3:12-cr-00413-L All Defendants USA v. Brown Date filed: 12/04/2012 Date of last filing: 04/29/2014

History

Doc. No.	Dates	Description				
80	Filed & Entered: 04/29/2014	Rearraignment/Guilty Plea at Arraignment Hearing				
<u>81</u>	Filed & Entered: 04/29/2014	Consent Regarding Entry of a Plea of Guilty				
<u>82</u>	Filed & Entered: 04/29/2014	Report and Recommendation on Guilty Plea				

Full docket text for document 80:

ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Paul D Stickney: Rearraignment Hearing as to Barrett Lancaster Brown held on 4/29/2014. Plea entered by Barrett Lancaster Brown (1) Guilty Count 1ss, 2ss. Attorney Appearances: AUSA - Candina Heath; Defense - Ahmed Ghappour, Marlo Caddedu. (Court Reporter: Shawn McRoberts) (No exhibits) Time in Court - :08. (mcrd)

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	DURT NOT	U.S. DISTRICT COURT RTHERN DISTRICT OF TEXAS FILED							
UNITED STATES OF AMERICA	ş			APR 2 9 2014					
v.	ş	CASE NO.: 3:12	2-CR 00413-L	DE ILS DISTRICT CO					
BARRETT LANCASTER BROWN (1)	§ §		By	RK, U.S. DISTRICT COULT					
NOTICE REGARDING ENTRY OF A									

NOTICE REGARDING ENTRY OF A PLEA OF GUILTY

In the event the Defendant decides at any time before trial to enter a plea of guilty, the United States Magistrate Judge is authorized, in accordance with United States v. Dees, 125 F.3d 261 (5th Cir. 1997), with the consent of the Defendant, to conduct the proceedings required by Rule 11, F.R.Cr.P. incident to the making of the plea. If, after conducting such proceedings, the Magistrate Judge recommends that the plea of guilty be accepted, a presentence investigation and report will be ordered pursuant to Rule 32, F.R.Cr.P. The assigned United States District Judge will then act on the Magistrate Judge's Report and Recommendation and if the plea of guilty is accepted, will adjudicate guilt and schedule a sentencing hearing at which the District Judge will decide whether to accept or reject any associated plea agreement and will determine and impose sentence. The Defendant may file written objections to the Magistrate Judge's recommendation pursuant to 28 U.S.C. §636(b)(1)(B).

CONSENT

I hereby declare my intention to enter a plea of guilty in the above case and I request and consent to the United States Magistrate Judge conducting the proceedings required by Rule 11, F.R.Cr.P. incident to the making of such plea. I understand that if my plea of guilty is then accepted by the District Judge, the District Judge will decide whether to accept or reject any plea agreement I may have with the United States and will adjudicate guilt and impose sentence.

I acknowledge receipt of this document, given to me on this date.

Date: 29th day of April, 2014

BARRETT LANCASTER BROWN

nohda

Defendant's Attorne

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				U.S. DISTRICT COURT	
IN THE UNITED			0	THERN DISTRICT OF TEXAS	
FOR THE NORT	THERN D	ISTRICT OF TE	XAS	FILED	
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V.	§	CASE NO.: 3:12		EK, U.S. DISTRICT COURT	
	§		By_	/	
BARRETT LANCASTER BROWN (1)	§		L	Deputy /	
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REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY

BARRETT LANCASTER BROWN, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered a plea of guilty to Count(s) One and Two of the Superseding Information After cautioning and examining BARRETT LANCASTER BROWN under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense(s) charged are supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, and that BARRETT LANCASTER BROWN be adjudged guilty of 18 U.S.C. § 3(§§1030(a)(5)(B) and 1030(c)(4)(Å)(i)(1), Accessory After the Fact in the Unauthorized Access to a Protected Computer; and 18 U.S.C. § 1501 and 2, Interference With the Execution of a Search Warrant and Aid and Abet and have sentence imposed accordingly. After being found guilty of the offense by the district judge,

Ø The defendant is currently in custody and should be ordered to remain in custody.

- The defendant must be ordered detained pursuant to 18 U.S.C. § 3143(a)(1) unless the Court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released.
 - The Government does not oppose release.
 - Π The defendant has been compliant with the current conditions of release.
 - \square I find by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released and should therefore be released under § 3142(b) or (c).
 - The Government opposes release.
 - The defendant has not been compliant with the conditions of release.
 - Π If the Court accepts this recommendation, this matter should be set for hearing upon motion of the Government.
- The defendant must be ordered detained pursuant to 18 U.S.C. § 3143(a)(2) unless (1)(a) the Court finds there is a substantial likelihood that a motion for acquittal or new trial will be granted, or (b) the Government has recommended that no sentence of imprisonment be imposed, or (c) exceptional circumstances are clearly shown under § 3145(c) why the defendant should not be detained, and (2) the Court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released.

29th day of April, 2014 Date:

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).