

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CRIMINAL DOCKET FOR CASE #: 2:08-cr-00723-SRB-1**

Case title: USA v. Riess
Other court case number: CV2009-025074 Maricopa
County Superior Court
Magistrate judge case number: 2:08-mj-07236-ECV

Date Filed: 07/02/2008
Date Terminated: 02/13/2009

Assigned to: Judge Susan R Bolton

Appeals court case number: '09-10070'
'Ninth Circuit Court of Appeals'

Defendant (1)

Richard Steven Riess
TERMINATED: 02/13/2009
also known as
Richard Steven Reiss
TERMINATED: 02/18/2009

represented by **Richard Steven Riess**
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Pending Counts

18:1621 Perjury
(1)

18:911 False Claim of Citizenship
(2)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

18:911 - False Claim to United States
Citizenship; 18:1621 - Perjury

Disposition

dft committed to the custody of BOP
for a term of TWENTY FOUR (24)
MONTHS, said counts to run
concurrently, with credit for time
served; upon release, dft shall be placed
on supervised release for a term of
THREE (3) YEARS, said counts to run
concurrently; S/A: REMITTED

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THREE (3) YEARS, said counts to run
concurrently; S/A: REMITTED

Disposition**Disposition****Plaintiff**

USA

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Date Filed	#	Docket Text
06/06/2008		Arrest of Richard Steven Reiss (JIR) [2:08-mj-07236-ECV] (Entered: 06/10/2008)
06/06/2008	<u>1</u>	COMPLAINT as to Richard Steven Reiss. (JIR) [2:08-mj-07236-ECV] (Entered: 06/10/2008)
06/06/2008	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Edward C. Voss: Initial Appearance and Appointment of Counsel as to Richard Steven Reiss held on 6/6/2008. Appointing David Eisenberg with Appointment Type: CJA. FINANCIAL AFDVT TAKEN. Status Hearing re: Detention and Preliminary Hearings set for 6/12/2008 at 9:45 AM before Magistrate Judge Lawrence O. Anderson.(Court Reporter COURTSMAART). (JIR) [2:08-mj-07236-ECV] (Entered: 06/10/2008)
06/12/2008	<u>5</u>	Minute Entry for proceedings held before Magistrate Judge Lawrence O Anderson: Status Hearing re: Detention/Preliminary Hearings as to Richard Steven Reiss held on 6/12/2008. Detention Hearing submitted, defendant detained. Preliminary Examination waived, held to answer before District Court. Defendant states true name to be RICHARD STEVEN RIESS. Further proceedings ORDERED in Defendant's true name. (Court Reporter COURTSMAART). (KAL) [2:08-mj-07236-ECV] (Entered: 06/12/2008)
06/12/2008	<u>6</u>	ORDER OF DETENTION as to Richard Steven Riess. Signed by Magistrate Judge Lawrence O Anderson on 6/12/2008.(KAL) [2:08-mj-07236-ECV] (Entered: 06/12/2008)

07/02/2008	<u>7</u>	INDICTMENT as to Richard Steven Riess (1) count(s) 1, 2. (KMG) (Entered: 07/03/2008)
07/03/2008	<u>8</u>	Notice To Appear Issued as to Richard Steven Riess as follows: Arraignment set for 7/16/2008 10:00 AM before Magistrate Judge Michelle H Burns. (KMG) (Entered: 07/03/2008)
07/09/2008	<u>9</u>	MOTION to Continue Arraignment by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Eisenberg, David) (Entered: 07/09/2008)
07/10/2008	<u>10</u>	Minute Order. IT IS ORDERED as to Richard Steven Riess resetting the Arraignment for 7/16/2008 at 10:00 AM in Courtroom 304, 401 West Washington Street, Phoenix, AZ 85003 BEFORE Magistrate Judge Edward C Voss. *THIS IS A JUDGE CHANGE ONLY* This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MHB,) (Entered: 07/10/2008)
07/11/2008	<u>11</u>	ORDER granting <u>9</u> Motion to Continue Arraignment as to Richard Steven Riess (1). The arraignment is reset to 7/23/08 at 10:00 a.m. before Judge Anderson, courtroom 302. Signed by Magistrate Judge David K Duncan on 7/11/2008.(LAD) (Entered: 07/11/2008)
07/23/2008	<u>12</u>	Minute Entry for proceedings held before Magistrate Judge David K Duncan: Arraignment as to Richard Steven Riess (1) Count 1,2 held on 7/23/2008. Plea of Not guilty entered to all pending counts. Motions due by 8/7/2008. Jury Trial set for 9/2/2008 09:00 AM before Judge Susan R Bolton.(Court Reporter COURTSMArt). (KMG,) (Entered: 07/24/2008)
07/23/2008	<u>13</u>	Minute Entry for proceedings held before Magistrate Judge Lawrence O Anderson: Amended Minute Entry as to Richard Steven Riess Amending the Arraignment Held 7/23/08. Reason for Amendment: To correct Magistrate Judge hearing was before. (Court Reporter COURTSMArt). (SAT) (Entered: 07/25/2008)
08/07/2008	<u>14</u>	ORDER as to Richard Steven Riess: Status Conference set on 8/18/08 at 04:00 PM before Judge Susan R Bolton. Signed by Judge Susan R Bolton on 8/7/08.(MAW) (Entered: 08/07/2008)
08/13/2008	<u>15</u>	First MOTION to Continue Trial by USA as to Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Woo, Raymond) (Entered: 08/13/2008)
08/13/2008	<u>16</u>	RESPONSE to Motion by Richard Steven Riess re <u>15</u> First MOTION to Continue Trial (Eisenberg, David) (Entered: 08/13/2008)
08/15/2008	<u>17</u>	ORDER denying <u>15</u> Motion to Continue Trial as to Richard Steven Riess (1). IT IS FURTHER ORDERED affirming Status Hearing on August 18, 2008,at 4:00 p.m. Signed by Judge Susan R Bolton on 8/15/08.(MAW) (Entered: 08/15/2008)
08/18/2008	<u>20</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Status Conference as to Richard Steven Riess held on 8/18/08. Government's Motion to Continue, denied by the Court on August 15, 2008, is discussed. Government's counsel advises he will be filing a new motion to continue trial.

		(Court Reporter Gary Moll) (MAW) (Entered: 08/20/2008)
08/19/2008	<u>18</u>	AMENDED First MOTION to Continue Trial by USA as to Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Woo, Raymond) (Entered: 08/19/2008)
08/19/2008	<u>19</u>	RESPONSE to Motion by Richard Steven Riess re <u>18</u> First MOTION to Continue Trial (Eisenberg, David) (Entered: 08/19/2008)
08/22/2008	<u>21</u>	ORDER granting <u>18</u> Motion to Continue Trial as to Richard Steven Riess (1). IT IS FURTHER ORDERED continuing Trial from September 2, 2008, to September 30, 2008, at 9:00 a.m. Signed by Judge Susan R Bolton on 8/22/08.(MAW) (Entered: 08/22/2008)
08/26/2008	<u>22</u>	MOTION for Leave to Reset Time to File Motions by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Eisenberg, David) (Entered: 08/26/2008)
08/27/2008	<u>23</u>	ORDER granting <u>22</u> Motion for Leave to Submit Out of Time Defendant's Motion to Reset Date To File Pretrial Motions as to Richard Steven Riess (1). IT IS FURTHER ORDERED that the date by when such motions shall be filed is September 12, 2008. IT IS FURTHER ORDERED affirming Trial on September 30, 2008, at 9:00 a.m. Signed by Judge Susan R Bolton on 8/27/08.(MAW) (Entered: 08/27/2008)
08/29/2008	<u>24</u>	NOTICE OF GOVERNMENT'S USE OF FOREIGN RECORDS PURSUANT TO 18 U.S.C. 3505 by USA as to Richard Steven Riess (Woo, Raymond) (Entered: 08/29/2008)
09/04/2008	<u>25</u>	Minute Order as to Richard Steven Riess: Final Pretrial Conference set on 9/8/08 at 03:00 PM before Judge Susan R Bolton. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 09/04/2008)
09/04/2008	<u>26</u>	NOTICE of Association by USA as to Richard Steven Riess (Parecki, Josh) (Entered: 09/04/2008)
09/05/2008	<u>27</u>	NOTICE OF ATTORNEY APPEARANCE: Mark Brnovich appearing for USA. (Brnovich, Mark) (Entered: 09/05/2008)
09/05/2008	<u>28</u>	NOTICE Government's Notice of Intent to Introduce Expert Testimony by USA as to Richard Steven Riess (Attachments: # <u>1</u> Supplement)(Woo, Raymond) (Entered: 09/05/2008)
09/05/2008	<u>29</u>	NOTICE of Confessions, Admissions and Statements Pursuant to Local Rule 16.1 by USA as to Richard Steven Riess (Woo, Raymond) (Entered: 09/05/2008)
09/05/2008	<u>30</u>	NOTICE OF INTENT TO INTRODUCE EXPERT TESTIMONY by USA as to Richard Steven Riess (Attachments: # <u>1</u> Exhibit)(Parecki, Josh) (Entered: 09/05/2008)
09/08/2008	<u>31</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Pretrial Conference as to Richard Steven Riess held on 9/8/08. Upon oral motion by

		counsel for Defendant, motions shall be filed no later than 5:00 p.m., September 15, 2008. Jury Trial re-set to 9/26/08 at 09:00 AM before Judge Susan R Bolton for jury selection and opening statements. (Court Reporter Kim Moll) (MAW) (Entered: 09/10/2008)
09/15/2008	<u>32</u>	MOTION to dismiss Indictment (Doc. 7) by Richard Steven Riess. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Text of Proposed Order)(Eisenberg, David) (Entered: 09/15/2008)
09/15/2008	<u>33</u>	MOTION to Suppress <i>Statements by the Defendant</i> by Richard Steven Riess. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Eisenberg, David) (Entered: 09/15/2008)
09/15/2008	<u>34</u>	MOTION to Continue Trial <i>Opposed</i> by USA as to Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Brnovich, Mark) (Entered: 09/15/2008)
09/15/2008	<u>35</u>	MOTION in Limine to <i>Exclude Evidence</i> by Richard Steven Riess. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Eisenberg, David) (Entered: 09/15/2008)
09/16/2008	<u>36</u>	RESPONSE to Motion by Richard Steven Riess re <u>34</u> MOTION to Continue Trial <i>Opposed</i> (Eisenberg, David) (Entered: 09/16/2008)
09/16/2008	<u>37</u>	ORDER as to Richard Steven Riess re <u>34</u> MOTION to Continue Trial: IT IS ORDERED that the motion will be denied within 3 days of the date of this order if counsel does not comply with the ECF Administrative Policies and Procedures Manual, Page 11, Section G, specifically, subparagraph 1b. Signed by Judge Susan R Bolton on 9/16/08.(MAW) (Entered: 09/16/2008)
09/16/2008	<u>38</u>	ORDER as to Richard Steven Riess: The Court having reviewed Defendant's Motion to Dismiss Indictment <u>32</u> and Motion to Suppress Statements <u>33</u> , IT IS ORDERED setting Evidentiary Hearing re: Defendant's Motions [32 and 33] on September 30, 2008, at 1:30 p.m. The trial will not commence as currently scheduled on September 26, 2008. At the conclusion of the Evidentiary Hearing, the Court will reschedule the trial. Signed by Judge Susan R Bolton on 9/16/08.(MAW) (Entered: 09/16/2008)
09/22/2008	<u>39</u>	RESPONSE <i>Consolidated Opposition</i> to Defendant's <u>32</u> Motion to Dismiss Indictment and <u>33</u> Motion to Suppress by USA as to Richard Steven Riess (Parecki, Josh) Modified on 9/23/2008 INCORRECT DOCUMENT EVENT SELECTED; DOCUMENT NOT LINKED PROPERLY; TEXT AND LINKAGE ADDED. (REW,). (Entered: 09/22/2008)
09/23/2008	<u>40</u>	MOTION to Withdraw David Eisenberg as Attorney by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Eisenberg, David) (Entered: 09/23/2008)
09/24/2008	<u>41</u>	Proposed Jury Instructions by USA as to Richard Steven Riess (Brnovich, Mark) (Entered: 09/24/2008)
09/24/2008	<u>42</u>	Proposed Jury Instructions by Richard Steven Riess (Eisenberg, David) (Entered: 09/24/2008)

09/24/2008	<u>43</u>	RESPONSE to Motion by USA as to Richard Steven Riess re <u>35</u> MOTION in Limine to <i>Exclude Evidence</i> (Brnovich, Mark) (Entered: 09/24/2008)
09/24/2008	<u>44</u>	Proposed Voir Dire by USA as to Richard Steven Riess (Brnovich, Mark) (Entered: 09/24/2008)
09/24/2008	<u>45</u>	Proposed Voir Dire by Richard Steven Riess (Eisenberg, David) (Entered: 09/24/2008)
09/24/2008	<u>46</u>	MEMORANDUM by USA as to Richard Steven Riess <i>Proposed statement of the case</i> (Brnovich, Mark) (Entered: 09/24/2008)
09/25/2008	<u>47</u>	REPLY TO RESPONSE to Motion by Richard Steven Riess re <u>33</u> MOTION to Suppress <i>Statements by the Defendant</i> , <u>32</u> MOTION to dismiss Indictment (Doc. 7) (Eisenberg, David) (Entered: 09/25/2008)
09/30/2008	<u>48</u>	EXHIBIT LIST by Richard Steven Riess (Motion to Suppress) (KMG,) (Entered: 10/02/2008)
09/30/2008	<u>49</u>	WITNESS LIST by USA as to Richard Steven Riess (Motion to Suppress) (KMG,) (Entered: 10/02/2008)
09/30/2008	<u>50</u>	WITNESS LIST by Richard Steven Riess (Mtn to Suppress) (KMG,) (Entered: 10/02/2008)
09/30/2008	<u>51</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Motion Hearing as to Richard Steven Riess held on 9/30/08. Evidence entered. IT IS ORDERED denying <u>32</u> Defendant's Motion to Dismiss Indictment and denying <u>33</u> Defendant's Motion to Suppress Statements. Government withdraws its <u>34</u> Motion to Continue Trial. IT IS ORDERED denying <u>40</u> defense counsel's Motion to Withdraw as Attorney. On the Court's Own Motion, IT IS ORDERED continuing Trial from 9/26/08 to 11/4/08 at 9:00 a.m. Excludable will occur as a result of the pendency of the motions [15 days]. LATER: IT IS ORDERED setting Pretrial Conference on 10/27/08 at 04:00 PM before Judge Susan R Bolton.(Court Reporter Candy Potter) (MAW) (Entered: 10/03/2008)
10/27/2008	<u>54</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Pretrial Conference as to Richard Steven Riess held on 10/27/08. Counsel advise this matter is ready to proceed as scheduled. Estimated trial length: 2 to 3 days. Counsel agree to one alternate juror. The Court directs counsel to advise the Court at the end of the voir dire process whether they will stipulate to the alternate juror being selected by lot. Trial procedure discussed. Defendant's Motion in Limine to Exclude Evidence <u>35</u> is argued to the Court. For reasons as stated on the record, IT IS ORDERED granting in part and denying in part Defendant's Motion in Limine <u>35</u> .(Court Reporter Candy Potter) (MAW) (Entered: 10/28/2008)
10/28/2008	<u>52</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by USA as to Richard Steven Riess (Parecki, Josh) (Entered: 10/28/2008)
10/28/2008	<u>53</u>	TRANSCRIPT DESIGNATION AND ORDER FORM (<i>Suppression Hearing</i>) by Richard Steven Riess for proceedings held on 09/30/2008 before Judge J. Bolton. (Attachments: # <u>1</u> Supplement CJA24)(Eisenberg, David)

		(Entered: 10/28/2008)
10/29/2008	<u>55</u>	TRANSCRIPT of Proceedings as to Richard Steven Riess re: Motion Hearing held on 9/30/08 before Judge Susan R Bolton. Court Reporter: Candy L Potter. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2008. Redacted Transcript Deadline set for 12/1/2008. Release of Transcript Restriction set for 1/27/2009. (BAS,) MODIFIED ON 11/3/2008 TO CORRECT TRANSCRIPT AND TEXT TO REFLECT CORRECT JUDGE.(ALR) (Entered: 10/29/2008)
10/29/2008	<u>56</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 10/29/2008)
10/31/2008	<u>57</u>	Second MOTION in Limine by Richard Steven Riess. (Eisenberg, David) (Entered: 10/31/2008)
11/03/2008	<u>58</u>	MEMORANDUM by USA as to Richard Steven Riess <i>GOVERNMENTS TRIAL MEMORANDUM AND OPPOSITION</i> to Dft's Second Motion in Limine to Exclude Evidence (Attachments: # <u>1</u> Exhibit)(Parecki, Josh) (Entered: 11/03/2008)
11/03/2008	<u>59</u>	RESPONSE (OPPOSITION) to Motion by USA as to Richard Steven Riess re <u>57</u> Second MOTION in Limine (Note: 2 part pleadings, same as doc.#58) (KMG) (Entered: 11/04/2008)
11/04/2008	<u>60</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Jury Trial [Day 1] as to Richard Steven Riess held on 11/4/08.Voir Dire begun on 11/4/08. IT IS ORDERED denying <u>57</u> Defendant's Second Motion in Limine. Trial continued to 11/5/08. (Court Reporter Kim Moll) (MAW) (Entered: 11/05/2008)
11/05/2008	<u>61</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Jury Trial Completed [Day 2] as to Richard Steven Riess on 11/5/08. Richard Steven Riess found guilty as to count(s) 1 and 2. IT IS ORDERED setting Sentencing on 2/2/09 at 01:45 PM before Judge Susan R Bolton. IT IS FURTHER ORDERED directing the probation department to prepare a presentence investigation report for the above-stated hearing.(Court Reporter Kim Moll) (MAW) (Entered: 11/05/2008)
11/05/2008	<u>62</u>	Jury List as to Richard Steven Riess (MAP) (Entered: 11/06/2008)
11/05/2008	<u>63</u>	PANEL SUMMARY REPORT as to Richard Steven Riess (MAP) (Entered: 11/06/2008)
11/05/2008	<u>64</u>	JUDGE'S LIST (Jury Panel) as to Richard Steven Riess (MAP) (Entered: 11/06/2008)
11/05/2008	<u>65</u>	PLAINTIFF'S LIST (Jury Panel) as to Richard Steven Riess (MAP) (Entered: 11/06/2008)
11/05/2008	<u>66</u>	DEFENDANT'S LIST (Jury Panel) as to Richard Steven Riess (MAP) (Entered: 11/06/2008)

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11/05/2008	<u>67</u>	SEALED JURY VERDICT (Count 1) as to Richard Steven Riess. (MAP) (Entered: 11/06/2008)
11/05/2008	<u>68</u>	SEALED JURY VERDICT (Count 2) as to Richard Steven Riess. (MAP) (Entered: 11/06/2008)
11/05/2008	<u>70</u>	WITNESS LIST by USA as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>71</u>	WITNESS LIST by Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>72</u>	EXHIBIT LIST by USA as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>73</u>	EXHIBIT LIST by Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>74</u>	Preliminary Jury Instructions as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>75</u>	Final Jury Instructions as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>76</u>	MINUTE ORDER RE EXHIBITS that the exhibits marked and admitted in the above-entitled case at the time of the trial/hearing are returned to respective counsel as to Richard Steven Riess. Signed by Courtroom Deputy on 11/5/08.(TLJ) (Entered: 11/06/2008)
11/05/2008	<u>77</u>	JURY VERDICT re Count 1 as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/05/2008	<u>78</u>	JURY VERDICT re Count 2 as to Richard Steven Riess. (TLJ) (Entered: 11/06/2008)
11/06/2008	<u>69</u>	ORDER SETTING SENTENCING DEADLINES as to Richard Steven Riess: IT IS ORDERED that any motions for upward departure, downward departure and sentencing memoranda shall be filed at least six (6) business days prior to the sentencing date. IT IS FURTHER ORDERED any motions to continue sentencing shall befiled at least two (2) business days prior to the sentencing date. Signed by Judge Susan R Bolton on 11/6/08.(MAW) (Entered: 11/06/2008)
12/02/2008	<u>80</u>	MOTION to Remove Appointed Counsel by Richard Steven Riess (prose filing). (KMG) (Entered: 12/03/2008)
01/16/2009	<u>81</u>	STRICKEN PER ORDER <u>82</u> OF 1/21/09 - MOTION for New Trial by Richard Steven Riess. (Attachments: # <u>1</u> Exhibits)(KMG) Modified on 1/21/2009 (DMT,). (Entered: 01/20/2009)
01/21/2009	<u>82</u>	ORDER striking defendant's pro se <u>81</u> Motion for New Trial as an unauthorized pleading filed by an individual represented by counsel as to Richard Steven Riess (1). Signed by Judge Susan R Bolton on 1/21/09. (DMT,) (Entered: 01/21/2009)
01/22/2009	<u>83</u>	MOTION for Leave to File Out of Time <i>The Defendant's Objections to Draft Pre-sentence Investigation Report</i> by Richard Steven Riess. (Attachments: #

		<u>1</u> Text of Proposed Order, # <u>2</u> Exhibit)(Eisenberg, David) (Entered: 01/22/2009)
01/22/2009	<u>84</u>	MOTION to Continue Sentencing by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Eisenberg, David) (Entered: 01/22/2009)
01/26/2009	<u>85</u>	ORDER granting <u>84</u> Motion to Continue Sentencing as to Richard Steven Riess (1). IT IS FURTHER ORDERED continuing Sentencing from February 2, 2009, to February 13, 2009, at 1:30 p.m. Signed by Judge Susan R Bolton on 1/26/09.(MAW) (Entered: 01/26/2009)
01/27/2009	<u>86</u>	ORDER granting <u>83</u> Defendant's Motion for Leave to Submit Out of Time Defendant's Objections to Draft Pre-sentence Investigation Report. IT IS FURTHER ORDERED that the Clerk shall accept for filing Defendant's Objections to Draft Pre-sentence Investigation Report, which is attached as Exhibit 1 to the Defendant's Motion for Leave to Submit Out of Time Defendant's Objections to Draft Pre-sentence Investigation Report. Signed by Judge Susan R Bolton on 1/27/09.(MAW) (Entered: 01/27/2009)
02/11/2009	<u>87</u>	MOTION for Leave to Submit Out of Time Supplement to Objections to Pre-sentence Investigation Report by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Exhibit 1)(Eisenberg, David) (Entered: 02/11/2009)
02/11/2009	<u>88</u>	MOTION to Withdraw David Eisenberg as Attorney by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Eisenberg, David) (Entered: 02/11/2009)
02/12/2009	<u>89</u>	ORDER granting <u>87</u> Motion for Leave to Submit Out of Time Defendant's Supplemental Objections to Pre-sentence Investigation Report as to Richard Steven Riess (1). IT IS FURTHER ORDERED that the Clerk shall accept for filing Defendant's Supplement to Objections to Pre-sentence Investigation Report, which is attached as Exhibit 1 to the Defendants Motion for Leave to Submit Out of Time Defendant's Supplement to Objections to Draft Pre-sentence Investigation Report. Signed by Judge Susan R Bolton on 2/12/09. (MAW) (Entered: 02/12/2009)
02/13/2009	<u>90</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Sentencing as to dft Richard Steven Riess held on 2/13/2009. Motions <u>80</u> Dfendant's pro se Motion to Withdraw Counsel and <u>88</u> Defense Counsel's Motion to Withdraa David Eisenberg as Attorney discussed. Defendant agrees to go forward with sentencing today with Mr. Eisenberg as counsel. Sentencing proceeds. Judgment to issue. ORDER withdrawing motions <u>80</u> and <u>88</u> as to Richard Steven Riess (1). Mr. Eisenberg is directed to file notice of appeal and then a motion to withdraw as counsel. (Court Reporter Gary Moll). (TLB,) (Entered: 02/13/2009)
02/18/2009	<u>91</u>	JUDGMENT AND COMMITMENT ISSUED as to Richard Steven Riess (1), Counts 1 and 2 of the Indictment, dft committed to the custody of BOP for a term of TWENTY FOUR (24) MONTHS, said counts to run concurrently, with credit for time served; upon release, dft shall be placed on supervised release for a term of THREE (3) YEARS, said counts to run concurrently. Signed by Judge Susan R Bolton on 02/13/09.(ESL) (Entered: 02/18/2009)

02/18/2009	<u>92</u>	NOTICE OF APPEAL, re: <u>91</u> judgment by Richard Steven Riess (Eisenberg, David) Modified on 2/20/2009 to add omitted text (REW,). (Entered: 02/18/2009)
02/18/2009	<u>93</u>	MOTION to Withdraw David Eisenberg as Attorney by Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Eisenberg, David) (Entered: 02/18/2009)
02/19/2009	<u>95</u>	MOTION for New Trial, by Richard Steven Riess (filed as prose). (ESL,) (Entered: 02/20/2009)
02/20/2009	<u>94</u>	APPEAL PROCESSED to Ninth Circuit as to Richard Steven Riess re: <u>92</u> Notice of Appeal filed by Richard Steven Riess. Filed dates for: Notice of Appeal *2/18/09*, *Indictment* *7/2/2008*, Appealed Order/Judgment: *2/18/09*. Court Reporter: *Gary Moll 602-322-7248; Kim Moll 602-322-7252; Candy Potter 602-322-7246*. Fee Status: *IFP Granted on 6/6/2008*. Plea Hearing/Verdict Date: *11/5/08* Sentencing Date: *2/13/09*. Appellant: *Richard Steven Riess*. Appellant Attorney: *David Eisenberg* *(CJA)* *david.eisenberg@azbar.org*. Appellee: *USA*. Appellee Attorney: *Josh Parecki, Mark Brnovich, Raymond Woo* *(Government)* *Josh.Parecki@usdoj.gov; Mark.Brnovich@usdoj.gov; Raymond.Woo@usdoj.gov*. TIME SCHEDULE ORDER ISSUED: Schedule Deadlines of *3/13/2009*, *4/13/2009*, *5/26/2009*, *6/25/2009*, *7/9/2009*. Status:** *IFP*** *Counsel Appointed***** *In Custody***. Copies sent to all parties and 9th Circuit. (Attachments: # <u>1</u> Time Schedule Order) (REW,) (Entered: 02/20/2009)
02/23/2009	<u>96</u>	ORDER granting <u>93</u> defense counsel's Motion to Withdraw as Attorney as to Richard Steven Riess (1). ORDER appointing James S. Park, criminal justice act attorney, as appellate counsel for Defendant for all further proceedings. Signed by Judge Susan R Bolton on 2/20/09.(TLJ) (Entered: 02/23/2009)
02/25/2009	<u>97</u>	CJA 20: Appointment of Attorney James S. Park as of 2/20/09 (for appeal), for Richard Steven Riess. (TLJ) (Entered: 02/26/2009)
02/26/2009	<u>98</u>	USCA Case Number for <u>92</u> Notice of Appeal as to Richard Steven Riess: Case no 09-10070, Ninth Circuit Court of Appeals. (TLJ) (Entered: 02/26/2009)
02/27/2009	<u>99</u>	RESPONSE to Motion by USA as to Richard Steven Riess re <u>95</u> MOTION for New Trial (Brnovich, Mark) (Entered: 02/27/2009)
03/06/2009	<u>100</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by Richard Steven Riess for proceedings held on 10/27/08, 11/4/08, 11/5/08, 2/13/09 before Judge SRB. (Attachments: # <u>1</u> Supplement)(Park, James) (Entered: 03/06/2009)
03/09/2009	<u>101</u>	REPLY TO RESPONSE to Motion by Richard Steven Riess re <u>95</u> MOTION for New Trial (TLJ) (Entered: 03/10/2009)
03/12/2009	<u>102</u>	TRANSCRIPT filed as to Richard Steven Riess re: Sentencing for date(s) of 2/13/09 before Judge Susan R Bolton. Court Reporter: Gary Moll. Re <u>92</u> Notice of Appeal Transcript may be viewed at the court public terminal or

		purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/2/2009. Redacted Transcript Deadline set for 4/13/2009. Release of Transcript Restriction set for 6/10/2009. (BAS,) (Entered: 03/12/2009)
03/12/2009	<u>103</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 03/12/2009)
03/13/2009	<u>104</u>	TRANSCRIPT DESIGNATION AND ORDER FORM (<i>jury instructions</i>) by Richard Steven Riess for proceedings held on 11/5/09 before Judge SRB. (Attachments: # <u>1</u> Supplement)(Park, James) (Entered: 03/13/2009)
03/18/2009	<u>105</u>	MOTION for Status and Information by Richard Steven Riess. (ESL) (Entered: 03/19/2009)
03/27/2009	<u>107</u>	TRANSCRIPT filed as to Richard Steven Riess re: Final Pretrial Conference for date(s) of 10/27/08 before Judge Susan R Bolton. Court Reporter: Candy L Potter. Re <u>92</u> Notice of Appeal Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/17/2009. Redacted Transcript Deadline set for 4/27/2009. Release of Transcript Restriction set for 6/25/2009. (BAS,) (Entered: 03/27/2009)
03/27/2009	<u>108</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT {107} (BAS,) (Entered: 03/27/2009)
03/27/2009	<u>109</u>	ORDER denying <u>95</u> Motion for New Trial as to Richard Steven Riess and denying as moot <u>105</u> Motion for Status and Information as to Richard Steven Riess (1). Signed by Judge Susan R Bolton on 3/27/09.(MAW) (Entered: 03/27/2009)
04/09/2009	<u>111</u>	TRANSCRIPT filed as to Richard Steven Riess re: Jury Trial Volume I of II for date(s) of 11/4/08 before Judge Susan R Bolton. Court Reporter: Kim R Moll. Re <u>92</u> Notice of Appeal to 9th Circuit Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/30/2009. Redacted Transcript Deadline set for 5/11/2009. Release of Transcript Restriction set for 7/8/2009. (BAS,) (Entered: 04/09/2009)
04/09/2009	<u>112</u>	TRANSCRIPT filed as to Richard Steven Riess re: Jury Trial Volume II of II for date(s) of 11/5/08 before Judge Susan R Bolton. Court Reporter: Kim R Moll. Re <u>92</u> Notice of Appeal to 9th Circuit Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/30/2009. Redacted Transcript Deadline set for 5/11/2009. Release of Transcript Restriction set for 7/8/2009. (BAS,) (Entered: 04/09/2009)
04/09/2009	<u>113</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT - docket numbers [111] and {112} (BAS,) (Entered: 04/09/2009)

04/09/2009	<u>114</u>	Certificate of Record Transmitted to the 9th Circuit Court of Appeals as to Richard Steven Riess re <u>92</u> Notice of Appeal to 9th Circuit. (ESL) (Entered: 04/10/2009)
04/30/2009	<u>118</u>	NOTICE of Change of Address #88664582, 1705 E. Hanna Rd., Eloy, AZ 85231 (KMG) (Entered: 05/01/2009)
06/24/2009	<u>119</u>	MOTION to Produce Witness Statements by Richard Steven Riess. (REW,) (Entered: 06/25/2009)
06/29/2009	<u>120</u>	ORDER denying <u>119</u> Defendant's pro se Motion to Produce Witness Statements. Signed by Judge Susan R Bolton on 6/29/09.(MAW) (Entered: 06/29/2009)
07/13/2009	<u>121</u>	Revised MOTION for New Trial, by Richard Steven Riess. (note: filed prose, dft has court appointed counsel.) (ESL) (Entered: 07/15/2009)
08/21/2009	<u>123</u>	MOTION to Waive Document Fees by Richard Steven Riess filing pro se. (KMG) (Entered: 08/24/2009)
08/26/2009	<u>124</u>	ORDER denying <u>121</u> Defendant's pro se Revised Motion for New Trial as to Richard Steven Riess (1). Signed by Judge Susan R Bolton on 8/26/09. (MAW) (Entered: 08/26/2009)
08/27/2009	<u>125</u>	ORDER granting <u>123</u> Defendant's pro se Motion to Waive Document Fees as to Richard Steven Riess (1). Documents 109 and 120 and the docket sheet will be mailed to the Defendant along with this Order. Signed by Judge Susan R Bolton on 8/27/09.(MAW) (Entered: 08/27/2009)
09/11/2009	<u>126</u>	MOTION to Produce Transcripts of Closing Arguments by Richard Steven Riess. NOTE: Filed by Dft as ProSe; Dft has Appointed Counsel. (LSP) (Entered: 09/14/2009)
09/16/2009	<u>127</u>	ORDER - IT IS ORDERED granting Defendant's pro se <u>126</u> Motion for Production of Transcripts of Closing Arguments as to Richard Steven Riess (1). The transcript of closing arguments shall be prepared at government expense. Signed by Judge Susan R Bolton on 9/15/09. (SAT) (Entered: 09/16/2009)
10/08/2009	<u>128</u>	MOTION (REQUEST) for Expedited Production of Transcripts by Richard Steven Riess. (LAD,) (Entered: 10/09/2009)
10/23/2009	<u>129</u>	TRANSCRIPT filed as to Richard Steven Riess re: Jury Trial Excerpt-Closing Arguments (Pages 219-258) for date(s) of 11/05/08 before Judge Susan R. Bolton. Court Reporter: Gary Moll. Re <u>92</u> Notice of Appeal to 9th Circuit Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/13/2009. Redacted Transcript Deadline set for 11/23/2009. Release of Transcript Restriction set for 1/21/2010. (Cady, Elizabeth) (Entered: 10/23/2009)
10/23/2009	<u>130</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT <u>129</u> . (Cady, Elizabeth) (Entered: 10/23/2009)

10/26/2009	<u>131</u>	ORDER denying as moot Defendant's pro se <u>128</u> Motion for Expedited Production of Transcripts as to Richard Steven Riess (1). Signed by Judge Susan R Bolton on 10/26/09.(REW,) (Entered: 10/26/2009)
10/28/2009	<u>132</u>	NOTICE of Withdrawal of Attorney Brnovich by USA as to Richard Steven Riess (Parecki, Josh) (Entered: 10/28/2009)
03/01/2010	<u>133</u>	MOTION (REQUEST) for Declaration of Pro Se Status by Richard Steven Riess. (filed as pro se) (LAD) (Entered: 03/02/2010)
03/01/2010	<u>134</u>	NOTICE of Change of Address by Richard Riess: P624615, 3225 W Gibson Ln, Phoenix, AZ 85009 (LAD) (Entered: 03/02/2010)
03/04/2010	<u>135</u>	ORDER denying Dft's pro se <u>133</u> Motion/Request for Declaration of Pro Se Status as to Richard Steven Riess (1). To the best of the Court's knowledge, Defendant is represented by appellate counsel, James Park. Signed by Judge Susan R Bolton on 3/4/10.(KMG) (Entered: 03/04/2010)
03/23/2010	<u>136</u>	MOTION (Amended Request) for Declaration of Pro Se Status by Richard Steven Riess. (filed as pro se) (SAT) (Entered: 03/23/2010)
04/02/2010	<u>137</u>	ORDER denying Richard Steven Riess' <u>136</u> pro se Motion for Declaration of Pro Se Status. This Court is without jurisdiction while Dft's appeal is pending. Signed by Judge Susan R Bolton on 04/02/10.(ESL) (Entered: 04/02/2010)
04/29/2010	<u>138</u>	AMENDED MOTION for New Trial by Richard Steven Riess. (filed as pro se) (LAD) (Entered: 04/30/2010)
05/12/2010	<u>139</u>	Mandate of 9th Circuit as to Richard Steven Riess (certified copy), affirming the decision of the District Court, re: 09-10070 <u>92</u> Notice of Appeal (Attachments: # <u>1</u> Memorandum, # <u>2</u> NDA)(REW) (Entered: 05/12/2010)
06/17/2010	<u>140</u>	ORDER as to Richard Steven Riess: IT IS ORDERED directing counsel for the Government to file a response to Defendant's pro se Amended Motion for a New Trial <u>138</u> by June 23, 2010. Signed by Judge Susan R Bolton on 6/17/10.(MAW) (Entered: 06/17/2010)
06/23/2010	<u>141</u>	RESPONSE to Motion by USA as to Richard Steven Riess re <u>138</u> MOTION for New Trial (Parecki, Josh) (Entered: 06/23/2010)
07/02/2010	<u>142</u>	REPLY TO RESPONSE to Motion by Richard Steven Riess re <u>138</u> MOTION for New Trial (filed pro se) (REW) (Entered: 07/06/2010)
07/08/2010	<u>143</u>	ORDER denying <u>138</u> Defendant's pro se Amended Motion for New Trial as to Richard Steven Riess (1). Signed by Judge Susan R Bolton on 7/8/10. (MAW) (Entered: 07/08/2010)
10/28/2010	<u>144</u>	MOTION to Vacate under 28 U.S.C. 2255 (Related Case Nunber: CV-10-2330-PHX-SRB-ECV) by Richard Steven Riess. (Attachments: # <u>1</u> Exhibits) (HLA) (Entered: 10/29/2010)
01/18/2011	<u>145</u>	MOTION for Extension of Time to File Response/Reply as to <u>144</u> MOTION to Vacate under 28 U.S.C. 2255 by USA as to Richard Steven Riess. (Attachments: # <u>1</u> Text of Proposed Order)(Parecki, Josh) Modified on 1/19/2011 (LSP). DOCUMENT filed in error. (Entered: 01/18/2011)

01/19/2011	<u>146</u>	NOTICE TO FILER OF DEFICIENCY as to Richard Steven Riess re <u>145</u> MOTION for Extension of Time to File Response/Reply as to <u>144</u> MOTION to Vacate under 28 U.S.C. 2255 filed by USA. Description of deficiency: Document entered in wrong case. Re-file document in correct case, CV 10-2330 PHX-SRB(ECV). (LSP) (Entered: 01/19/2011)
09/29/2011	<u>147</u>	JUDGMENT as to Richard Steven Riess denying <u>144</u> Motion to Vacate (2255). IT IS ORDERED AND ADJUDGED adopting the Report and Recommendation of the Magistrate Judge as the order of this court; defendant's motion pursuant to 28 U.S.C. 2255 to vacate, set aside or correct a sentence is denied. Signed on 9/29/11. (Attachments: # <u>1</u> Order)(KAH) (Entered: 09/29/2011)

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