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51AD

U.S. District Court
Western District of Tennessee (Memphis)
CRIMINAL DOCKET FOR CASE #: 2:96-cr-20080-BBD All Defendants

Case title: USA v. Mills, et al

Date Filed: 04/18/1996

Date Terminated: 03/08/2001

Assigned to: Judge Bernice B. Donald

Defendant (1)**Alton Ray Mills***TERMINATED: 02/28/2001*

represented by **A. C. Wharton , Jr.**
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901-525-5771
Fax: 525-5799
TERMINATED: 02/28/2001
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ATTORNEY TO BE NOTICED
Designation: Retained

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TERMINATED: 02/28/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

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TERMINATED: 02/28/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

18:372.F AGGRAVATED OR FELONIOUS
(1)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(3)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(5)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(7)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(9)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(11)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(13)

18:1951.F EXTORTION, RACKETEERING, & THREATS
(14)

18:1956-3300.F INTERSTATE COMMERCE
(15-18)

Highest Offense Level (Opening)

Felony

Designation: Retained

Disposition

Dft was found guilty on Counts 1,3,5,7,9 ,11,13,15-18. Dft is hereby committed to the custody of the US BOP for 37 months, to be served concurrently w/the sentence dft is presently serving, which was previously imposed as to Count 14. Dft is remanded to the custody of the USM. Supervised Release: 2 yrs. S/A: \$50.00. Fine: \$7,500.00

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Prison term 37 months; dft is remanded to the custody of the USM; supervised release 2 yrs; standard conditions of supervision; total assessment \$50.00; total fine \$7,500.00.

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Terminated Counts

18:666C.F BRIBERY
(2)

18:666C.F BRIBERY
(4)

18:666C.F BRIBERY
(6)

18:666C.F BRIBERY
(8)

18:666C.F BRIBERY
(10)

18:666C.F BRIBERY
(12)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Counts dismissed on motion of the US.

Counts dismissed on motion of the US.

Counts dismissed on motion of the US.

Counts dismissed on motion of the US.

Counts dismissed on motion of the US.

Counts dismissed on motion of the US.

Assigned to: Judge Bernice B. Donald

Defendant (2)

Stephen D. Toarina
TERMINATED: 03/08/2001

represented by **James R. Garts , Jr.**
369 North Main Street
Memphis, TN 38103
901-834-8911
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TERMINATED: 03/08/2001
LEAD ATTORNEY
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Designation: Retained

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TERMINATED: 03/08/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts**Disposition**

18:372.F AGGRAVATED OR FELONIOUS
(1)

Dft was found guilty on Counts 1,3,5,7,9,11,13,15-18 of the Indictment. Dft is hereby committed to the custody of the US BOP for 39 months. Court recommends: dft shal surrender to the USM upon notice. Dft be allowed to serve term of incarceration clo se to Memphis, TN as possible. Supervised Release: 3 yrs. S/A: \$550.00 Fine: \$10,000.00

18:1951.F EXTORTION, RACKETEERING, & THREATS
(3)

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18:1951.F EXTORTION, RACKETEERING, & THREATS
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(9)

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18:1951.F EXTORTION, RACKETEERING, & THREATS
(11)

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18:1951.F EXTORTION, RACKETEERING, & THREATS
(13)

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18:1956-3300.F INTERSTATE COMMERCE
(15-18)

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Highest Offense Level (Opening)

Felony

Terminated Counts

18:666C.F BRIBERY
(2)

18:666C.F BRIBERY
(4)

Disposition

All counts against this dft are dismissed.

All counts against this dft are dismissed.

18:666C.F BRIBERY
(6)

All counts against this dft are dismissed.

18:666C.F BRIBERY
(8)

All counts against this dft are dismissed.

18:666C.F BRIBERY
(10)

All counts against this dft are dismissed.

18:666C.F BRIBERY
(12)

All counts against this dft are dismissed.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Dan L. Newsom**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/18/1996	1	INDICTMENT by USA Counts filed against Alton Ray Mills (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13-14, 15-18, Stephen D. Toarmina (2) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15-18 (Former Emp) (Entered: 04/19/1996)
04/18/1996	2	ARREST Warrant issued for Alton Ray Mills by Mag Judge Diane K. Vescovo (Former Emp) (Entered: 04/19/1996)
04/18/1996	3	ARREST Warrant issued for Stephen D. Toarmina by Mag Judge Diane K. Vescovo (Former Emp) (Entered: 04/19/1996)
04/18/1996	4	MINUTES: Initial appearance of Alton Ray Mills held 4/18/96; Mag. Judge Vescovo presiding; Dft's first appearance on an indictment; Attorney James D. Causey present and added as retained counsel as to Alton Ray Mills; Court read the charges to the dft and advised of rights; Pretrial Services report requested ; ROR Bond set for Alton Ray Mills; BRA explained and signed ; Arraignment set for 9:30 4/24/96 for Alton Ray Mills before Mag Judge Diane K. Vescovo ; AUSA: D. Newsom; Dft Atty: J. Causey; C/R: 50V 740-1169. (Former Emp) (Entered: 04/19/1996)
04/18/1996	6	ARREST Warrant returned executed as to defendant Alton Ray Mills; defendant arrested on 4/18/96 (Former Emp) (Entered: 04/22/1996)
04/19/1996	5	ORDER setting conditions of release. Dft Alton Ray Mills released on own recognizance by Mag Judge Diane K. Vescovo (Former Emp) (Entered: 04/19/1996)
04/19/1996	7	ARREST Warrant returned executed as to defendant Stephen D. Toarmina; defendant arrested on 4/19/96 (Former Emp) (Entered: 04/22/1996)
04/19/1996	8	MINUTES: Initial appearance of Stephen D. Toarmina held 4/19/96; Mag. Judge Vescovo presiding; Dft's first appearance on an indictment; Attorneys James R. Garts Jr. and James D. Wilson added as retained counsel as to Stephen D. Toarmina; Court read the charges to the dft and advised of rights; Pretrial Services Report requested ; ROR Bond set for Stephen D. Toarmina; BRA explained and signed ; Arraignment set for 9:30 4/24/96 for Stephen D. Toarmina before Mag Judge Diane K. Vescovo; AUSA: No one present; Dft Atty: J. Garts, J. Wilson; C/R: 50V 1170-1587. (Former Emp) (Entered: 04/22/1996)

04/19/1996	9	ORDER setting conditions of release. Dft Stephen D. Toarmina released on own recognizance by Mag Judge Diane K. Vescovo (Former Emp) (Entered: 04/22/1996)
04/19/1996	10	SETTING LETTER: arraignment set for 9:30 4/24/96 for Alton Ray Mills, for Stephen D. Toarmina before Mag Judge Diane K. Vescovo (Former Emp) (Entered: 04/22/1996)
04/22/1996	11	NOTICE OF APPEARANCE for defendant Stephen D. Toarmina by Attorneys James R. Garts, Jr. and James D. Wilson (Former Emp) (Entered: 04/23/1996)
04/24/1996	12	APPEARANCE for defendant Alton Ray Mills by Attorney David S. Walker and James D. Causey (TMN) (Entered: 04/24/1996)
04/24/1996	13	MINUTES: Arraignment held on 4/24/96 as to Alton Ray Mills ; Mag. Judge Vescovo presiding; Dft on bond; Dft Alton Ray Mills arraigned; Not guilty plea entered by dft Alton Ray Mills ; Dft waives formal reading of the charges; Speedy Trial deadline 6/28/96; Report date set for 2:00 5/24/96 for Alton Ray Mills; Jury trial set for 6/3/96 for Alton Ray Mills ; Trial/Report Date Notices handed attys; AUSA: J. Webber; Dft Atty: J. Causey; C/R: 50V 2819-2960. (Former Emp) (Entered: 04/25/1996)
04/24/1996	14	MINUTES: Arraignment held on 4/24/96 as to Stephen D. Toarmina ; Mag. Judge Vescovo presiding; Dft on bond; Dft Stephen D. Toarmina arraigned; Not guilty plea entered by dft Stephen D. Toarmina ; Dft waives formal reading of the charges; Speedy Trial deadline 6/28/96; Report date set for 2:00 5/24/96 for Stephen D. Toarmina; Jury trial set for 6/3/96 for Stephen D. Toarmina ; Trial/Report Date Notices handed attys; AUSA: J. Webber; Dft Atty: J. Garts, J. Wilson; C/R: 50V 2911-2953. (Former Emp) (Entered: 04/25/1996)
04/25/1996	15	ORDER ON ARRAIGNMENT by Mag Judge Diane K. Vescovo for Alton Ray Mills; attorney James Causey added as retained counsel to Alton Ray Mills ; dft, who is not in custody, may stand on present bond. (cc: all counsel) (Former Emp) (Entered: 04/25/1996)
04/25/1996	16	ORDER ON ARRAIGNMENT by Mag Judge Diane K. Vescovo for Stephen D. Toarmina; attorneys Jim Garts and James Wilson added as retained counsel to Stephen D. Toarmina ; dft, who is not in custody, may stand on present bond. (cc: all counsel) (Former Emp) (Entered: 04/25/1996)
04/25/1996	17	NOTICE OF TRIAL AND REPORT DATE: trial set 6/3/96 as to dft Alton Ray Mills; report date set 2:00 5/24/96 as to dft Alton Ray Mills (Former Emp) (Entered: 04/25/1996)
04/25/1996	18	NOTICE OF TRIAL AND REPORT DATE: trial set 6/3/96 as to dft Stephen Toarmina; report date set 2:00 5/24/96 as to dft Stephen Toarmina (Former Emp) (Entered: 04/25/1996)
04/26/1996	19	SETTING LETTER: report date set for 2:00 5/24/96 for Alton Ray Mills, for Stephen D. Toarmina; jury trial set for 9:30 6/3/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 04/26/1996)
04/29/1996		MAIL Returned [19-1] addressed to atty James Causey. "Returned to sender, attempted not known" on envelope. CH Mag section. (Former Emp) (Entered: 04/30/1996)
05/02/1996	20	RULE 16 Discovery Response as to dft Stephen D. Toarmina by plaintiff USA (Former Emp) (Entered: 05/03/1996)
05/06/1996		MAIL Returned [19-1] addressed to atty James D. Causey. "Returned to sender, insufficient address" on envelope. CHCM. (Former Emp) (Entered: 05/06/1996)
05/09/1996	21	RULE 16 Discovery Request as to defendant Stephen D. Toarmina by dft Stephen D. Toarmina (Former Emp) (Entered: 05/10/1996)
05/22/1996	22	MOTION for an extension of time to file pre-trial motions and for trial continuance by dft Alton Ray Mills (Former Emp) (Entered: 05/23/1996)
05/22/1996	23	MEMORANDUM by defendant Alton Ray Mills in support of motion for an extension of time to file pre-trial motions and for trial continuance [22-1], [22-2] (Former Emp) (Entered: 05/23/1996)
05/22/1996	24	AFFIDAVIT/CERTIFICATION OF CONSULTATION BY COUNSEL by atty James D. Causey, counsel for defendant Alton Ray Mills (Former Emp) (Entered: 05/23/1996)
05/22/1996	25	MOTION for an extension of time to file pre-trial motions and for trial continuance by dft Stephen D. Toarmina (Former Emp) (Entered: 05/23/1996)
05/22/1996	26	MEMORANDUM by defendant Stephen D. Toarmina in support of motion for an extension of time to file pre-trial motions and for trial continuance [25-1], [25-2] (Former Emp) (Entered: 05/23/1996)
05/22/1996	27	AFFIDAVIT/CERTIFICATION OF CONSULTATION by atty James R. Garts, Jr., counsel for defendant Stephen D. Toarmina (Former Emp) (Entered: 05/23/1996)
05/24/1996	28	MINUTES: Report date held on 5/24/96 as to Alton Ray Mills, Stephen D. Toarmina ; Judge Turner presiding; Dfts on bond; This case taken off Rotation Docket; Report date set for 2:00 8/16/96 for Alton Ray Mills, for Stephen D. Toarmina (may reset report); Jury trial set for 9/16/96 for Alton Ray Mills, for Stephen D. Toarmina ; Government expects 8 days for its proof; Mr. Causey estimates 2-3 days for his proof; Defense request for additional 30 days to file motions [25-1], [25-2], [22-1], [22-2], granted; Time excluded - complexity of case, incomplete discovery; Need additional time to copy/review documents; AUSA: D. Newsom; Dft Atty: J. Causey, D. Walker, J. Garts, J. Wilson; C/R: S. Phillips. (Former Emp) (Entered: 05/29/1996)
05/29/1996	29	ORDER by Judge Jerome Turner granting motion of dft Alton Ray Mills for an extension of time to file pre-trial motions [22-1] and for trial continuance [22-2] . Dfts should have until 6/24/96 within which to file pre-trial motions . Jury trial set for 9/16/96 for Alton Ray Mills . (cc: all counsel) (Former Emp) (Entered: 05/30/1996)

05/29/1996	30	ORDER by Judge Jerome Turner granting motion of dft Stephen D. Toarmina for an extension of time to file pre-trial motions [25-1] and for trial continuance [25-2] . Dfts should have until 6/24/96 within which to file pre-trial motions . Jury trial set for 9/16/96 for Stephen D. Toarmina . (cc: all counsel) (Former Emp) (Entered: 05/30/1996)
05/29/1996	31	ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY/CONTINUANCE per 18:3161 by Judge Jerome Turner: report date set for 3:00 8/16/96 for Alton Ray Mills, for Stephen D. Toarmina; jury trial set for 9/16/96 for Alton Ray Mills, for Stephen D. Toarmina . The period from 5/24/96 to 9/16/96 is excludable delay. (cc: all counsel) (Former Emp) (Entered: 05/30/1996)
05/29/1996	32	SETTING LETTER: report date set for 2:00 8/16/96 for Alton Ray Mills, for Stephen D. Toarmina; jury trial set for 9/16/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 05/30/1996)
05/29/1996	33	RULE 16 Discovery Response as to dft Alton Ray Mills by plaintiff USA (Former Emp) (Entered: 05/30/1996)
06/04/1996	34	MOTION for a bill of particulars by defendant Stephen D. Toarmina (Former Emp) (Entered: 06/06/1996)
06/07/1996	35	NOTICE by defendant Alton Ray Mills for a Bill of Particulars (Former Emp) (Entered: 06/14/1996)
06/14/1996	36	RESPONSE by plaintiff USA to dfts' respective motions for a Bill of Particulars [35-1], [34-1] (Former Emp) (Entered: 06/17/1996)
06/20/1996	37	ORDER ON DFTS' MOTIONS FOR A BILL OF PARTICULARS by Judge Jerome Turner. The motions of the dfts for a bill of particulars [35-1], [34-1] requesting the identity of all co-conspirators, all federal programs involving grants, etc. to the Shelby County Sheriff's Department, and more particulars concerning specified unlawful activity to which reference is made in Counts 15 and 18 is granted in part and denied in part as detailed in this order. (cc: all counsel) (Former Emp) (Entered: 06/21/1996)
06/24/1996	38	MOTION for an extension of time to file pre-trial motions an additional 30 days by defendant Stephen D. Toarmina (Former Emp) Modified on 06/25/1996 (Entered: 06/25/1996)
06/24/1996	39	MOTION for an extension of time to file pre-trial motions an additional 30 days by defendant Alton Ray Mills (Former Emp) (Entered: 06/25/1996)
06/24/1996	40	MOTION for an order for Rule 404(b) Notice by defendant Stephen D. Toarmina (Former Emp) (Entered: 06/25/1996)
06/24/1996	41	MOTION by defendant Stephen D. Toarmina to dismiss count(s) as to Stephen D. Toarmina (2) count(s) 3, 5, 7, 9, 11, 13 and 14 charging violation of Hobbs Act by defendant Stephen D. Toarmina (Former Emp) (Entered: 06/25/1996)
06/24/1996	42	MEMORANDUM by defendant Stephen D. Toarmina in support of motion to dismiss counts 3, 5, 7, 9, 11, 13 and 14 of indictment changing violation of Hobbs Act [41-1] (Former Emp) (Entered: 06/25/1996)
06/24/1996	43	MOTION to require the government to elect between bribery and extortion charges on grounds of double jeopardy by defendant Stephen D. Toarmina (Former Emp) (Entered: 06/25/1996)
06/24/1996	44	MEMORANDUM by defendant Stephen D. Toarmina in support of motion to require the government to elect between bribery and extortion charges on grounds of double jeopardy [43-1] (Former Emp) (Entered: 06/25/1996)
06/24/1996	45	MOTION to allow use of juror questionnaires and to consider possible change of venue by defendant Stephen D. Toarmina (Former Emp) Modified on 08/23/1996 (Entered: 06/25/1996)
06/24/1996	46	MOTION by defendant Stephen D. Toarmina to dismiss count(s) as to Stephen D. Toarmina (2) count(s) 1 in part, 2, 4, 6, 8, 10 and 12 by defendant Stephen D. Toarmina (Former Emp) (Entered: 06/25/1996)
06/24/1996	47	MEMORANDUM by defendant Stephen D. Toarmina in support of motion to dismiss counts 1 in part, 2, 4, 6, 8, 10 and 12 [46-1] (Former Emp) (Entered: 06/25/1996)
06/24/1996	48	MOTION to be allowed to adopt and rely on all motions filed by co-dft in this cause by defendant Alton Ray Mills (Former Emp) (Entered: 06/25/1996)
06/24/1996	49	REPLY by defendant Stephen D. Toarmina to the response of the USA [36-1] to dfts' respective motions for a Bill of Particulars [35-1], [34-1] (Former Emp) (Entered: 06/25/1996)
06/26/1996	50	ORDER by Chief Judge Julia S. Gibbons; the motions for an extension of time to file pre-trial motions by defendant Alton Ray Mills [39-1] and by defendant Stephen D. Toarmina [38-1] are granted to a limited extent; Dfts are granted a final extension, pretrial motions set for 7/15/96 for Alton Ray Mills, Stephen D. Toarmina . (cc: all counsel) (Former Emp) (Entered: 06/27/1996)
06/26/1996	51	ORDER by Chief Judge Julia S. Gibbons on motion to be allowed to adopt and rely on all motions filed by co-dft in this cause by defendant Alton Ray Mills [48-1]. The court will allow Mills to adopt the co-dft's motions, but only upon his filing a notice of adoption of each motion. (cc: all counsel) (Former Emp) (Entered: 06/27/1996)
07/03/1996	52	MOTION OF THE UNITED STATES FOR EXPANSION OF TIME IN WHICH TO FILE RESPONSES to extend by USA as to Alton Ray Mills, Stephen D. Toarmina (BAG)

		(Entered: 07/05/1996)
07/03/1996	63	NOTICE/BILL OF PARTICULARS by plaintiff USA (Former Emp) (Entered: 08/02/1996)
07/05/1996	53	ORDER ON MOTION OF THE UNITED STATES FOR EXPANSION OF TIME by Chief Judge Julia S. Gibbons granting motion to extend by USA as to Alton Ray Mills, Stephen D. Toarmina [52-1]; The US shall file a response to all currently pending motions on or before 8/2/96. (cc: all counsel) (BAG) (Entered: 07/05/1996)
07/08/1996	54	NOTICE OF ADOPTION by defendant Alton Ray Mills of dft Toarmina's motion to dismiss counts of indictment charging violation of Hobbs Act (Former Emp) (Entered: 07/09/1996)
07/08/1996	55	NOTICE OF ADOPTION by defendant Alton Ray Mills of dft Toarmina's motion for Rule 404(b) Notice (Former Emp) (Entered: 07/09/1996)
07/08/1996	56	NOTICE OF ADOPTION by defendant Alton Ray Mills of dft Toarmina's motion to dismiss counts 1 in part, 2, 4, 6, 8, 10 and 12 (Former Emp) (Entered: 07/09/1996)
07/08/1996	57	NOTICE OF ADOPTION by defendant Alton Ray Mills of dft Toarmina's motion to require government to elect between bribery and extortion charges on grounds of double jeopardy (Former Emp) (Entered: 07/09/1996)
07/31/1996	58	RESPONSE (w/Exhibits 1 and 2 attached) by plaintiff USA to dfts' respective motions for Rule 404(b) notice [55-1], [40-1] (Former Emp) (Entered: 08/02/1996)
07/31/1996	59	RESPONSE by plaintiff USA to dfts' respective motions to allow use of juror questionnaires and to consider possible change of venue [45-1] (Former Emp) (Entered: 08/02/1996)
07/31/1996	60	RESPONSE by plaintiff USA to dfts' respective motions to require the government to elect between bribery and extortion charges on the grounds of double jeopardy [57-1], [43-1] (Former Emp) (Entered: 08/02/1996)
07/31/1996	61	RESPONSE by plaintiff USA to dfts' respective motions to dismiss counts of the indictment charging violation of the Hobbs Act [54-1], [41-1] (Former Emp) (Entered: 08/02/1996)
07/31/1996	62	RESPONSE by plaintiff USA to dfts' respective motions to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 [56-1], [46-1] (Former Emp) (Entered: 08/02/1996)
08/09/1996	64	SETTING LETTER: report date reset for 3:00 8/20/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 08/12/1996)
08/20/1996	65	MINUTES: Report date held on 8/20/96 as to Alton Ray Mills, Stephen D. Toarmina ; Judge Turner presiding; Trial currently set 9/16/96; Oral arguments on pending motions set for 9:30 8/29/96 for Alton Ray Mills, for Stephen D. Toarmina ; Motion for change of venue [45-1] denied without prejudice at this time; Also discussed motion for juror questionnaires [45-1]; Dfts to draft and forward to government for review; May be filed as suggested voir dire; Jury trial reset to 10/30/96 for Alton Ray Mills, for Stephen D. Toarmina ; Time excluded due to pending motions and for continuity of counsel (Wilson has trial set before Judge Gibbons; AUSA: D. Newsom; Dft Atty: J. Causey, A. Wharton, J. Wilson; C/R: D. Snider. (Former Emp) (Entered: 08/23/1996)
08/20/1996	66	NOTICE OF APPEARANCE for defendant Alton Ray Mills by Attorney A. C. Wharton Jr. (Former Emp) (Entered: 08/23/1996)
08/22/1996	67	ORDER OF CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY/CONTINUANCE per 18:3161 by Judge Jerome Turner: report date set for 2:00 10/17/96 for Alton Ray Mills, for Stephen D. Toarmina; jury trial reset for 9:30 10/30/96 for Alton Ray Mills, Stephen D. Toarmina ; the period from 8/20/96 to 10/30/96 is excludable delay. (cc: all counsel) (Former Emp) (Entered: 08/23/1996)
08/22/1996	68	RULE 16 Discovery Request (w/attachments) as to dft Alton Ray Mills by plaintiff USA (Former Emp) (Entered: 08/26/1996)
08/30/1996	69	NOTICE/JURY QUESTIONNAIRE by defendant Alton Ray Mills (Former Emp) (Entered: 09/03/1996)
09/03/1996	70	SETTING LETTER: in-court hearing/oral argument on pending motions reset for 2:00 9/6/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 09/05/1996)
09/06/1996	73	MINUTES: Oral argument on motions to dismiss held 9/6/96; Judge Turner presiding; Court heard arguments of counsel on the pending motions to dismiss [46-1], [43-1], [41-1]; Motions taken under advisement; Government request Court wait to rule on Hobbs Act motion [41-1] until after presentation of case at trial; Mr. Garts to advise Court on 6th Circuit law on sufficiency of indictment language, due 9/12/96; Government to provide case law by 9/17/96; Counsel to prepare joint proposed jury questionnaire; AUSA: D. Newsom; Dft Atty: J. Causey, A. Wharton, J. Wilson, J. Garts C/R: S. Phillips. (Former Emp) Modified on 10/10/1996 (Entered: 10/10/1996)
09/16/1996	71	SETTING LETTER: jury trial set for 9:30 10/30/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 09/16/1996)
09/17/1996	72	CRIMINAL SUPPLEMENTAL MEMORANDUM by plaintiff USA regarding dfts' motion relating to Hobbs Act Counts (Former Emp) (Entered: 09/19/1996)
10/15/1996	74	ORDER ON DFTS' MOTION TO DISMISS COUNTS OF INDICTMENT CHARGING VIOLATION OF HOBBS ACT by Judge Jerome Turner. In the present action the government's indictment, tracking the language of the Hobbs Act almost verbatim, alleges that dfts' activities affected interstate commerce and the movement of articles and commodities in interstate commerce. As such, the indictment is legally sufficient. The motion by defendants' to dismiss counts 3, 5, 7, 9, 11, 13 and 14 and the

		portion of the conspiracy count, Count 1, which is based on 1951 [41-1] is denied. (cc: all counsel) (Former Emp) (Entered: 10/15/1996)
10/15/1996	75	ORDER ON DFTS' MOTION TO DISMISS COUNTS 1 IN PART, 2, 4, 6, 8, 10, AND 12 by Judge Jerome Turner. For the reasons cited in this order, dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10 and 12 [46-1] is granted. (cc: all counsel) (Former Emp) (Entered: 10/15/1996)
10/15/1996	76	ORDER by Judge Jerome Turner finding the motion to require the government to elect between bribery and extortion charges on grounds of double jeopardy by defendant Stephen D. Toarmina [43-1] moot. (cc: all counsel) (Former Emp) (Entered: 10/16/1996)
10/17/1996	77	MOTION to reconsider order granting dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 by USA as to Alton Ray Mills, Stephen D. Toarmina (Former Emp) (Entered: 10/17/1996)
10/17/1996	78	NOTICE/PROPOSED JURY QUESTIONNAIRE by plaintiff USA (Former Emp) (Entered: 10/17/1996)
10/17/1996	79	MINUTES: Report date held on 10/17/96 as to Alton Ray Mills, Stephen D. Toarmina- Judge Turner presiding. Defendants announced ready for trial. Deft's response to gov't's motion for reconsideration due in 10 days. Trial continued pending ruling on motion to reconsider. AUSA: Newsom Dft Atty: Causey, Wharton, Jasts, Wilson C/R: Phillips (WBE) (Entered: 10/21/1996)
10/21/1996	80	ORDER by Judge Jerome Turner ON EXCLUDABLE DELAY as to defendant Alton Ray Mills, defendant Stephen D. Toarmina period from 10/17/96 to 12/5/96 excluded because interests of justice in continuing trial pending gov't's appeal outweigh need for speedy trial (cc: all counsel) (WBE) (Entered: 10/22/1996)
10/22/1996	81	SETTING LETTER: report date set for 9:30 12/5/96 for Alton Ray Mills, for Stephen D. Toarmina; jury trial previously set 10/22/96 to be reset at a later date as to dft Alton Ray Mills, dft Stephen D. Toarmina (Former Emp) (Entered: 10/22/1996)
10/25/1996	82	RESPONSE by defendant Stephen D. Toarmina to motion to reconsider order granting dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 by USA as to Alton Ray Mills, Stephen D. Toarmina [77-1] (Former Emp) (Entered: 10/28/1996)
10/28/1996	83	RESPONSE by defendant Alton Ray Mills to motion to reconsider order granting dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 by USA as to Alton Ray Mills, Stephen D. Toarmina [77-1] (Former Emp) (Entered: 10/29/1996)
10/30/1996	84	REPLY by plaintiff USA to dfts' responses [83-1], [82-1], regarding motion of the USA to reconsider order granting dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 [77-1] (Former Emp) (Entered: 10/30/1996)
11/12/1996	85	SETTING LETTER: in-court hearing/oral argument on government's motion to reconsider set for 2:00 11/15/96 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 11/12/1996)
11/18/1996	86	MINUTES: Oral argument held 11/18/96 regarding government's motion to reconsider [77-1]; Judge Turner presiding; After hearing arguments of counsel, the Court took the motion under advisement; AUSA: D. Newsom; Dft Atty: J. Causey, A. Wharton, J. Wilson; C/R: S. Phillips. (Former Emp) (Entered: 11/21/1996)
12/04/1996	87	ORDER by Judge Jerome Turner denying motion to reconsider order granting dfts' motion to dismiss counts 1 in part, 2, 4, 6, 8, 10, and 12 by USA as to Alton Ray Mills, Stephen Toarmina [77-1] (cc: all counsel) (Former Emp) (Entered: 12/05/1996)
12/05/1996	88	MINUTES: Report date held on 12/5/96 as to Alton Ray Mills, Stephen D. Toarmina ; Judge Turner presiding; Court advised counsel of order signed yesterday denying government's motion to reconsider (#77); Federal Bribery charges dismissed; Government will file appeal; Estimated length of trial is 3 weeks with or without bribery counts; Report date reset for 2:00 1/10/97 for Alton Ray Mills, Stephen D. Toarmina ; Government to be prepared to advise Court of ruling on appeal; Trial date to be reset at that time; AUSA: D. Newsom; Dft Atty: A. Wharton, J. Causey, J. Garts, J. Wilson; C/R: S. Phillips. (Former Emp) (Entered: 12/05/1996)
12/05/1996	89	SETTING LETTER: report date set for 2:00 1/10/97 for Alton Ray Mills, for Stephen D. Toarmina (Former Emp) (Entered: 12/06/1996)
12/06/1996	90	ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY/CONTINUANCE per 18:3161 by Judge Jerome Turner; report date set for 2:00 1/10/97 for Alton Ray Mills, for Stephen D. Toarmina ; the period from 12/5/96 to 1/10/97 is excludable delay. (cc: all counsel) (Former Emp) (Entered: 12/09/1996)
12/31/1996	91	INTERLOCUTORY APPEAL filed regarding order [87-1], and regarding order [75-1] (Former Emp) (Entered: 01/06/1997)
01/06/1997	92	ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY/CONTINUANCE per 18:3161 by Judge Jerome Turner; the report date set 1/10/97 as to Alton Ray Mills, Stephen D. Toarmina is continued generally to be reset following a ruling by the Court of Appeals on the USA's appeal ; the period from 12/31/96 to the ruling on the government's appeal is excludable delay. (cc: all counsel) (Former Emp) (Entered: 01/06/1997)
01/07/1997	93	APPEAL NOTIFICATION mailed to 6th Circuit with copies of items nos. 87, 91 and docket sheet (cc: all counsel) (SSH) (Entered: 01/07/1997)
01/28/1997	94	APPEAL Transcript Designation and Order form for the dates of 11/18/96; hearing on motion to reconsider before Judge Turner; C/R: Sharlyn Phillips. (Former Emp) (Entered: 01/30/1997)
01/29/1997		APPEAL number 97-5085 received from USCA; M. Patterson case mgr. (SSH) (Entered: 01/29/1997)

02/14/1997	95	TRANSCRIPT of proceedings for the following date(s): 11/18/96; Court Reporter: Sharlyn A. Phillips (Re: hearing on motion to reconsider order held before Judge Turner as to dfts Alton Ray Mills and Stephen D. Toarmina) (Former Emp) (Entered: 02/18/1997)
02/26/1997	96	TRANSCRIPT of proceedings for the following date(s): 9/6/96; Court Reporter: Sharlyn A. Phillips (Re: hearing on motion to dismiss held before Judge Turner as to dfts Alton Ray Mills and Stephen D. Toarmina). (Document placed in separate folder.) (Former Emp) Modified on 02/27/1997 (Entered: 02/27/1997)
02/27/1997	97	APPEAL Transcript Designation and Order form by pla USA for the dates of 9/6/96; hearing on motions (entire hearing - court and counsel); C/R: Sharlyn Phillips (Former Emp) (Entered: 02/28/1997)
12/22/1997	98	NOTICE by defendant Alton Ray Mills of change of address. System updated this date. (SSH) (Entered: 12/29/1997)
01/30/1998		ORIGINAL record on appeal as to USA transmitted to 6th Circuit consisting of 2 vol(s) pleadings; 2 vol(s) transcripts; copies of docket sheet and transmission form. (cc: copies to all counsel) (SSH) (Entered: 01/30/1998)
04/17/1998	100	LETTER from 6th Circuit Court of Appeals enclosing a corrected copy of a page from the decision originally sent on 3/31/98. Correction to be made to page 6 line 7. (Copy of decision not in file, case mgr. M. Patterson to send another copy) (SSH) Modified on 04/27/1998 (Entered: 04/27/1998)
04/20/1998	99	SETTING LETTER report date set for 2:00a on 4/24/98 for Alton Ray Mills, for Stephen D. Toarmina (YDS) (Entered: 04/24/1998)
04/24/1998	101	APPEAL Order from USCA (entered 3/31/98): affirming the judgment of the district court dismissing in their entirety counts 2, 4, 6, 8, 10 and 12 of the indictment against the dfts and dismissing in part count 1 of that same indictment and remanding the case for further proceedings. (SSH) (Entered: 04/27/1998)
04/27/1998	102	CONTINUANCE per 18:3161 by Judge Jerome Turner: report date held on 4/24/98; dft requested continuance; court granted requests; report date set for 2:00 7/24/98; jury trial set for 8/10/98 as to Alton Ray Mills, Stephen D. Toarmina; period from 4/24/98 thru 8/10/98 is excludable delay (cc: all counsel) (SSH) (Entered: 04/27/1998)
04/27/1998	103	ORDER/JUDGMENT Mandate Issued: 4/23/98 from 6th Circuit: ...it is ordered that the judgment of the district court dismissing in their entirety counts 2, 4, 6, 8, 10 and 12 of the indictment and dismissing in part count 1 of the same indictment against dfts is affirmed. It is further ordered that the case is remanded for further proceedings consistent with the opinion of this court. (SSH) (Entered: 04/28/1998)
04/27/1998	104	MINUTES: report date held 4/24/98 as to dft Mills and Toarmina; dfts on bond; dft Mills resides out-of-district in Missouri; report date set for 2:00 7/24/98; jury trial set for 8/10/98, 2 weeks to try; trial setting date is firm Presiding Judge: Turner; Dan NEWSom; Dft Atty: A.C. Wharton, J. Causey, J. Garts, J. Wilson; C/R: S. Phillips (SSH) (Entered: 04/28/1998)
04/28/1998	105	SETTING LETTER: report date set for 2:00 7/24/98; jury trial set for 9:30 8/10/98 for Alton Ray Mills, for Stephen D. Toarmina (SSH) (Entered: 04/29/1998)
04/30/1998	106	APPEAL Record returned by USCA as to defendant Alton Ray Mills (SSH) (Entered: 05/04/1998)
07/24/1998	107	MINUTES: report date held on 7/24/98 as to Alton Ray Mills, Stephen D. Toarmina ; Going to trial - trial date 8/10/98; discussion of jury questionnaire = to be sent to prospective jurors and returned prior to trial for counsel to review. Renewed motion on interstate commerce due Tuesday, 7/28. Presiding Judge: Turner AUSA: D. Newsom Dft Atty: AC Wharton/James Causey/James Garts C/R: S. Phillips (EHG) (Entered: 07/27/1998)
07/29/1998	108	RENEWED MOTION by defendant Stephen D. Toarmina to dismiss count(s) of indictment charging violation of Hobbs Act by defendant Stephen D. Toarmina w/attachments (EHG) (Entered: 07/29/1998)
07/29/1998	109	AFFIDAVIT of David H. Ciscel, PH.D. by defendant Stephen D. Toarmina regarding [108-1] (EHG) (Entered: 07/29/1998)
07/29/1998	110	RENEWED MOTION AND MEMORANDUM OF AUTHORITIES by defendant Alton Ray Mills to dismiss count(s) of indictment charging violations of 18 USC 1951 (HOBBS ACT) (EHG) (Entered: 07/30/1998)
08/03/1998	111	RESPONSE by plaintiff USA to renewed motion by defendant Alton Ray Mills to dismiss count(s) of indictment charging violations of 18 USC 1951 (HOBBS ACT) [110-1] (EHG) (Entered: 08/07/1998)
08/06/1998	112	REPLY by defendant Alton Ray Mills to government's response to motion by defendant Alton Ray Mills to dismiss count(s) of indictment charging violations of 18 USC 1951 (HOBBS ACT) [110-1] (EHG) (Entered: 08/07/1998)
08/10/1998	113	ORDER ON DEFENDANTS' RENEWED MOTION TO DISMISS COUNTS OF THE INDICTMENT CHARGING VIOLATION OF THE HOBBS ACT.. by Judge Jerome Turner ..The court therefore denies defendants' renewed motion to dismiss the counts in the indictment alleging violations of the Hobbs Act without prejudice to their theory on an appropriate motion for judgment of acquittal pursuant to Rule 29 of the Federal Rules Criminal Procedure. [108-1], [110-1] (cc: all counsel) (EHG) (Entered: 08/10/1998)
08/10/1998	114	MOTION by defendant Alton Ray Mills to dismiss or in the alternative for adjournment on the grounds of prejudice (EHG) (Entered: 08/13/1998)
08/10/1998	115	WAIVER OF TRIAL BY JURY.. by defendant Alton Ray Mills (EHG) (Entered: 08/13/1998)

08/10/1998	116	MINUTES: (filed 8/13/98) jury trial began on 8/10/98 @ 10:15 a.m. as to Alton Ray Mills, Stephen D. Toarmina , voir dire begins as to Alton Ray Mills, Stephen D. Toarmina Remaining Courts are 1, 3, 5, 7, 9, 11, 13, 14, 15, 16, 17 & 18. Mr. Wharton filed in open court a motion to dismiss and waiver of trial by jury. Both were denied by the court. ...denying waiver [115-1], denying motion by defendant Alton Ray Mills to dismiss or in the alternative for adjournment on the grounds of prejudice [114-1]; Jury selection began at 12:03 P.M. Court and counsel conducted voir dire. The jury was selected and sworn at 6:41 p.m. Preliminary instructions given to jury. Court adjourned at 6:52 p.m. (strike list attached to minutes). Presiding Judge: Turner AUSA: Dan Newsom; Don Macdonald & Jeff Jenson, FBI Dft Atty: AC Wharton/James Causey/Bridgette Davis, James Garts/James Wilson C/R: Sharlyn Phillips (EHG) Modified on 08/14/1998 (Entered: 08/13/1998)
08/11/1998	117	MINUTES: (filed 8/13/98) jury trial resumes 8/11/98 (day 2); 10:07 am court called to order. Preliminary matters discussed: Counts 15, 16, 17 & 18 to be redacted - remove "Section 666 and" from counts. Govt to provide Jenks material for witnesses the night before they are called. Jury entered courtroom at 10:20 am. Counsel presented opening statements. The govt began its presentation of proof and called the following witnesses: James Martin and Don Wayne Wright. Court adjourned at 5:13 p.m. Presiding Judge: Turner AUSA: Dan Newsom/Don Macdonald & Jeff Jenson -FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Wilson, James Garts C/R: Sharlyn Phillips (EHG) Modified on 08/14/1998 (Entered: 08/14/1998)
08/12/1998	118	MINUTES: (filed 8/13/98) jury trial resumes 8/12/98, day 3: Court was called to order at 9:37 a.m. Preliminary matters discussed. The jury entered the courtroom at 9:51 a.m. The govt continued presentation of proof and called the following witnesses: Don Wayne Wright (cont'd), Ray DeWayne Anderson & Leonard Thomas Rovary. Court adjourned at 4:41 p.m. (note #1 from juror attached) Presiding Judge: Turner AUSA: Dan Newsom/ Don Macdonald & Jeff Jenson -FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Wilson, James Garts C/R: Sharlyn Phillips (EHG) Modified on 08/14/1998 (Entered: 08/14/1998)
08/13/1998	119	MINUTES: (filed 8/18/98) jury trial resumes 8/13/98 (day 4); Court called to order @ 9:37 am. The govt continued presentation of proof and called the following witnesses: William Arden Speight, George Harold Stauffer, George M. Selby, Jr., Alan Beene, Linda Kathleen Winkler. The court directed any special jury instructions be submitted no later than Thursday, 8/20/98; to be submitted to opposing counsel. Court adjourned at 4:06 p.m. Presiding Judge: Turner AUSA: Dan Newsom/ Don Macdonald & Jeff Jenson, FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Garts, James Wilson C/R: Sharlyn Phillips (EHG) Modified on 08/18/1998 (Entered: 08/18/1998)
08/14/1998	120	MINUTES: (filed 8/18/98) jury trial resumes 8/14/98 (day 5); Court was called to order at 9:34 a.m. The govt continued presentation of proof and called the following witnesses: Robert Wilson, Michael H. Brundage, Merle Floyd Gardner, Darren Lynch Feathers. Trial adjourned at 12:14 p.m. Presiding Judge: Turner AUSA: Dan Newsom/Don Macdonald & Jeff Jenson, FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Wilson, James Garts C/R: Sharlyn Phillips (EHG) Modified on 08/18/1998 (Entered: 08/18/1998)
08/17/1998	121	MINUTES: (filed 8/18/98) jury trial continued 8/17/98 (day 6); Court was called to order at 9:37 am. The govt continued presentation of proof and called the following witnesses: Mike Harber, Rex Dewayne Anderson (recalled), Richard Almond, Morris Bass, Joey Camp, James McKay, Thomas Marshall, Sr., George Petkoff, Jr., Jennifer Cobb. Court adjourned at 4:47 p.m. Presiding Judge: Turner AUSA: Dan Newsom/ Don Macdonald, Jeff Jenson, FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Wilson, James Garts C/R: Sharlyn Phillips (EHG) (Entered: 08/18/1998)
08/18/1998	122	MINUTES: (filed 8/19/98) jury trial resumes 8/18/98 (day 7); Court was called to order at 9:30 a.m. The govt continued presentation of proof and called the following witnesses: Nat Hooker, Gerald Proctor, Ronald Huffman, Cheryl McGraw, Jean Griffis, Andrea Free, David W. Garrett, Jane Childs, Robert Mathews, Janet Zinn Bates. Court adjourned at 4:25 p.m. Presiding Judge: Turner AUSA: Dan Newsom/Don Macdonald & Jeff Jenson =FBI Dft Atty: AC Wharton, James Causey, Bernadette Davis/ James Wilson, James Garts C/R: Sharlyn Phillips (EHG) Modified on 08/19/1998 (Entered: 08/19/1998)
08/19/1998	123	MOTION AND MEMORANDUM IN SUPPORT for judgment of acquittal by defendant Stephen D. Toarmina (EHG) (Entered: 08/19/1998)
08/19/1998	124	SECOND SUPPLEMENTAL MEMORANDUM OF THE UNITED STATES REGARDING DEFENDANTS' MOTION RELATING TO HOBBS ACT COUNTS.. by plaintiff USA . (EHG) (Entered: 08/19/1998)
08/19/1998	125	MOTION AND MEMORANDUM OF AUTHORITIES for Rule 29 judgment of acquittal by defendant Alton Ray Mills (EHG) (Entered: 08/19/1998)
08/19/1998	138	MINUTES: Jury Trial Minutes as to dft Alton Ray Mills, Stephen Toarmina; file stamp 8/24/98; Jury Trial resumes; Day 8; Court was called to order at 9:33a; the government continued presentation of proof and called the following witnesses: David Sowell and Rudy Davis; the government rested at 9:56a; the Court heard argument of counsel on dfts' motion for judgment of acquittal. Thereafter, the Court denied the motion as to Count 14 and reserved ruling on other Counts. Dft Mills began presentation of proof at 1:05p and called the following witnesses: AC Gillless, Alton Ray Mills & Barry Gooch; trial adjourned at 4:25p. Presiding Judge: Turner AUSA: Dan Newsom Dft Atty: AC Wharton/James Causey/Bridgette Driver/James Garts/James Wilson C/R: Sharlyn Phillips (YDS) Modified on 08/26/1998 (Entered: 08/26/1998)
08/20/1998	126	NOTICE: Special Request No. 1 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	127	NOTICE: Special Request No. 2 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	128	NOTICE: Special Request No. 3 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	129	NOTICE: Special Request No. 4 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)

08/20/1998	130	NOTICE: Special Request No. 5 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	131	NOTICE: Special Request No. 6 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	132	NOTICE: Special Request No. 7 by defendant Stephen D. Toarmina (EHG) (Entered: 08/20/1998)
08/20/1998	133	MOTION for judgment of acquittal on count 14 of the indictment by defendant Alton Ray Mills (EHG) (Entered: 08/20/1998)
08/20/1998	139	MINUTES: Jury Trial Minutes as to dfts Alton Ray Mills/Stephen D. Toarmina; file stamp 8/24/98; Jury Trial resumes; day 9; court was called to order at 9:40a; dft Mills continued presentation of proof and called the following witnesses: Barry Gooch (cont'd) & Howard Blankenship; the dft Mills rested at 9:49a; dft Toarmina rested with presenting witnesses; no rebuttal proof by the gov't; the jury was excused at 10:00a to return at 2:00p; the Court heard arguments of counsel on Rule 29 motion; thereafter the Court reserved ruling until 1:00p; Conference in Chambers 1:30p - 3:00p; the Court ruled no showing of interstate commerce connection on Counts 1,3,5,7,9,11,15-18; Rule 29 granted; as to Count 14, the Court ruled there has been sufficient proof to show interstate commerce nexus with extortion; all remaining Counts (1,3,5,7,9,11,14,15,16,17 & 18) will be submitted to jury for verdict. The Court will enter judgment of acquittal (in accordance with ruling on Rule 29 motion) after verdict is returned; the jury returned into open court at 3:05p; counsel presented closing arguments; court adjourned at 6:00p. Presiding Judge: Turner AUSA: Dan Newsom Dft Atty: AC Wharton/James Causey/Bernadette Davis/James Garts/James Wilson FBI: Don Macdonald/Jeff Jenson C/R: Sharlyn Phillips (YDS) Modified on 08/26/1998 (Entered: 08/26/1998)
08/21/1998	140	MINUTES: Jury Trial Minutes as to dfts Alton Mills, Stephen Toarmina; file stamp 08/24/98; Jury Trial resumes; day 10; the Court was called to order at 9:48a; the Court charged the jury; alternate jurors were excused at 10:55a and jury deliberations began; it had been brought to the Court's attention that one of the jurors had been provided a dictionary during the trial and that the same juror was again requesting a dictionary during deliberations; the juror was brought into open court at 11:34a and was questioned by the Court; thereafter, the jury panel came into open court and were given further instructions about their conduct; deliberations resumed at 11:49a; notes received from jury at 4:00p; Court and counsel discussed jury questions; the jury came into open Court at 4:45p and the Court answered their questions; the jury was excused at 4:47p, to return 8/24/98 @ 9:30a; Court adjourned at 4:48p Presiding Judge: Turner AUSA: Dan Newsom Dft Atty: AC Wharton/James Causey/Bridgette Driver/Jmaes Garts/James Wilson C/R: Sharlyn Phillips (YDS) Modified on 08/26/1998 (Entered: 08/26/1998)
08/24/1998	134	NOTICE: Special Request No. 8 by defendant Stephen D. Toarmina (WMW) (Entered: 08/24/1998)
08/24/1998	135	NOTICE: Special Request No. 9 by defendant Stephen D. Toarmina (WMW) (Entered: 08/24/1998)
08/24/1998	136	VERDICT as to Alton Ray Mills (Guilty on Counts 1,3,5,7,9,11,13,14,15,16,17,& 18) (YDS) (Entered: 08/26/1998)
08/24/1998	137	VERDICT as to Stephen D. Toarmina (Guilty on Counts 1,3,5,7,9,11,13,15,16,17,& 18) (YDS) (Entered: 08/26/1998)
08/24/1998	141	MINUTES: Jury Trial Minutes as to dfts Alton Mills, Stephen Toarmina; Jury Trial resumes; day 11; the jury resumed deliberations at 9:35a; Court and Counsel had a conference in Chambers 9:35-10:00a; Note from jury received at 11:57a; Court was called to order at 12:00p; jury foreperson announced the following verdict: as to dft Toarmina, Guilty on Counts 1,3,5,7,9,11,13,15,16,17,18; As to dft Mills, Guilty on Counts 1,3,5,7,9,11,13,14,15,16,17,18; the jury was polled individually and discharged at 12:05p; dfts motions for judgment of acquittal Granted as to Counts 1,3,5,7,9,11,13,15,16,17,18, Denied as to Count 14; all Counts against dft Toarmina dismissed; dft Mills set for sentencing (Count 14 only) on 11/13/98 @ 3:00p; dft may remain on his present bond; government will file motion for new trial; court adjourned at 12:30p. Presiding Judge: Turner AUSA: Dan Newsom Dft Atty: AC Wharton/James Causey/Bridgette Driver/James Garts/James Wilson C/R: Sharlyn Phillips (YDS) Modified on 08/26/1998 (Entered: 08/26/1998)
08/26/1998	142	ORDER ON JURY VERDICT... by Judge Jerome Turner re [141-1] ..After due deliberation, the jury returned into open court on 8/24/98 and announced a verdict of GUILTY on counts 1, 3, 5, 7, 9, 11, 13, 14, 15, 16, 17 and 18 as to Alton Ray Mills and GUILTY on counts 1, 3, 5, 7, 9, 11, 13, 15, 16, 17 and 18 as to Stephen D. Toarmina. Thereafter, the Court granted dfts' motions for judgment of acquittal made at the close of the government's case-in-chief as to counts 1, 3, 5, 7, 9, 11, 13, 15, 16, 17, and 18, for the reasons stated in open court. The Court denied dft Mills' motion as to Count 14. All Counts against dft Toarmina are dismissed. ; sentencing hearing set for 3:00 11/13/98 for Alton Ray Mills. Dft may remain on his present bond pending sentencing. (cc: all counsel) (EHG) Modified on 11/20/1998 (Entered: 08/27/1998)
08/26/1998	143	APPEAL Notice to USCA by plaintiff USA regarding [141-1] (..appeals from an Order entered orally by the District Court in this action on 8/24/98..) (EHG) (Entered: 08/27/1998)
08/26/1998	144	MOTION for extension of time in which to file renewed motion for judgment of acquittal by defendant Alton Ray Mills (EHG) (Entered: 08/27/1998)
08/27/1998	145	ORDER by Judge Jerome Turner granting motion for extension of time in which to file renewed motion for judgment of acquittal by defendant Alton Ray Mills [144-1] (cc: all counsel) (EHG) (Entered: 08/28/1998)
09/02/1998	146	APPEAL NOTIFICATION as to Alton Ray Mills, Stephen D. Toarmina mailed to 6th Circuit with copies of items nos. 141, 142, 143 and docket sheet (cc: all counsel) (EHG) (Entered: 09/02/1998)
09/03/1998	147	SEALED document (Order) (EHG) (Entered: 09/03/1998)

09/10/1998	148	SETTING LETTER ; sentencing hearing set for 3:00 11/13/98 for Alton Ray Mills (EHG) (Entered: 09/11/1998)
09/14/1998	149	APPEAL Transcript Designation and Order form for the dates of 8/24/98 regarding [143-1] (WMW) (Entered: 09/18/1998)
09/15/1998		APPEAL number 98-6179 received from USCA regarding [143-1] ; Audrey Crockett case manager (WMW) (Entered: 09/18/1998)
09/25/1998	150	RENEWED MOTION AND MEMORANDUM OF LAW IN SUPPORT OF as to Alton Ray Mills for judgment of acquittal on count 14 of the indictment (EHG) (Entered: 09/30/1998)
09/29/1998	151	RESPONSE by plaintiff USA to motion for judgment of acquittal on count 14 of the indictment filed by Alton Mills [150-1] (EHG) (Entered: 09/30/1998)
10/06/1998	152	ORDER ON DEFENDANT'S RENEWED MOTION FOR JUDGMENT OF ACQUITTAL ON COUNT 14 OF THE INDICTMENT... by Judge Jerome Turner ..as to dft Alton Ray Mills. ..The dft has renewed his motion for a judgment of acquittal with respect to Count 14 of the indictment. Dft argues that there was insufficient evidence to show that he was in any way involved in extortion w/Cliff Avent. The dft also argues that the evidence was insufficient to show that the extortion in any way affected interstate commerce. The court rejects both arguments. ... The motion for judgment of acquittal is therefore denied. [150-1] ..as to dft. Alton Ray Mills. (cc: all counsel) (EHG) (Entered: 10/07/1998)
10/20/1998	153	MOTION as to Alton Ray Mills to extend time in which to file objections to presentence investigation report , and to continue sentencing date (EHG) (Entered: 10/21/1998)
10/22/1998	154	ORDER ON MOTION TO EXTEND TIME AND TO CONTINUE SENTENCING DATE... by Judge Jerome Turner granting motion to extend time in which to file objections to presentence investigation report [153-1].. The court will grant the request and dft shall file his objections on or before 11/6/98; denying motion to continue sentencing date [153-2].. Dft has also requested a continuance on his sentencing date. That portion of the motion is not well taken and is denied. Sentencing remains set for Friday, 11/13/98 @ 3:00 p.m. (cc: all counsel) (EHG) (Entered: 10/23/1998)
11/06/1998	155	OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT... by defendant Alton Ray Mills (EHG) (Entered: 11/12/1998)
11/12/1998	156	POSITION OF THE UNITED STATES WITH RESPECT TO PRESENTENCE INVESTIGATIVE REPORT ON DEFENDANT.. by USA as to defendant Alton Ray Mills (EHG) (Entered: 11/16/1998)
11/12/1998	157	MOTION as to Alton Ray Mills for leave/for stay of execution of sentence and for release on bail pending appeal (EHG) (Entered: 11/16/1998)
11/13/1998	158	RESPONSE by plaintiff USA to defendant's motions for downward departure, stay of execution of sentence, and release on bail pending appeal ..as to dft. Alton Ray Mills [157-1] (EHG) (Entered: 11/16/1998)
11/13/1998	159	SUPPLEMENTAL MEMORANDUM IN SUPPORT OF REQUEST FOR DEPARTURE... by defendant Alton Ray Mills . (EHG) (Entered: 11/16/1998)
11/13/1998	160	MINUTES: (filed 11/18/98) sentencing hearing held on 11/13/98 as to Alton Ray Mills ; dft on bond; count 14 -37 months imprisonment; supervised release 2 yrs; standard & mandatory conditions; dft to provide full financial infor to USPO; dft shall not incur any credit debt during supervised release w/o approval of USPO; fine \$7,500 in installments (quarterly) during supv. rel.; special assessment \$50.00; recommendations - designation to FPC Millington; appeal packet handed to dft's atty; dft to report on his own; Dft objects to Presentence report: Offense conduct - sustained. Paragraphs 37-103 & 113-164 to be removed from Report. Objection for 8 points added for bribing elected official overruled. Presentence report adopted. Defense request for downward departure denied. Motion to stay execution of sentence denied. Presiding Judge: Turner AUSA: Dan Newsome Dft Atty: A.C. Wharton, James Causey C/R: Sharlyn Phillips (EHG) Modified on 11/20/1998 (Entered: 11/19/1998)
11/18/1998	162	STATEMENT of Reason for Imposing Sentence by Judge Jerome Turner as to Alton Ray Mills (EHG) (Entered: 11/20/1998)
11/19/1998	161	JUDGMENT IN A CRIMINAL CASE as to Alton Ray Mills sentencing Alton Ray Mills (1) count(s) 14. prison term 37 months; court recommends dft be designated to serve his term of imprisonment at FCI, Millington Camp, Millington, TN; supervised release 2 yrs; standard conditions of supervision; special assessment \$50.00; fine \$7,500.00. , Alton Ray Mills (1) count(s) 14. prison term 37 months; court recommends dft be designated to serve his term of imprisonment at FCI, Millington Camp, Millington, TN; supervised release 2 yrs; standard conditions of supervision; special assessment \$50.00; fine \$7,500.00. The fine shall be paid in equal annual installments. The total amount of the fine shall be paid during the period of supervised release. as to Alton Ray Mills. Counts 1 through 13 and 15 through 18 were dismissed by the Court. , case terminated as to Alton Ray Mills by Judge Jerome Turner (cc: all counsel) attys. on record: A.C. Wharton and James D. Causey (EHG) (Entered: 11/20/1998)
11/30/1998	163	APPEAL Notice to USCA by defendant Alton Ray Mills regarding [161-3] (EHG) (Entered: 12/02/1998)
11/30/1998	164	APPLICATION for TO PROCEED W/O PREPAYMENT OF FEES AND AFFIDAVIT re: notice of appeal.. by defendant Alton Ray Mills (EHG) (Entered: 12/02/1998)
12/02/1998	165	NOTIFICATION OF PRISONER DESIGNATION Form as to Alton Ray Mills for Prison Designation USP Atlanta SCP on 1/11/99 @ 2:00 p.m. to report to designation. (EHG) (Entered: 12/03/1998)
12/02/1998	166	TRANSCRIPT of proceedings for the following date(s): 8/11/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume I Court Reporter:

		Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	167	TRANSCRIPT of proceedings for the following date(s): 8/12/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume II Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	169	TRANSCRIPT of proceedings for the following date(s): 8/14/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume IV Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	170	TRANSCRIPT of proceedings for the following date(s): 9/17/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume V Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	171	TRANSCRIPT of proceedings for the following date(s): 8/19/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume VII Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	172	TRANSCRIPT of proceedings for the following date(s): 8/20/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume VIII Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	173	TRANSCRIPT of proceedings for the following date(s): 8/21/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume VI Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/02/1998	174	TRANSCRIPT of proceedings for the following date(s): 8/21/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volumes IX Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/03/1998	168	TRANSCRIPT of proceedings for the following date(s): 8/13/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of TRIAL Volume III Court Reporter: Sharlyn Phillips [placed in separate folder] (EHG) (Entered: 12/03/1998)
12/03/1998	175	ORDER TO SURRENDER ISSUED by Judge Jerome Turner as to defendant Alton Ray Mills report to USP Atlanta, SCP, 601 McDonough Blvd., S.E., Atlanta, GA 30315 2:00 p.m., 1/11/99 (EHG) (Entered: 12/03/1998)
12/10/1998	176	APPEAL NOTIFICATION as to Alton Ray Mills mailed to 6th Circuit with copies of items nos. 163 & 161 and docket sheet (cc: all counsel) (EHG) (Entered: 12/10/1998)
12/14/1998	177	ORDER TO SURRENDER EXECUTED as to defendant Alton Ray Mills signed on 12/12/98 (EHG) (Entered: 12/14/1998)
12/21/1998		APPEAL number 98-6698 received from USCA regarding [163-1] ; Audrey Crockett case manager (EHG) (Entered: 12/22/1998)
01/07/1999	178	MOTION as to Alton Ray Mills for appointment of counsel (EHG) (Entered: 01/07/1999)
01/07/1999	179	AFFIDAVIT of A.C. Wharton, Jr. by defendant Alton Ray Mills in support of defendant's motion for appointment of counsel. [178-1] (EHG) (Entered: 01/07/1999)
01/07/1999	180	AFFIDAVIT of James D. Causey by defendant Alton Ray Mills in support of defendant's motion for appointment of counsel. [178-1] (EHG) (Entered: 01/07/1999)
01/11/1999	181	ORDER OF REFERENCE... by Judge Jerome Turner referring to Mag Judge Diane K. Vescovo ..as to defendant Alton Ray Mills, ..the motion for appointment of counsel [178-1] ...for a determination and appointment of counsel if deemed appropriate. (cc: all counsel) (EHG) (Entered: 01/12/1999)
01/14/1999	182	STIPULATION OF ALL PARTIES REGARDING TEMPORARY RETENTION OF RECORD IN DISTRICT COURT FOR USE IN PREPARING APPELLATE PAPERS (EHG) (Entered: 01/15/1999)
01/27/1999	183	ORDER APPOINTING CJA COUNSEL.. by Mag Judge Diane K. Vescovo granting motion for appointment of counsel [178-1] ..as to defendant Alton Ray Mills. ...It is therefore Ordered that retained counsel, AC Wharton, Jr. and James D. Causey, be and hereby are appointed under the Criminal Justice Act to represent the above-named defendant on appeal unless relieved by order of this court or by order of the court of appeals. (cc: all counsel) (EHG) (Entered: 01/28/1999)
02/10/1999	184	TRANSCRIPT of proceedings for the following date(s): 8/24/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of Oral Ruling on Motion For Acquittal Volumes 1 Court Reporter: Sharlyn Phillips [document placed in separate folder] (EHG) (Entered: 02/11/1999)
03/11/1999	185	TRANSCRIPT of proceedings for the following date(s): 11/13/98 as to defendant Alton Ray Mills, defendant Stephen D. Toarmina of Sentencing hearing Volumes 1 (orig); Court Reporter: Sharlyn Phillips; (document placed in separate folder) (BAG) (Entered: 03/12/1999)
03/18/1999	186	CJA FORM 24 (Authorization and Voucher for Transcript Payment) as to Alton Ray Mills for appeal; (trial transcript & sentencing hearing transcript) C/R: Sharlyn Phillips; (BAG) (Entered: 03/18/1999)
06/08/1999		ORIGINAL record on appeal as to USA, Alton Ray Mills transmitted to 6th Circuit consisting of 4 vol(s) pleadings (including 1 vol. confidential PSI); 13 vol(s) transcripts; 1 vol(s) sealed; copies of docket sheet and transmission form. (cc: copies to all counsel) (SSH) (Entered: 06/08/1999)
08/09/1999	187	EXHIBIT/WITNESS list (submitted of hearing held 8/10/98) as to dfts Mills & Taormina; (9 pages) (BAG) (Entered: 08/10/1999)

02/29/2000	188	MOTION by USA as to Alton Ray Mills, Stephen D. Toarmina for review of conditions of release as to defendant Toarmina and for setting of sentencing hearing (EHG) (Entered: 02/29/2000)
03/03/2000	189	RESPONSE by defendant Stephen D. Toarmina to motion for review of conditions of release as to defendant Toarmina and for setting of sentencing hearing [188-1] (EHG) (Entered: 03/03/2000)
03/06/2000	190	APPEAL Judgment and Slip Opinion from USCA reversing the judgment of acquittal [Appeal [143-1], and remanding the case for the entry of judgment in accordance with the jury's verdict. (cc: all counsel) (SSH) (Entered: 03/06/2000)
03/06/2000	191	APPEAL Judgment from USCA affirming the decision of the District Court [163-1] as to dft Alton Ray Mills (cc: all counsel) (SSH) (Entered: 03/06/2000)
03/09/2000	192	SETTING LETTER ; MOTION hearing on Plaintiff's Motion for Review of Conditions of Release and for Setting of Sentencing Hearing has been set for 9:00 3/29/00 for Alton Ray Mills, for Stephen D. Toarmina (EHG) (Entered: 03/09/2000)
03/29/2000	193	MINUTES: in-court hearing on Govt's Motion to Review Conditions of Release and for Setting Of Sentencing Hrg held on 3/29/00 as to Alton Ray Mills, Stephen D. Toarmina . Mandate from the 6th Circuit still has not issued. Dfts have filed a joint petition w/Court of Appeals for rehearing en banc. Govt requests that upon the issue of the mandate the Court enter a sentencing date, sua sponte, if necessary. Court to set status conf after final mandate issued. Govt to contact case manager after resolution of all 6th Circuit issues for court to address instant motion. Counsel for dft Mills requests that Mills be sent back to his original housing institution in Atlanta until this case put back on the district court's calendar, GRANTED. Presiding Judge: Donald AUSA: D. Newsom Dft Atty: AC Wharton/J. Wilson/J. Causey C/R: Lynn Dudley (EHG) (Entered: 03/30/2000)
05/15/2000	194	ORDER Mandate Issued: 5/12/00 from 6th Circuit pursuant to the court's disposition that was entered 2/28/00. (SSH) (Entered: 05/16/2000)
05/19/2000	195	APPEAL Record returned by USCA as to defendant Alton Ray Mills (SSH) (Entered: 05/19/2000)
06/08/2000	196	SETTING LETTER ; in-court hearing/Status Conf set for 11:30 6/22/00 for Alton Ray Mills, for Stephen D. Toarmina (EHG) (Entered: 06/08/2000)
06/08/2000	197	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney A.C. Wharton for defendant Alton Ray Mills (EHG) (Entered: 06/09/2000)
06/22/2000	198	MINUTES: status conf held on 6/22/00 as to Alton Ray Mills, Stephen D. Toarmina , Mandate has issued from the 6th Circuit. Dfts filed review en banc which was considered & denied. Dfts, today, have filed for WRIT w/US Supreme Court and are requesting stay of proceedings until WRIT has been reviewed. Plaintiff objects to any stay in proceeding w/sentencing. ; sentencing hearing set for 9/8/00 @ 1:00 p.m. for Stephen D. Toarmina ; re-sentencing hearing set for 9/8/00 @ 1:00 p.m. for Alton Ray Mills. Hearing concluded. Presiding Donald AUSA: D. Newsom Dft Atty: J. Garts/J. Causey/J. Wilson C/R: Lynn Dudley (EHG) (Entered: 06/23/2000)
07/03/2000	199	SETTING LETTER : Sentencing Hearing set for 1:00 9/8/00 for Alton Ray Mills, for Stephen D. Toarmina, Courtroom 2 (YDS) (Entered: 07/03/2000)
07/24/2000	200	APPEAL Order from USCA (entered 7/21/00) Upon consideration of the motion filed by appellees to recall the mandate pending the filing of a Petition for Writ of Certiorari, it is ordered that the motion be, and it hereby is, granted. The mandate is stayed for ninety days from this order. (SSH) (Entered: 07/24/2000)
09/11/2000	201	NOTICE from the Supreme Court of the United States: the petition for a writ of certiorari was filed 8/10/00 and placed on the docket 8/16/00 as #00-5722 as to dft Alton Ray Mills. (SSH) (Entered: 09/12/2000)
09/11/2000	202	NOTICE from the Supreme Court of the United States: the petition for a writ of certiorari was filed 8/2/00 and placed on the docket 8/4/00 as #00-184 as to dfts Mills and Toarmina. (SSH) (Entered: 09/12/2000)
12/21/2000	203	NOTICE from the Supreme Court of the United States: the petition for a writ of certiorari is denied as to dfts Mills and Toarmina (SSH) Modified on 12/22/2000 (Entered: 12/22/2000)
12/22/2000	204	NOTICE from the Supreme Court of the United States: the petition for a writ of certiorari is denied as to dft Mills (SSH) (Entered: 12/22/2000)
01/10/2001	205	SETTING LETTER : Sentencing hearing set for 9:00 2/23/01 for Alton Ray Mills, for Stephen D. Toarmina, Courtroom 2 (YDS) (Entered: 01/11/2001)
01/12/2001		WRIT issued as to Alton Ray Mills to appear on 2/23/01 @ 9:00am, Courtroom 2 (YDS) (Entered: 01/16/2001)
01/29/2001	206	ORDER Mandate Reissued: 1/24/01 from 6th Circuit pursuant to the court's disposition that was filed in USDC on 3/6/00. (SSH) (Entered: 01/30/2001)
01/30/2001	207	SETTING LETTER : Sentencing hearing reset for 2:30 2/22/01 for Alton Ray Mills, for Stephen D. Toarmina (YDS) (Entered: 01/31/2001)
02/09/2001	208	SETTING LETTER; Re-sentencing hearing set for 10:30 2/22/01 for Alton Ray Mills, Stephen D. Toarmina (BAG) (Entered: 02/09/2001)
02/14/2001	209	POSITION PAPERS by Stephen D. Toarmina as to defendant w/reqt est pect to sentencing factors Stephen D. Toarmina (EHG) (Entered: 02/15/2001)
02/20/2001	210	RESPONSE by plaintiff USA regarding [209-1] (YDS) (Entered: 02/20/2001)

02/28/2001	211	JUDGMENT IN A CRIMINAL CASE as to Alton Ray Mills sentencing Alton Ray Mills (1) count(s) 14. Prison term 37 months; dft is remanded to the custody of the USM; supervised release 2 yrs; standard conditions of supervision; total assessment \$50.00; total fine \$7,500.00. as to Alton Ray Mills , dismissing counts as to Alton Ray Mills (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15-18. Counts dismissed on motion of the US as to Alton Ray Mills , terminating party Alton Ray Mills as to Alton Ray Mills by Judge Bernice B. Donald (cc: all counsel) (EHG) (Entered: 03/01/2001)
03/05/2001	212	MOTION as to Stephen D. Toarmina for reconsideration of Court's sentencing determination , or alternatively for order correcting sentence (YDS) (Entered: 03/06/2001)
03/05/2001	213	RESPONSE by plaintiff USA in opposition to motion for reconsideration of Court's sentencing determination [212-1], motion for order correcting sentence [212-2] (YDS) (Entered: 03/06/2001)
03/06/2001	214	MOTION by USA as to Alton Ray Mills, Stephen D. Toarmina for order to correct the Judgment and Commitment Order to Actual Sentence Imposed by the Court (YDS) (Entered: 03/07/2001)
03/07/2001	215	ORDER by Judge Bernice B. Donald granting motion for order to correct the Judgment and Commitment Order to Actual Sentence Imposed by the Court [214-1]; the Judgment and Commitment Order is hereby amended to reflect that the Court imposed a sentence of 37 months imprisonment as to dft Mills as to Counts 1,3,5,7,9,11,13,15,16,17 and 18, all to be served concurrently w/the sentence which dft is now serving, which was previously imposed as to Counts 1, plus 2 yr period of supervised release, plus S/A. (cc: all counsel) (YDS) (Entered: 03/08/2001)
03/08/2001	217	AMENDED JUDGMENT IN A CRIMINAL CASE as to Alton Ray Mills sentencing Alton Ray Mills (1) count(s) 1, 3, 5, 7, 9, 11, 13, 15 -18. Dft was found guilty on Counts 1,3,5,7,9, 11,13,15-18. Dft is hereby committed to the custody of the US BOP for 37 months, to be served concurrently w/the sentence dft is presently serving, which was previously imposed as to Count 14. Dft is remanded to the custody of the USM. Supervised Release: 2 yrs. S/A: \$50.00. Fine: 7,500.00 by Judge Bernice B. Donald (cc: all counsel) (YDS) (Entered: 03/14/2001)
03/08/2001	218	JUDGMENT IN A CRIMINAL CASE as to Stephen D. Toarmina sentencing Stephen D. Toarmina (2) count(s) 1, 3, 5, 7, 9, 11, 13, 15 -18 . Dft was found guilty on Counts 1,3,5,7,9,11,13,15-18 of the Indictment. Dft is hereby committed to the custody of the US BOP for 39 months. Court recommends: dft shal surrender to the USM upon notice. Dft be allowed to serve term of incarceration close to Memphis, TN as possible. Supervised Release: 3 yrs. S/A: \$50.00 Fine: \$10,000.00 Restitution: \$550.00 , terminating party Stephen D. Toarmina , case terminated by Judge Bernice B. Donald (cc: all counsel) (YDS) (Entered: 03/14/2001)
03/12/2001	216	WHCAP returned executed. Reported/delivered by DUSM to USM WD/TN Jail on 3/5/01, and remanded same to USMS Airlift at Memphis, TN as to defendant Alton Ray Mills (BAG) (Entered: 03/14/2001)
03/19/2001	219	APPEAL Notice to USCA by defendant Stephen D. Toarmina regarding [218-4] (EHG) (Entered: 03/21/2001)
03/19/2001	220	APPEAL Transcript Designation and Order form for the dates of 2/22/01 (sentencing hrg) regarding [219-1] (EHG) (Entered: 03/21/2001)
03/21/2001	222	TRANSCRIPT of proceedings for the following date(s): 2/22/01 as to defendant Stephen D. Toarmina of Sentencing hrg Volumes 1 Court Reporter: Lynn Dudley [document placed in separate folder] (EHG) (Entered: 03/22/2001)
03/22/2001	221	APPEAL NOTIFICATION as to Stephen D. Toarmina mailed to 6th Circuit with copies of items nos. 218, 219 and docket sheet (cc: all counsel) (SSH) (Entered: 03/22/2001)
03/22/2001	223	AMENDED JUDGMENT IN A CRIMINAL CASE as to Stephen D. Toarmina by Judge Bernice B. Donald : Dft was found guilty on Counts 1,3,5,7,9,11,13,15,16,17 and 18 of the Indictment. Dft is committed to the custody of the US BOP for 39 months. Court recommends: dft surrender to the USM upon notice, dft be allowed to serve term of incarceration as close to Memphis, TN as possible. Supervised Release: 3 yrs. S/A: \$550.00; Fine: \$10,000.00; Restitution: \$550.00 (cc: all counsel) (YDS) (Entered: 03/26/2001)
03/30/2001	224	NOTIFICATION OF PRISONER DESIGNATION Form as to Stephen D. Toarmina for Prison Designation to FCI Memphis for voluntary on 5/25/01 to report to designation. (PWM) (Entered: 04/03/2001)
04/03/2001		APPEAL number 01-5383 received from USCA regarding [219-1]; P. Elder case manager as to Stephen D. Toarmina (SSH) (Entered: 04/03/2001)
04/03/2001	225	ORDER Denying Motion To Reconsider Or In The Alternative To Correct Sentence by Judge Bernice B. Donald denying motion for reconsideration of Court's sentencing determination denying motion for order correcting sentence [212-2], as to Stephen Toarmina; The court finds that dft's motion is not well founded, as dft's sentence of 39 months imprisonment and \$10,000.00 fine, is w/in guideline range and appropriate under the facts and circumstances of this case; (cc: all counsel) (BAG) (Entered: 04/05/2001)
04/05/2001	226	RECEIVED re [219-1] appeal fee in amount of \$105.00 (Receipt # 63440 from Harris Shelton Cobb & Ryder. (PWM) (Entered: 04/06/2001)
04/09/2001		APPEAL number 01-5383 received from USCA regarding [219-1]; P. Elder case manager (SSH) (Entered: 04/10/2001)
04/18/2001	227	ORDER TO SURRENDER ISSUED by Judge Bernice B. Donald as to defendant Stephen D. Toarmina report to FCI-MEMPHIS (SCP) 5/25/01 by 2:00pm; It is further Ordered that upon receipt of a copy of this Order the dft shall report immediately to the Office of the Clerk to acknowledge by signature receipt of a copy of this Order

		and that the dft will report as ordered to the facility named above. (YDS) (Entered: 04/18/2001)
04/19/2001	228	ORDER TO SURRENDER EXECUTED as to defendant Stephen D. Toarmina signed on 4/19/01 (YDS) (Entered: 04/20/2001)
04/25/2001	229	JUDGMENT returned executed. Dft delivered to FPC-Atlanta, GA on 3/12/01 as to defendant Alton Ray Mills w/certified copy of jgm. (YDS) (Entered: 04/26/2001)
04/30/2001	230	RETURNED RECEIPT received signed by Stephen Toarmina (YDS) (Entered: 05/02/2001)
05/22/2001	231	APPEAL Order from USCA dismissing the appeal [219-1] upon consideration of the appellant's motion to voluntarily dismiss the appeal as to Stephen Toarmina. (SSH) (Entered: 05/24/2001)
01/28/2002	232	PROBATION FORM 22: Transfer of jurisdiction from Western District of Tennessee to Eastern District of Missouri as to defendant Alton Ray Mills (YDS) (Entered: 01/29/2002)
02/04/2002	233	NOTICE OF TRANSFER OF CASE to Eastern District of Missouri as to dft Alton Ray Mills pursuant to Probation 22 (cc: all counsel) (YDS) (Entered: 02/04/2002)
02/08/2002	234	RECEIVED RETURNED RECEIPT : date of delivery 2/6/02; receipt # 7001 0360 0001 9592 0074; signature illegible; pursuant to Probation 22 transfer filed on 1/28/02 as to dft Alton Mills (YDS) (Entered: 02/11/2002)
02/11/2002		REMARK : received acknowledgement notice from Eastern District of Missouri as to documents sent pursuant to Prob 22 re dft Alton Ray Mills (YDS) (Entered: 02/12/2002)
01/09/2006	235	PROB. 35 ORDER as to Stephen D. Toarmina. Pursuant to the above report, it is ordered that the defendant be discharged from Supervised Release and that the proceedings in the case be terminated. . Signed by Judge Bernice B. Donald on 01/09/2006. (jml,) Additional attachment(s) added on 1/12/2006 (jml,). Additional attachment(s) added on 1/17/2006 (jml,). (Entered: 01/10/2006)
03/06/2019	236	SECOND AMENDED JUDGMENT as to Stephen D. Toarmina (2), Count(s) 1, 11, 13, 15-18, 3, 5, 7, 9, Dft was found guilty on Counts 1,3,5,7,9,11,13,15-18 of the Indictment. Dft is hereby committed to the custody of the US BOP for 39 months. Court recommends: dft shal surrender to the USM upon notice. Dft be allowed to serve term of incarceration clo se to Memphis, TN as possible. Supervised Release: 3 yrs. S/A: \$550.00 Fine: \$10,000.00; Count(s) 10, 12, 2, 4, 6, 8, All counts against this dft are dismissed. Signed by Chief Judge S. Thomas Anderson on 3/6/2019. (mbb) (Entered: 03/06/2019)
03/06/2019	237	REDACTED SECOND AMENDED JUDGMENT. (mbb) (Entered: 03/06/2019)

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