] [18-1273] PF [Entered: 07/30/2018 09:28 AM]
07/31/2018	  2 pg, 25.45 KB	[10578522] Order filed by Clerk of the Court denying without prejudice Attorney motion to dismiss case filed by Appellant Colorado Springs Fellowship Church. Served on 07/31/2018. [18-1273] [Entered: 07/31/2018 11:59 AM]
07/31/2018	  3 pg, 118.26 KB	[10578591] Motion filed by Appellant Colorado Springs Fellowship Church in 18-1273 to amend. Served on: 07/31/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] PF [Entered: 07/31/2018 01:54 PM]
07/31/2018	  2 pg, 32.58 KB	[10578611] Order filed by Clerk of the Court. On 7/2/18, the court directed the parties to file memorandum briefs. All parties have filed their memorandum briefs. Upon consideration, the question of whether a COA is required for this appeal and the memorandum briefs are referred to the panel of judges that will be assigned to consider this appeal on the merits. [ <a href="#">10578003-2</a> ] [ <a href="#">10575051-2</a> ] Appellees will be required to file answer briefs. The clerk of this court shall file the restricted transcripts in this appeal as part of the record on appeal. Access to those transcripts shall remain restricted pending decision on the merits of the appeal. Appellant shall include any nonrestricted materials necessary for this appeal in an appendix filed concurrently with the brief. Appellant's brief and appendix due on 09/10/2018 for Colorado Springs Fellowship Church. Served on 07/31/2018. [18-1273] [Entered: 07/31/2018 02:19 PM]
07/31/2018		[10578613] Record on appeal filed. No. of Volumes: 1, Comments: Vol. 1-restricted transcripts. [18-1273] [Entered: 07/31/2018 02:22 PM]
07/31/2018	  2 pg, 26.05 KB	[10578681] Order filed by Clerk of the Court denying as moot, appellant's motion to withdraw motion to dismiss filed by Appellant Colorado Springs Fellowship Church. The motion was denied by order dated 7/31/2018. Please see order for additional information. Served on 07/31/2018. [18-1273] [Entered: 07/31/2018 04:16 PM]
07/31/2018	  119 pg, 1.52 MB	[10578702] Appellant/Petitioner's brief filed by Colorado Springs Fellowship Church in 18-1273. 7 (Counseled) paper copies to be provided to the court. Served on 07/31/2018 by email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273]--[Edited 08/06/2018 by NA] GL [Entered: 07/31/2018 08:29 PM]















07/31/2018	  94 pg, 1.29 MB	[10578703] Appellant's appendix filed by Colorado Springs Fellowship Church in 18-1273. Total number of volumes filed: 1. Served on 07/31/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273]--[Edited 08/06/2018 by NA] GL [Entered: 07/31/2018 08:34 PM]
08/06/2018	  2 pg, 28.58 KB	[10580003] Order filed by Clerk of the Court - These matters are before the court sua sponte for case management purposes. These appeals are consolidated for oral argument and disposition. The parties to 18-1273 shall file their brief only in that case. The Clerk's office shall remove Colorado Springs Fellowship's opening brief and appendix from 17-1415. Upon completion of briefing in 18-1273 these matters will be set for oral argument. Served on 08/06/2018. [17-1415, 18-1273] [Entered: 08/06/2018 03:07 PM]
08/06/2018		[10580006] Minute order filed - Appellee's brief(s) now due 08/30/2018 for United States of America and Gary L. Walker. (Text Only - No Attachment) [18-1273] [Entered: 08/06/2018 03:10 PM]
08/28/2018	  26 pg, 172.54 KB	[10585022] Appellee/Respondent's brief filed by United States of America. 7 (Counseled) paper copies to be provided to the court. Served on: 08/28/2018. Manner of service: email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] JCM [Entered: 08/28/2018 04:14 PM]
08/30/2018	  19 pg, 326.31 KB	[10585854] Appellee/Respondent's brief filed by Gary L. Walker. 7 (Counseled) paper copies to be provided to the court. Served on: 08/30/2018. Manner of service: email. Oral argument requested? No. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] PBC [Entered: 08/30/2018 06:50 PM]
08/31/2018		[10586018] Minute order filed - Appellant's optional reply brief now due 09/13/2018 for Colorado Springs Fellowship Church. (Text Only - No Attachment) [18-1273] [Entered: 08/31/2018 11:46 AM]
09/10/2018	  5 pg, 253.67 KB	[10588001] Motion filed by Appellant Colorado Springs Fellowship Church to extend time to file a reply brief until 09/24/2018. Served on: 09/10/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 09/10/2018 07:36 PM]
09/10/2018	  5 pg, 253.88 KB	[10588002] Motion filed by Appellant Colorado Springs Fellowship Church to amend Unopposed Motion for Enlargement of time to file Reply Brief, to extend time to file a reply brief until 09/24/2018. Served on: 09/10/2018. Manner of service: email. This pleading

		complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 09/10/2018 07:53 PM]
09/11/2018	  1 pg, 23.15 KB	[10588075] Order filed by Clerk of the Court granting appellant's motion to extend time to file appellant's reply brief. Appellant's optional reply brief now due 09/24/2018 for Colorado Springs Fellowship Church. Served on 09/11/2018. [18-1273] [Entered: 09/11/2018 08:30 AM]
09/17/2018	  2 pg, 209.35 KB	[10589648] Calendar notice sent to counsel. Arguments to be held on 11/15/2018 at 9:00 AM in Courtroom II, Byron White United States Courthouse, Denver, CO. Counsel is required to go to <a href="http://www.ca10.uscourts.gov">http://www.ca10.uscourts.gov</a> under the argument calendar tab to obtain an important notice regarding calendared cases and required forms. The calendar acknowledgment and custody status forms must be completed and filed with the clerk via Electronic Case Filing within 10 days of today's date. [17-1415, 18-1273] [Entered: 09/17/2018 10:43 AM]
09/18/2018	  6 pg, 330.51 KB	[10590436] Response filed by Ms. Gwendolyn Lawson in 17-1415, Colorado Springs Fellowship Church in 18-1273 to Served on 09/18/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415, 18-1273] GL [Entered: 09/18/2018 11:19 PM]
09/20/2018	  2 pg, 27.75 KB	[10591141] Order filed by Clerk of the Court denying Appellee's motion to reschedule oral argument and submitting the cases on briefs. All counsel are excused from attendance in Denver, Colorado on November 15, 2018. Served on 09/20/2018. [17-1415, 18-1273] [Entered: 09/20/2018 02:17 PM]
09/24/2018	  39 pg, 1.06 MB	[10592061] Appellant/Petitioner's reply brief filed by Colorado Springs Fellowship Church. 7 (Counseled) paper copies to be provided to the court. Served on 09/24/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 09/24/2018 10:10 PM]
09/24/2018		This duplicate appendix entry has been removed from the docket. [AT] [10592062] Supplemental appendix filed by Colorado Springs Fellowship Church. Total number of volumes filed: 1. Served on 09/24/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 09/24/2018 10:26 PM]
09/24/2018	  9 pg, 911.63 KB	[10592064] Supplemental appendix received from Colorado Springs Fellowship Church, but not filed pursuant to the court's 10/1/2018. Total number of volumes filed: 1. Served on 09/24/2018. Manner of



		Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] --[Edited 10/01/2018 by AT to reflect appendix has been received but not filed.] GL [Entered: 09/24/2018 10:58 PM]
10/01/2018	  1 pg, 21.86 KB	[10593803] Order filed by Clerk of the Court - This matter comes on for consideration of the submission of a supplemental appendix by the appellant with its reply brief. Upon consideration thereof, and at the direction of the court, the supplemental appendix will not be filed. The appellant failed to file the motion required by 10th Cir. R. 30.2(B). Served on 10/01/2018. [18-1273] [Entered: 10/01/2018 11:09 AM]
10/02/2018	  15 pg, 1.31 MB	[10594443] Motion filed by Appellant Colorado Springs Fellowship Church for leave to file a supplemental appendix. Served on: 10/02/2018. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. -- [Edited 10/03/2018 by SDS to modify event and docket text to reflect relief sought] [18-1273] GL [Entered: 10/02/2018 05:21 PM]
10/04/2018	  3 pg, 414.89 KB	[10595308] Notice filed by Colorado Springs Fellowship Church. Served on 10/04/2018 by email. [18-1273] GL [Entered: 10/04/2018 09:02 PM]
10/09/2018	  1 pg, 23.38 KB	[10595718] Order filed by Clerk of the Court - response to motion to supplement the record with appendix due by 10/17/2018 for Gary L. Walker. Served on 10/09/2018. [18-1273] [Entered: 10/09/2018 09:42 AM]
10/15/2018	  5 pg, 494.27 KB	[10597457] Response filed by Gary L. Walker to Appellant's Motion to Supplement the Record with Appendix. Served on 10/15/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] PBC [Entered: 10/15/2018 03:25 PM]
10/25/2018	  6 pg, 55.02 KB	[10599951] Reply filed by Colorado Springs Fellowship Church to Objection to Appellants Motion to Supplement the Record with Appendix (Objection). Served on 10/25/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 10/25/2018 10:30 AM]
11/14/2018		This entry has been removed from the docket as counsel filed an amended response on 11/15/2018. [AT] [10605312] Response filed by Gary L. Walker to Appellant's Motion to Supplement the Record with Appendix. Served on 11/14/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] PBC [Entered: 11/14/2018 03:24 PM]



11/15/2018	 	[10605494] Case submitted on the briefs to Judges Briscoe, Murphy and McHugh. [17-1415, 18-1273] [Entered: 11/15/2018 11:00 AM]
	1 pg, 111.16 KB	
11/15/2018	 	[10605500] Response filed by Gary L. Walker in 18-1273, 17-1415 to Appellant's Motion to Supplement the Record with Appendix. Served on 11/15/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273, 17-1415] PBC [Entered: 11/15/2018 11:05 AM]
	6 pg, 372.45 KB	
11/15/2018	 	[10605698] Reply filed by Ms. Gwendolyn Lawson in 17-1415 to Served on 11/15/2018. Manner of Service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [17-1415, 18-1273] GL [Entered: 11/15/2018 03:25 PM]
	14 pg, 2.19 MB	
01/23/2019	 	[10621034] Affirmed as to the district court order's denying the 17-1415 Appellants' motions to receive the transcript. Vacated as to the district court's order denying the CSFC's motion to unseal and Remanded for further proceedings consistent with this opinion. Terminated on the merits after submissions without oral hearing; Written, signed, unpublished;. Judges Briscoe, Murphy and McHugh, author. Mandate to issue. [17-1415, 18-1273] [Entered: 01/23/2019 02:15 PM]
	34 pg, 379.87 KB	
03/18/2019	 	[10633658] Mandate issued. [17-1415, 18-1273] [Entered: 03/18/2019 06:50 AM]
	1 pg, 110.21 KB	
03/21/2019	 	[10635055] Motion filed by Appellant Colorado Springs Fellowship Church to reconsider Motion to Enforce Mandate.. Served on: 03/21/2019. Manner of service: email. This pleading complies with all required (privacy, paper copy and virus) certifications: Yes. [18-1273] GL [Entered: 03/21/2019 04:13 PM]
	6 pg, 17.24 KB	
03/25/2019	 	[10635444] Order filed by Judges Briscoe, Murphy and McHugh denying movant/appellant's motion to enforce mandate. Served on 03/25/2019. [18-1273]--[Edited 03/25/2019 by LG to swap out with new order showing the second district court case number ] [Entered: 03/25/2019 08:39 AM]
	1 pg, 119.94 KB	

☒ **Documents and Docket Summary**

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☐ **Include Page Numbers**

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UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

===== :  
*In re:* :  
 : No. 19-  
Colorado Springs Fellowship Church, :  
Petitioner. :  
===== :

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 26.1, F.R.App.P., Petitioner, Colorado Springs Fellowship Church, is a nonprofit corporation, organized under the laws of the State of Colorado, having been so organized and registered with the Secretary of State of the State of Colorado on 01 June 1982, Registration No. 19871479330.

There is no parent corporation, nor is there any publicly held corporation that holds more than 10% or more of the stock.

LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

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ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**CERTIFICATE OF DIGITAL SUBMISSION**

I do certify, under penalty of perjury, that with respect to the foregoing:

- (a) all privacy redactions have been made pursuant to Tenth Cir. L.R. 25.5;
- (b) if required to file additional hard copies, that the ECF submission is an exact duplicate of those documents; and
- (c) this digital submission has been scanned for viruses with McAfee Anti-Virus, ver.16.0, as updated June 13, 2019, and is free from viruses.

LAW OFFICE OF BERNARD V. KLEINMAN, PLLC

By: Bernard V. Kleinman, Esq.  
ATTORNEYS FOR PETITIONER  
COLORADO SPRINGS FELLOWSHIP CHURCH

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

July 15, 2019

Chris Wolpert  
Chief Deputy Clerk

Mr. Bernard V. Kleinman  
Bernard V. Kleinman Law Office  
108 Village Square, Suite 313  
Somers, NY 10589

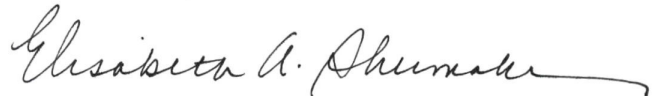
**RE: 19-1246, In re: Colo. Sp. Fellowship**  
Dist/Ag docket: 1:15-CV-02223-CMA, 1:09-CR-00266-CMA-1

Dear Counsel:

Your petition for writ of mandamus has been docketed but will not be submitted to the court until proof of service is provided. Within 14 days of the date of this letter, you must provide proof of service of the application on the **district court judge** (*See* Fed. R. App. P. 21(a)(1)), or this proceeding may be dismissed without further notice. *See* 10th Cir. R. 3.3(B).

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: Suneeta Hazra  
James C. Murphy  
Gerald J. Rafferty

EAS/lab