

CRIMINAL DOCKET - U.S. District Court

U.S. (LAST, FIRST, MIDDLE) **MACHEN, Robert B.**

Case Filed Mo. Day Yr. **09 09 87** Docket No. **87-00234** Def. **0**

PO ☐ **422** ☐ **1** ☐ **2211** Assigned ☐ WRIT ☐ JUVENILE ☐ ALIAS

Misd. ☐ District Off Judge/Magistr. OFFENSE ON INDEX CARD

Felony ☒ No. of Def's **1** U.S. MAG CASE NO. **1**

I. CHARGES

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS	DISM. NG	GUILTY NOLO
18 1503	Obstruction of justice Cts. 1,2,4,	3	<input type="checkbox"/>	<input type="checkbox"/>
18 1503 & 2	Obstruction of justice Ct. 3	1	<input type="checkbox"/>	<input type="checkbox"/>
18 1512	Engage in misleading conduct w/intent to alter records Ct. 5	1	<input type="checkbox"/>	<input type="checkbox"/>
18 1512	Engage in misleading conduct w/intent to influence testimony by preventing the communication to a law enforcement officer Ct. 6	1	<input type="checkbox"/>	<input type="checkbox"/>
18 1503	Obstruction of justice Cts. 1,2,3	3	<input type="checkbox"/>	<input type="checkbox"/>
18 1512	Engage in misleading conduct w/intent to alter records Cts. 4,5	2	<input type="checkbox"/>	<input type="checkbox"/>

II. KEY DATE

(CONTINUED)

INTERVAL ONE	END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)	END INTERVAL TWO
KEY DATE EARLIEST OF <input type="checkbox"/> arrest <input type="checkbox"/> sum'ns <input type="checkbox"/> custody <input type="checkbox"/> appears-on complaint	KEY DATE 9-9-87 APPLICABLE <input checked="" type="checkbox"/> Indictment filed/unsealed <input type="checkbox"/> consent to Magr. trial on complaint <input type="checkbox"/> Information <input type="checkbox"/> Felony W/waiver	KEY DATE APPLICABLE <input type="checkbox"/> Dismissal <input type="checkbox"/> Pled Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Trial (voir dire) began <input type="checkbox"/> Jury <input type="checkbox"/> N.J.
1st appears with or waives counsel	ARRAIGNMENT	1st Trial Ended
	RE-TRIAL	2nd Trial Began
	DISPOSITION DATE	SENTENCE DATE
		PTD Nolle Pros.
		FINAL CHARGES DISMISSED on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP <input type="checkbox"/>

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
	Return			PRELIMINARY EXAMINATION Date Scheduled OR Date Held		<input type="checkbox"/> DISMISSED HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons	Served			<input type="checkbox"/> REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT		HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Arrest Warrant Issued				Tape Number		
COMPLAINT						
Date of Arrest		OFFENSE (In Complaint)				

Show last names and suffix numbers of other defendants on same indictment/information:

RULE ☐ 20 ☐ 21 ☐ 40 ☐ In ☐ Out

ATTORNEYS

U. S. Attorney or Asst.
Justin W. Williams, AUSA

Defense: 1 ☐ CJA. 2 ☒ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

Steven Schaars, Esq.
6501 Loisdale Court/500
P.O. Drawer 158
Springfield, Virginia 22150
(703)971-2500

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

BAIL • RELEASE

PRE-INDICTMENT

Release Date	
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
	<input type="checkbox"/> Pers. Rec
AMOUNT SET	<input type="checkbox"/> PSA
\$	Conditions
Date Set	<input type="checkbox"/> 10% Dep.
	<input type="checkbox"/> Surety Bnc
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral
Date Bond Made	<input type="checkbox"/> 3rd Prty
	<input type="checkbox"/> Other

POST-INDICTMENT

Release Date	
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
	<input type="checkbox"/> Pers. Rec
AMOUNT SET	<input type="checkbox"/> PSA
\$	Conditions
Date Set	<input type="checkbox"/> 10% Dep
	<input type="checkbox"/> Surety Bnc
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral
Date Bond Made	<input type="checkbox"/> 3rd Prty
	<input type="checkbox"/> Other

FINE AND RESTITUTION PAYMENTS

☒ Docket Entries Begin On Reverse Side

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

APPEALS FEE PAYMENTS

PO ☐ ☐ ☐ Assigned
Misd. ☐ ☐ ☐ Disp./Sentence
Felony ☐ District Off Judge/Magistr.

☐ WRIT
☐ JUVENILE
☐ ALIAS

VS.

MACHEN, Robert B.

No. of
Def'sU.S. MAG.
CASE NO.

87-00234 01

U.S. TITLE/SECTION

(CONTINUED)

OFFENSES CHARGED

ORIGINAL COUNTS

DISM.

GUILTY

18 1503 & 2 Obstruction of justice
18 1623 Perjury

Ct. 6 1
Ct. 7 1

NG
NOLO
After N.G.
After nolo
Trial (voir dire) began
Jury N.J.

SUPERSEDING COUNTS

INTERVAL ONE

END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)

END INTERVAL TWO

KEY DATE

☐ arrest
☐ sum'ns
☐ custody
☐ appears-on
complaint

KEY DATE

☐ Indictment
filed/unsealed
consent to Magr.
trial on complaint
Information
☐ Felony-W/waiver

KEY DATE

a) ☐ 1st appears on pend-
ing charge /R40
b) ☐ Receive file R20/21
c) ☐ Supsdg: ☐ Ind ☐ Inf
d) ☐ Order New trial
e) ☐ Remand f) ☐ G/P Withdrawn

KEY DATE

☐ Dismissal
☐ Pled
guilty
☐ Nolo
☐ Trial (voir dire) began
☐ Jury ☐ N.J.

1st appears with or
waives counsel

ARRAIGNMENT

1st Trial Ended

RE-
TRIAL

2nd Trial Began

DISPOSITION DATE

SENTENCE DATE

☐ Nolle
☐ Pros.

FINAL CHARGES DISMISSED

☐ on S.T.
grounds ☐ W.P. ☐ WOP ☐ on def
motion on gov
motion

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
	Return			PRELIMINARY EXAMINATION		<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PRO- CEEDING IN THIS DISTRICT
Summons	Issued			OR		<input type="checkbox"/> HELD FOR GJ OR OTHER PRO- CEEDING IN DISTRICT BELOW
	Served			<input type="checkbox"/> REMOVAL HEARING		
Arrest Warrant Issued				<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED	Tape Number	
COMPLAINT				<input type="checkbox"/> INTERVENING INDICTMENT		
Date of Arrest		OFFENSE (In Complaint)				

Show last names and suffix numbers of other defendants on same indictment/information:

RULE ☐ 20 ☐ 21 ☐ 40 ☐ In ☐ OutATTORNEYS
U. S. Attorney or Asst.

BAIL • RELEASE

PRE-INDICTMENT

Release Date

☐ Bail
☐ Denied☐ Fugitive
☐ Pers. Rec.

AMOUNT SET

\$

☐ PSA
☐ Conditions

Date Set

☐ 10% Dep.
☐ Surety Bnd☐ Bail Not Made☐ Collateral
☐ 3rd Prty
☐ Other

Date Bond Made

POST-INDICTMENT

Release Date

☐ Bail
☐ Denied☐ Fugitive
☐ Pers. Rec.

AMOUNT SET

\$

☐ PSA
☐ Conditions

Date Set

☐ 10% Dep.
☐ Surety Bnd☐ Bail Not Made☐ Collateral
☐ 3rd Prty
☐ Other

Date Bond Made

APPEALS FEE PAYMENTS

FINE AND RESTITUTION PAYMENTS

☐ Docket Entries Begin On Reverse Side

DATE

RECEIPT NUMBER

C.D. NUMBER

DATE

RECEIPT NUMBER

C.D. NUMBER

I. CHARGES

II. KEY DATE

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

DATE DOCUMENT NO.	Yr.	Docket No.	Def.	MASTER DOCKET - MULTIPLE DEFENDANT CASE		PAGE		VI EXCLUDABLE DELAY		
				PROCEEDINGS DOCKET FOR SINGLE DEFENDANT		OF		Start Date End Date	Ltr. Code	Total Days
1987		87	00234	01	<input checked="" type="checkbox"/>					
					V. PROCEEDINGS					
Sept. 9					INDICTMENT, a true bill, returned to a Judge in open Court and filed. cs					
Sept. 9					SUMMONS issued and given to Marshal for service. cs					
Sept. 15					TRIAL PROCEEDINGS (J.Bryan) Reporter: McCoy. This matter came on for arraignment. Appearances of deft. w/counsel and U.S. Atty. Deft. waived formal arraignment, entered a plea of not guilty and demanded a trial by jury. Case set for trial with a JURY on 11-23-87 @ 10:00 a.m. Parties have 20 days to file motions. Motions to be heard on 11-6-87 @ 9:00 a.m. All ex. charts etc. to be filed w/the Clerk w/i 5 working days of trial. Deft. released on PR Bond in the amt. of \$5,000.00. sp/rw					
Sept. 15					RELEASE ORDER (AVB) - entered and filed in open court. Copies to deft. U.S. Marshal and U.S. Atty. rw					
Sept. 16					MARSHAL'S RETURN on summons executed 9-14-87 - filed. cs					
Oct 5					MOTION for Bill of Particulars - filed by deft. rw					
Oct 5					MOTION for Govt. Agents & Attorneys to Retain Rough Notes & Writings w/supporting Memorandum of Law - filed by deft. rw					
Oct 5					MOTION to Strike Portions of Paragraph 2 of Count 3 of the Indictment filed by deft. rw					
Oct 5					MOTION for Disclosure of Grand Jury Transcripts & Other Related Information - filed by deft. rw					
Oct 5					MOTION to Dismiss Counts 2 through 6 of the Indictment - filed by deft. rw					
Oct 5					MOTION to Produce Favorable Evidence - filed by deft. rw					
Oct 5					MOTION to Compel Disclosure or Existence & Substance of Agreements, Promises or Grants of Immunity, Leniency or Preferential Treatment; Threats of Prosecution; & Existence of Plea-Bargaining Agreements. - filed by deft. rw					
Oct 5					MOTION for Disclosure of Witnesses - filed by deft. rw					
Oct 5					MOTION for Disclosure and Production of All Statements Which the Govt. will seek to attribute to deft. - filed by deft. rw					
Oct 5					MOTION to Preserve Evidence - filed by deft. rw					
Oct 5					MOTION for Disclosure of Intention to Use and Information Regarding The Rule 404(b) Evidence the Govt. Intends to Introduce at Trial filed by deft. rw					
Oct 5					MOTION for Leave to File Further Motions - filed by deft. rw					
Oct 5					MOTION for Pretrial Disclosure of Jencks Act Material - filed by deft. rw					
Oct 5					MOTION for Disclosure of Impeaching Information - filed by deft. rw					
Oct. 5					SUPERSEDING INDICTMENT returned to a Judge in open Court and filed. cs					
Oct. 6					SUMMONS issued and given to Marshal for service. cs					
Oct. 13					TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This matter came on for arraignment on superseding indictment. Deft. w/counsel and U.S. Atty. appeared. Deft. waived formal arraignment, entered plea of not guilty and demanded trial by jury. Motions to be heard on 11-6-87 at 9:00 a.m. and trial by jury on 11-23-87 at 10:00 a.m. as previously set. U.S.' motion to dismiss indictment returned on 9-9-87 granted. Deft. released on present bond. sp					
Oct. 19					MOTION for dismissal - filed U.S. ks					
Oct. 20					ORDER granting the motion for dismissing the Indictment returned on Sept. 8, 1987. Entered and filed. Copies sent. (AVB)					

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MACHEN, Robert B.

87

234

AO 256A

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
Nov 4	ANSWER In opposition to deft's motion for disclosure and production of all statements with Mem. filed by US cc				
Nov 4	ANSWER to deft.'s motion for bill of particulars with Mem. - filed by US cc				
Nov 4	ANSWER in opposition to deft's motion for disclosure of intention to use rule 404(b) evidence with MEMO - filed by US. cc				
Nov 4	ANSWER in opposition to deft's motion for pretrial disclosure of Jencks Act material with MEM. - filed by US cc				
Nov 4	ANSWER In opposition to deft's motion for disclosure of witnesses with Memo - filed by US cc				
Nov 4	ANSWER In opposition to deft's motion for disclosure of Grand Jury transcripts with Memo - filed by US. cc				
Nov 4	ANSWER In opposiiton to deft.'s motion to dismiss counts 2 through 6 with Memo - filed by US. cc				
Nov 4	ANSWER in opposition to deft.'s motion to strike portions of Count 3 (now count 6) with Memo - filed by US. cc				
Nov. 5	SUPPLEMENTAL motion of Robert B. Machen for bill of particulars - filed. jec MEMO.				
Nov. 6	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This matter came on for hearing on motions. Deft. w/counsel and U.S. Atty. appeared. Deft.'s motion to dismiss counts 2 thru 6 of indictment argued and denied. Deft.'s motion for leave to file further motions granted if promptly filed and noticed for hearing. Agreed order to enter as to some of discovery and inspection motions, others denied as adequately responded to by U.S. Deft. released on present bond. sp				
Nov. 6	ORDERED that the motion of deft. to dismiss Cts. 2 thru 6 of indictment is denied, the motion to dismiss Ct. 6 having been w/drawn; remaining motions of deft. having been resolved either by agreement between counsel or adequately answered by govt.'s response are denied - entered and filed (AVB). Copies sent. sp				
Nov. 13	ORDER of discovery and inspection (See order for details) - entered and filed. Copies sent. (AVB) cs				
Nov. 16	EXHIBIT LIST L,M, and C (w/exhibits) - filed by U.S. tm				
Nov 17	NOTICE returnable 11-20-87 together with MOTION to dismiss indictment; MEMORANDUM In support of same - filed by deft. cc				
Nov 17	NOTICE Returnable 11-20-87 together with MOTION to compel production of Brady Material; memorandum In support of same - filed by deft. cc				
Nov. 18	EXHIBIT list w/exhibits - filed by deft. kb				
Nov 18	MOTION to quash subpoena - filed by US. cc				
Nov 19	ANSWER in opposition to deft.'s motion for production of grand jury transcript of witness N.K. - filed by US. cc				
Nov 19	Memorandum in support of same - filled by US. cc				
Nov 19	ANSWER in opposition to deft's motion to dismiss on grounds of				

Interval (per Section 11) | Start Date | End Date | Ltr. Code | Total Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.) delay in bringing indictment ; MEMORANDUM In support of same - filed by US.				
Nov. 20	MEMORANDUM in opposition to the United States' motion to quash the subpoena of assistant United States Attorney Kenneth E. Melson - filed by the deft. jec				
Nov. 20	TRIAL PROCEEDINGS:(TSE)(Reporter-Rangus) This matter came on for hearing on motions. Appearances: Deft with counsel and U.S. Atty. Motion of deft. to dismiss the indictment - argued and denied with right of deft. to renew if new evidence should arise., Motion of deft. to compel production of Brady Material - argued and granted., Motion of the Govt. to quash subpoena for Kenneth Melson - argued and granted. Case continued to December 7, 1987. Deft. released on present bond. jec				
Nov. 20	JURY INSTRUCTIONS - filed by the deft. jec				
Nov. 20	MOTION for issuance of order of immunity as to witness Mark Edward Kellogg - filed by U.S. sp				
Nov. 20	ORDER of Immunity requiring Mark Edward Kellogg to testify and provide other info. - entered and filed (AVB). Copies sent. sp				
Nov. 20	MEMORANDUM of points and authorities in opposition to defts. motion to dismiss indictment on grounds of U.S. misconduct w/AFFIDAVIT #2 of Justin W. Williams - filed by U.S. cs				
Nov. 20	ORDER denying defts. motion to dismiss the indictment; Granting defts. motion for production of Brady material; granting U.S. motion to quash and granting defts. oral motion for a continuance of the trial. Trial will commence on 12-7-87. Entered and filed. Copies sent. (TSE) cs				
Nov. 20	NOTICE returnable 11-20-87 together with MOTION to dismiss indictment w/MEMO in support of same - filed by deft on 11-19-87. cs				
Nov. 23	AFFIDAVIT of Justin W. Williams (Ex Parte in camera and Under Seal) - filed by U.S. kb				
Nov. 23	TRANSCRIPT of Proceedings of Nov. 6, 1987 - filed. tm				
Dec 3	NOTICE returnable 12-4-87 together with MOTION For continuance - filed by deft. cc				
Dec 3	NOTICE Returnable 12-4-87 together with MOTION to dismiss for abuse of the grand jury process; MEMORANDUM In support of same - filed by deft. cc				
Dec. 4	TRIAL PROCEEDINGS (J.Bryan) Reporter: McCoy. This matter came on for hearing on motions. Appearances of deft. w/counsel and U.S. Atty. Deft's motion for continuance -argued and denied. Deft's motion to dismiss for abuse of the grand jury process-denied. sp/rw				
Dec. 3	SUPPLEMENTAL exhibit list w/exhibits (in file) - filed by U.S. kb				
Dec. 4	TRIAL memorandum - filed by U.S. kb				
Dec. 4	TRANSCRIPT of proceedings on 11/20/87 - filed. kb				
Dec. 4	SUPPLEMENTAL exhibit list - filed by U.S. kb				
Dec. 4	CURRICULUM Vitae of Charles L. Eggleston - filed 12-3-87. sp				
Dec. 4	ORDERED that the motion of deft. fo a continuance is denied; court notes filing of deft.'s Motion to Dismiss for Abuse of Grand Jury Process - entered and filed (AVB). Copies sent. sp				

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MACHEN, Robert V.

AO 256A

87-00234 01
Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1987 Dec. 7	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This case came on for trial by jury. Deft. w/counsel and U.S. Atty. appeared. The jury appeared as summoned and were sworn on voir dire. The following jurors were sworn to try the issue: 1)John Thomas, 2)Benjamin Oliver, 3)Luther Hoga, 4)John Petrin, 5)Melinda Ross, 6)Leroy Steele, 7)Dolores Hoover, 8)Francislee Hill, 9)Steven Dunlap, 10)Joseph Gill, 11)Betty Sears, 12)Eric Stewart. Rule on witnesses. Opening statements made. Govt. adduced evidence and rests. Jury excused to return 12/8/87 at 10:00 a.m. Testimony of Joseph Aronica proffered to Court by U.S. as to materiality re: obstruction of justice - stipulated and agreed to by deft. - accepted by Court. Deft.'s motion for judgment of acquittal to be argued and ruled on 12-8-87 at 9:30 a.m. Deft. released on present bond. sp				
Dec. 8	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This matter came on for hearing on motions. Deft. w/counsel and U.S. Atty. appeared. Deft.'s motion for judgment of acquittal argued and denied. Deft.'s renewed motion for continuance argued and denied. Deft.'s motion to strike testimony about Kellogg argued and denied. sp				
Dec. 8	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This case came on for further trial by jury. Appearances as previous. Deft. adduced evidence and rests. Govt. adduced rebuttal evidence and rests. Deft.'s renewed motions to dismiss, to continue and for directed verdict denied. Case cont. to 12-9-87 at 9:00 a.m. Deft. released on present bond. sp				
Dec. 8	LIST of Exhibits (revised) - filed in open Court 12-7-87 by deft. sp				
Dec. 8	MEMORANDUM in Support of Deft.'s Contention that "Materiality" is a Requirement for Conviction of Obstruction of Justice - filed 12-7-87 by deft. in open Court. sp				
Dec. 9	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This case came on for further trial by jury. Appearances as previous. After Court opened deft. was excused to attend appeals argument at Alex. City Court. Closing arguments heard. Deft. returned. The Court charged the jury and the jury retired to deliberate. The jury returned to the Courtroom at 6:00 p.m. and were excused for the evening. Case cont. to 12-10-87 at 9:00 a.m. Deft. released on present bond. sp				
Dec. 10	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This case came on for further trial by jury. Appearances as previous. Before jury began deliberations, Rule 23B hearing held in regard to one juror, Francislee Hill, who called Court stating she was ill and unable to report. Deft. w/counsel and U.S. Atty. appeared. Deft. requested to wait for juror to be able to appear. Govt. requested deliberations continue w/11 jurors. Court exercised its discretion as to Rule 23B and (cont.)				

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1987 Dec. 10	(Document No.) TRIAL PROCEEDINGS(cont.): allowed deliberations to continue w/11 jurors. Deft.'s motion for mistrial denied. Jury brought into Courtroom and advised of situation. Jury returned to jury room for further deliberations. The jury returned to the Courtroom w/verdicts of Guilty as to Cts. 1, 4 and 6 and Not Guilty as to Ct. 5 and a note that they had not been able to agree on verdicts as to remaining 3 Cts. Jury polled as to Cts. 1, 4 and 6. Jury returned to jury room. Deft.'s motion for mistrial on remaining 3 Cts. argued. The jury returned to the Courtroom and informed Court that they were deadlocked on remaining 3 Cts. Deft.'s motion for mistrial granted. Jury excused. Imposition of sentence postponed and matter referred to PO for PSI and report. Case cont. to 1-8-88 at 9:00 a.m. for sentencing. U.S.' motion to dismiss Cts. 2, 3 and 7 w/o prejudice granted. Deft. released on present bond. sp				
Dec. 10	JURY Verdicts as to Counts One, Four, Five and Six - filed in open Court. sp				
Dec. 10	REQUESTED Jury Instructions - filed 12-7-87 by U.S. sp				
Dec. 10	PROPOSED Instructions #31 - #37 - filed 12-7-87 by deft. sp				
Dec. 10	MOTION to Dismiss Counts Six and Seven; Memo - filed 12-7-87 by deft. sp				
Dec. 10	MOTION to Dismiss Counts One Through Five as They Pertain to Documents; Memo - filed 12-7-87 by deft. sp				
Dec. 10	MOTION to Dismiss Count Six; Memo - filed 12-7-87 by deft. sp				
Dec. 10	DEFENDANT'S EXHIBITS #26, #43 (x-rays), #40 and #41 (index cards) - returned to counsel for deft. sp				
Dec. 10	ORDERED that t mistrial is declared as to Counts Two, Three and Seven; further ORDERED that Counts Two, Three and Seven are dismissed w/o prejudice - entered and filed(AVB). Copies sent. sp				
Dec. 16	PROPOSED jury instructions - filed by deft. kb				
1988 Jan 5	NOTICE Returnable 1-8-88 together with MOTION for a new trial; affidavit of William J. Bundren - filed by deft. cc				
Jan 7	MEMORANDUM of points and authorities in aid of sentencing - filed by deft. cc				
Jan. 7	RESPONSE to Deft.'s Motion for New Trial - filed by U.S. sp				
Jan. 8	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This matter came on for sentencing. Deft. w/counsel and U.S. Atty. appeared. Deft.'s motion for new trial argued; testimony proffered; motion denied. JUDGMENT: Guilty and deft. committed to custody of Atty. Gen. for 12 mos. on ea. of Cts. 1, 4 and 6 to run concurrently w/ea other and fined \$5,000 as to ea. of Cts. 1 and 6. Deft. assessed \$50.00 on Ct. 6. Deft. released on present bond pending appeal and shall voluntarily surrender upon notification. sp				
Jan. 8	JUDGMENT & Commitment Order - entered and filed(AVB). Copies to U.S. Atty., Marshal, PO and counsel for deft. sp				

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

MACHEN, Robert B.

AO 256A

87-00234
Yr. Docket No. 01

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1988	(Document No.)				
Jan. 8	FINDINGS in re PSI report - filed(AVB). Copies sent. sp				
Jan 13	NOTICE Returnable 1-15-88 together with MOTION For a new trial				
	MEMORANDUM In support of same - filed by deft. cc				
Jan 14	RESPONSE To motion for new trial - filed by US cc				
Jan 15	TRIAL PROCEEDINGS (J.Bryan) Reporter: McCoy. This matter came on for hearing on motions. Appearances of deft. w/counsel and U.S. Atty. Deft's motion for a new trial- argued and denied. sp/rw				
Jan 15	AFFIDAVIT of Robert B. Machen - filed. sp				
Jan 15	AFFIDAVIT of James F. Byers, Jr. - filed. sp				
Jan 15	AFFIDAVIT of Dorothy L. Byers - filed. sp				
Jan 15	AFFIDAVIT of Mary K. Keough - filed. sp				
Jan 15	ORDERED that the renewed motion of deft. for a new trial Is denied - entered and filed(AVB). copies sent. sp				
Jan 19	NOTICE of appeal of order of 1/08/88 - filed by deft. on 1/8/88. Copy of notice mailed to U.S. Copy of notice, order and docket entries amiled to U.S.C.A. kb				
Jan 19	SUPPLEMENTAL notice of appeal of order of 1/15/88 filed by deft. 1/15 Copy of notice mailed to U.S. Copy of notice, order and docket entries mailed to U.S.C.A.				
Jan 19	CORRECTED notice of appeal amending appeal filed on 1-8-88 to include appeal of denial of motion for a new trial - filed by deft. on 1/15/88. Copy of notice mailed to U.S.. Copy of notice and docket entries mailed to U.S.C.A. kb				
Jan 20	ORDER that the clerk shall issue a ck for \$105.00 made payable to Steven Schaars. Entered and filed. Copy to Steven Schaars. (AVB) kb				
Feb 17	NOTICE returnable 2/19/88 @ 9:00 with MOTION for a stay of disability - filed by deft. rws WITHDRAWN				
Feb 17	NOTICE returnable 2/19/88 @ 9:00 with MOTION for stay of execution of the sentence to pay the fine and costs - filed by deft. rws Order entered				
Feb 18	ORDER staying the fine of \$10,000.00 and costs of \$50.00 imposed as part of the sentence in this case; further ordered that the deft is directed not to dissipate his assets be the amount necessary to pay the fine and costs should the appeal in this case be denied - entered and filed. (AVB) Copies sent. rws				
Mar 31	TRANSCRIPT of proceeding on 1-15-88 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 1-8-88 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-10-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-9-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-9-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-8-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-7-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-7-87 - filed rs				
Mar 31	TRANSCRIPT of proceeding on 12-4-87 - filed rs				
June 16	RECORD on appeal in 16 volumes mailed to U.S.C.A. kjc				

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1988	(Document No.)				
Jul 8	NOTICE returnable 7-15-88 together with MOTIONS to set aside conviction - filed by deft. cc				
Jul 11	CORRECTED Notice returnable 7-15-88 - filed by deft. cc				
Jul 13	ANSWER in opposition to deft.'s motions to set aside convictions pursuant to Rule 33, Federal rules of criminal procedure - filed by US. cc				
July 15	TRIAL PROCEEDINGS: Judge Bryan. Reporter: Pat Nelson. matter came on for hearing on deft.'s motion(s) to set aside conviction. Deft. w/counsel and U.S. Atty. appeared. Motion argued and denied w/o prej. Deft. released on present bond. sp				
July 15	APPENDIX to Defense Rule 33 Motions - filed 7-13-88 by deft. sp				
July 15	ORDERED that the motion of deft. for a new trial is denied w/o prej. - entered and filed(AVB). Copies sent. sp				
July 21	NOTICE of appeal of order of 7/15/88 - filed by deft. Copy of notice mailed to U.S. Copy of notice, order and docket entries mailed to U.S.C.A. kjc				
Jul 29	COPY of an Order that the motion to consolidate is denied w/o prej. to renew the motion after disposition of the petition for permission to appeal. Received and filed. U.S.C.A. kb				
July 29	CERTIFIED copy of an order denying the motion to consolidate w/o prej. to renew the motion after disposition of the petition for permission to appeal. Received and filed. US.C.A. kb				
Aug 19	COPY of order denying permission to appeal the petition. Received and filed. kb				
Sept. 28	NOTICE returnable 10/07/88 @ 9:00 a.m. together w/MOTION for leave to travel - filed by deft. kb				
Oct. 5	RESPONSE to Motion for Leave to Travel - filed by U.S. jgs				
Oct. 6	ORDER that the deft. is granted leave to travel to and from Greenville, SC during the period 10/9/88 - 10/15/88. Entered and filed. Copies sent. (AVB) kb				
Nov 9	COPY of printed opinion of U.S.C.A. decided 11-8-88 affirming the decision of the U.S.D.C. received and filed. Record not returned. cs				
Dec 5	CERTIFIED Copy of order of U.S.C.A. that the petition for rehearing be and is hereby denied. (88-5012) - filed. cs				
Dec. 6	TRANSCRIPT of proceeding of July 15, 1988 - filed. jec				
Dec. 15	CERTIFIED copu of Order of U.S.C.A. denying that the mandate be stayed pending application to the Supreme Court for a writ or certiorari and/or completion of related appeal No. 88-6055. Recieved and filed. kb				
Dec. 14	CERTIFIED copy of Judgment Order of U.S.C.A. in accordance with a copy of printed opinion decided 11/8/88 affirming the decision of the U.S.D.C. Received and filed. Complete record returned. kb				
Dec 16	NOTICE returnable 12-23-88 together with MOTION to continue bond pending appeal - filed by deft cc				
Dec 20	RESPONSE to deft.'s motion to continue bond pending appeal - filed by US. cc				

Interval (per Section II) Start Date End Date Ltr. Total Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

ROBERT MACHEN

87- 234-A

AO 256A

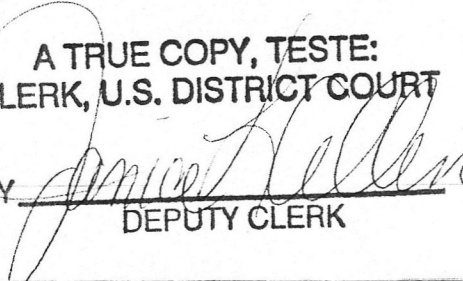
Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
Dec 21	NOTICE returnable 12-23-88 together with MOTION for suspension of sentence and application for probation; MEMO. in support of same - filed by deft. cc				
Dec 21	MOTION for reconsideration of the motions for a new trial dismissed w/o prejudice on 7-15-88 - filed by deft. cc				
Dec 21	MOTION for a new trial with appendix - filed by deft. cc				
Dec 23	TRIAL PROCEEDINGS (J.Bryan) Reporter: McCoy. This matter came on for hearing on motions. Appearances of deft. w/counsel and U.S. Atty. Deft's motion to continue bond pending appeal - argued and denied. Deft's motion for suspension of sentence and application for probation - argued and denied. Deft's motion for reconsideration of the motions for a new trial denied w/o prejudice on 7-15-88 - argued and denied. Deft's motion for a new trial - cont. until 12-30-88 @ 9:00 a.m. Deft. shall voluntarily surrender to U.S. Marshal @ 9:00 a.m. on 12-28-88. sp/rw				
Dec. 23	ORDER in accordance w/trial proceedings - entered and filed (AVB). Copies sent. sp				
Dec. 30	TRIAL PROCEEDINGS: Judge Bryan. Reporter: McCoy. This matter came on for hearing on deft.'s motion for a new trial. Counsel for deft. and U.S. Atty. appeared. Deft.'s motion to cont. this matter for 2 weeks argued and denied. Deft.'s motion for a new trial argued and denied. Deft.'s renewed motion for release pending designation by BOP denied. sp				
Dec 30	CONSOLIDATED RESPONSES to Deft's Motions for New Trial for Violation of Brady, Etc. and for Recpmsideration of July 15, 1988 Motion for New Trial - filed by U.S. on 12-28-88. rw				
Dec. 20	ORDERED that the motion of the deft. for a new trial is denied. The renewed motion for the deft. to voluntarily surrender himself for incarceration after designation of his place of incarceration by the Bureau of Prisons is denied - entered and filed. Copies sent (AVB) rw				
Dec. 30	CERTIFIED copy of ORDER of U.S.C.A. dismissing the appeal filed 7/21/88. Received and filed. Complete record returned 12/14/88. kb				
1989					
Jan 5	MARSHAL'S return on order of 12/23/88 executed on 12/28/88 - filed. kb				
Feb. 9	NOTICE of filing of petition for certiorari in the case has been received from the Supreme Court. Recieved and filed. kb				
Mar. 10	TRANSCRIPT of proceedings on 12/23/99 - filed. kb				
Mar. 10	TRANSCRIPT of proceedings on 12/30/88 - filed. kb				
Mar.. 10	COPY of the Supreme Court Order filed on 3/6/89 denying certiorari - recieved and filed. kb				
June 8	MARSHAL'S return on Judgment & Commitment Order executed on 1/17/89 - filed. bjs				
July 3	MOTION for reduction of sentence under Rule 35(b) - filed by deft. bjs				
July 3	MOTION under 28.2255 to vacate, set aside, or correct sentence - filed by deft. bjs				

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1989	(Document No.)				
July 5	ORDER that U.S. has 30 days to file a responsive pleading to motion pursuant to 28 2255 to vacate, set aside or correct the sentence. Entered & filed. Copies sent. (AVB) bjs				
July 5	ORDER denying motion for reduction or modification of sentence pursuant to Rule 35. Entered & filed. Copies sent. (AVB) bjs				
July 11	MOTION for a delay in any hearing resulting from the motion under 28 2255 - filed by deft. bjs				
July 11	ORDER denying motion for delay in hearing resulting from the motion under 28 2255. Entered & filed. Copies sent. (AVB) bjs				
Aug. 4	ANSWER in opposition to deft.'s motion to vacate, set aside or correct sentence pursuant to 28 USC 2255 together w/MEMORANDUM of points and authorities - filed by U.S. kb				
August 16	REQUEST for leave of Court to file a reply brief on 8/21/89 - filed by deft. bjs				
Aug. 17	ORDER granting the request to file reply brief on 8/21/89. Entered and filed. Copies sent. (AVB) kb (order w/motion)				
Aug. 21	REPLY to Gov't's answer in opposition to deft.'s 2255 motion - filed by deft. kb				
Sept. 5	MEMORANDUM OPINION. Entered and filed. Copies sent. (AVB) kb				
Sept. 5	ORDER in accordance with memorandum opinion that the motions under 28 2255 to vacate, set aside or correct the sentence imposed on 1/8/88 is denied. Entered and filed. Copies sent. (AVB) kb				
Sept 15	NOTICE of appeal of order of 9/5/89 - filed by deft. Copy of notice sent to U.S. Copies of notice, order & docket entries mailed to U.S.C.A. bjs				
Nov. 15	RECORD on appeal in 23 volumes (89-6842) mailed to U.S.C.A. bjs				
1990					
Jan. 10	MARSHAL'S return on mandate (88-05012) executed 1-17-89 - filed. sp				
Apr. 27	COPY of printed opinion of the USCA decided 4/26/90 affirming the decision of the USDC. Received and filed. Record not returned. kb				
May 14	MANDATE in this case will not issue at the scheduled time because a timely petition for rehearing has been filed. Received and filed. kb				
May 30	CERTIFIED copy of order of U.S.C.A. together w/copy of printed opinion decided 4/26/90 affirming the decision of the U.S.D.C. received & filed. Complete record returned. bjs				
August 1	NOTICE of filing of petition for certiorari received from the Supreme Court - received & filed. bjs				
Oct 12	LETTER from USCA stating Supreme Court Order was filed on 10-01-90 denying certiorari - received & filed. ss				
Oct 12	ORDER OF U.S. Supreme Court denying Petition for Writ of Certiorari - received & filed. ss				
<p style="text-align: center;">A TRUE COPY, TESTE: CLERK, U.S. DISTRICT COURT BY  DEPUTY CLERK</p>					
		Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days