

CASE NO. 23-1029

IN THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT CINCINNATI, OHIO

UNITED STATES OF AMERICA,)
)
)
Appellee,)
) On appeal from the
vs.)
)
) U.S. District Court for the Western
BARRY CROFT, JR.,)
)
)
Appellant.)

On Appeal from the United States District Court
for the Western District of Michigan

APPELLANT BARRY CROFT, JR.'S BRIEF ON APPEAL

Timothy F. Sweeney (OH 0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY
The 820 Building, Suite 430
820 West Superior Ave.
Cleveland, Ohio 44113-1800
Phone: (216) 241-5003
Email: tim@timsweeneylaw.com

Counsel for Appellant Barry Croft, Jr.

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STATEMENT REGARDING ORAL ARGUMENT

Appellant Barry Croft, Jr. requests oral argument. See 6 Cir. R. 34 (a). This case involves a conviction for a “conspiracy” to commit federal kidnapping against the governor of Michigan and a “conspiracy” to use a “weapon of mass destruction,” where the entire thing was a government-directed and -produced scam, no one was kidnapped, the “victim” was aware of the hoax, no weapon was used, and no one was hurt. The issues include whether the evidence is sufficient for conviction of the “conspiracy” offenses, whether the government met its burden to disprove entrapment, whether a Remmer/Phillips hearing was mandated on Croft’s mid-trial claim of juror bias, and whether the trial court’s evidentiary rulings denied Croft his rights to present a defense and a fair trial. The case presents important and recurrent issues. Counsel believes oral argument will assist the Court in considering these issues and determining the outcome of this case.

JURISDICTIONAL STATEMENT

This Court's subject matter jurisdiction is pursuant to 28 U.S.C. § 1291. The district court had jurisdiction under 18 U.S.C. § 3231. A notice of appeal was filed in the Western District of Michigan on January 7, 2023 (R.808, Notice (PageID#10666)), from the judgment of December 28, 2022. (R.804, Judgment (PageID#10648-55).)

STATEMENT OF ISSUES

1. Whether Croft's conspiracy convictions are based on evidence that is insufficient as a matter of law, in violation of his right to due process.
2. Whether any rational trier of fact could have found, beyond a reasonable doubt, that Croft was predisposed to commit the alleged "conspiracy" offenses.
3. When Croft presented a colorable mid-trial claim of a juror's bias and perjury, whether the trial court's refusal to provide a Remmer/Phillips hearing denied Croft a meaningful opportunity to demonstrate jury bias, thereby requiring a new trial.
4. Whether the trial court prejudicially denied Croft's constitutional rights to present a defense, to introduce supporting evidence, to confrontation and effective cross-examination, and to a fair trial, when it arbitrarily and in violation of the Rules of Evidence barred evidence which was critical to Croft's defense and limited his cross-examination of government witnesses.
5. Whether the trial court's erroneous evidentiary rulings, detailed in Issue 4, are structural errors which mandate a new trial without regard to prejudice.

STATEMENT OF CASE

A. INDICTMENT & BACKGROUND

Croft was one of five men charged in a superseding indictment on April 28, 2021. It alleged four counts including a conspiracy to kidnap the governor of Michigan in violation of 18 U.S.C. 1201(a), and to use a “weapon of mass destruction” in violation of 2332a(a)(2). Croft was also charged with possessing an unregistered destructive device. (R.172, Super. Indictment (PageID#961-76).)

The other defendants were Adam Fox, Kaleb Franks, Daniel Harris, and Brandon Caserta. (Id.) Another defendant, Ty Garbin, had been charged in the initial indictment in December 2020; however, on January 27, 2021, Garbin pleaded guilty to the alleged kidnapping conspiracy, and was sentenced to 75 months, later reduced to 30 months. (R.535, Plea Transcript (PageID#4144-82); R.757, PageID#9963.)

There were two trials in the Western District of Michigan. The first was in March/April 2022. On February 9, 2022, before that trial, Franks pleaded guilty to the kidnapping “conspiracy.” (R.461, Plea Transcript (PageID#3403-41).) He got 48 months. (R.770, Judgment (PageID#10101-07).)

Trial 1 was from March 9 to April 8, 2022. Both Garbin and Franks testified for the government. The trial resulted in the acquittals of Harris and Caserta; but the

jury was unable to reach verdicts as to Croft and Fox, resulting in a mistrial.¹ (TT1-R.834, PageID#14098-100; R.622, PageID#6029.) Post-trial motions for judgment of acquittal were denied. (R.653, PageID#7816.)

Trial 2, against Croft and Fox, was on August 9-23, 2022. They were convicted of all counts. (TT2, PageID#16296.) Croft was sentenced to 235 months in prison; Fox got 192. (R.852, Trans. (PageID#16440-41); R.804, PageID#10648-54; R.801, PageID#10634-40).)

B. SUMMARY OF TRIAL EVIDENCE AS PERTINENT TO ASSIGNED ERRORS.

1. Croft's noisy, but harmless, shouts into cyberspace

The Spring of 2020 was a grim time for U.S. citizens; many were angry and disgusted. Covid lock downs and violent riots dominated news and emotions. Some reacted with angry words. In April 2020, Barry Croft—a 44-year-old from Bear, Delaware, who drove an Amazon truck—posted a message on Facebook: “All it’s going to take, one state, hang a governor.” And on May 25, 2020, he pondered on Facebook: “Which governor is going to end up dragged off and hung for treason first?” (TT2, PageID#15945-46.) The FBI had been watching Croft’s posts for years, and knew they were reliably hyperbolic and protected speech—all talk, no action. (TT2, PageID#14713-16, 14795-99.)

¹ The transcript of Trial 1 (“TT1”) is at R.817-835, PageID#10836-14106. The transcript of Trial 2 (“TT2”) is at R.837-847, PageID#14139-16304.

But other citizens in Spring 2020 *really did* resort to violence. The same week as Croft’s Facebook post, two lawyers in their 30’s—after texting each other about blowing up the NYC police headquarters and courts—threw pipe-bomb explosives into a police car in Brooklyn, blowing it up. For those real acts of violence, they will serve, respectively, 12 and 15 months in prison.²

As of Spring 2020, Delaware’s Croft had never actually met Michigan’s Adam Fox. Fox, in his 30’s, resided in Grand Rapids, in the basement of a vacuum store (the “Vac Shack”). Fox in the past had “liked” some of Croft’s internet posts and they were Facebook “friends,” cyberspace acquaintances, who had sometimes shared insta-messages via text/video. (TT2, PageID#14476-79, 14501, 15080-81; GX479/496 (Appx0133-0140)³.)

Fox had anti-government leanings and enjoyed attending pro-2nd Amendment rallies, such as at Michigan’s capitol building on April 30 and June 18, 2020. (TT2, PageID#14483-85, 14572-74, 15402, 15504-05.) There, he’d see members of a Michigan militia group: the Wolverine Watchmen. This included Dan

² B. Feuerherd, *Molotov cocktail-tossing lawyer sentenced to 15 months for torching NYPD car*, N.Y. POST (Nov. 18, 2022) (at: <https://nypost.com/2022/11/18/molotov-cocktail-tossing-urooj-rahman-gets-15-months-for-torching-nypd-car/>).

³ Trial exhibits cited herein which are in paper form are in the Appendix (“Appx.”). Trial exhibits cited herein which are audio/video recordings have been submitted on flash drives (four copies) as detailed *infra* in the Designations (p. 80).

Chappel and Ty Garbin; never Croft, who wasn't a Michigander. (TT2, PageID#14543-44, 14680, 15205-06, 15504-05.) Fox later met more Watchmen, four of whom, including Garbin, became co-defendants: Franks, Harris, and Caserta.

Like other Michiganders then, the Watchmen loathed Governor Whitmer including because of the State's hypocritical and incoherent COVID policies. They talked trash about her, laced with hyperbole and violence. (TT2, PageID#15074-76; GX21 (Appx0116).) One Watchmen member, Chappel, became turned off by some of their "memes." He told police and then promptly, in late March 2020, signed up as a paid undercover FBI agent/informant. (TT2, PageID#14648-49, 14668.) In his role, **Chappel** (hereinafter the FBI agents/informants who worked in the coordinated effort to create these alleged "crimes" are in **bold**) immediately became the "executive officer" or "XO," of the Watchmen. **Chappel's** texts, chats, and phone calls were viewed in real time by the FBI, and he secretly recorded all his communications with his Watchmen friends. (TT2, PageID#14544, 14610-11, 15061-70, 15201-203, 15213-15, 15390-95.)

Ultimately, **Chappel** was paid some \$54,000, mostly in cash by the FBI, for betraying his friends, plus a \$4,000 laptop. His primary handling agent was FBI Special Agent Jayson **Chambers**, who ran the operation (with SA Henrik **Impola**). **Chambers** yearned for this gig to be approved as a "terrorism enterprise investigation," or "TEI," the highest level, which would enable **Chambers** to use all

FBI resources against fellow citizens. (TT2, PageID#14556-57, 14618-20, 14641-43, 14699, 14809-10, 15194-96, 15293-300, 15385-89, 16082; TT1, PageID#13745.)

Too bad for **Chambers'** plans, the Watchmen didn't like Fox; he was obnoxious and lacked military skills. Fox was thus never part of the Watchmen. (TT2, PageID#15243-45, 15587-88, 15622-23.) Fox instead became associated with another makeshift Michigan group, created by the FBI, called the Michigan Patriot III%, which was comprised of Fox and one other, Sean Fix, who falsely claimed he'd been a Navy Seal. (TT2, PageID#14963-65, 14986, 15014, 15622-23.) The FBI also recruited agents/informants as leaders of other state's III% militia "groups," including **Jennifer Plunk** (Tennessee) and **Steve Robeson** (Wisconsin). (TT2, PageID#14635-39, 14665-67, 14695, 14756-58, 14830-31, 14970; DX1174 (Appx0165-0167).)

Croft was never a member of the Watchmen or the Michigan III%. From his home in Delaware, he harmlessly embraced an antigovernment philosophy and sometimes used III% symbols. He also had a III% tattoo on his hand and wore "boogaloo" Hawaiian shirts to show affinity for that pro-gun, anti-government group. (TT2, PageID#15086, 15179-83, 15702; GX91, GX332 (Appx0117, 0131).) Repulsive to some, but all protected First Amendment activity.

2. Dublin, Ohio

Fox and Croft might have never met in person, except for the FBI's orchestration of a meeting in Dublin, Ohio on June 6, 2020. **Robeson** had made himself president of the "national board" for III% Patriot Militia and was promoting Dublin as a national meeting. FBI agent **Kris Long** drove from Baltimore to Ohio to instruct **Robeson** on how to record the meeting, which **Robeson** did. (TT2, PageID#14521, 14578-81, 14717-23, 14751-55, 14835-46.) **Long** remained in Ohio to collect the recording.

Fox and Croft were among the attendees who engaged in stoned/drunken trash talk, including about taking a governor in exchange for a capitol building. Croft ranted about going into a bank and stripping employees naked, "rob[bing] the fu** out of [a] corporation," and blowing up "a yard full of police cars." (GX34(audio), GX39-40(audio); TT2, PageID#14725-28, 14771, 14846-57.) Croft was stoned on marijuana nearly all the time at the four events he attended in this case: Dublin, Peebles, Cambria, Luther. (TT2, PageID#14843-46, 14863, 15186, 15431-33.)

In addition to **Robeson**, the FBI deployed other agents/informants at Dublin, including **Plunk**. **Robeson** ran the meeting and, to incite attendees, did a lot of talking (much barred by the court's rulings). He told them they needed a plan. (TT2, PageID#14574-78, 14751-75, 14793, 14822-24, 14855-56, 15219-20; GX35 (audio).) But there was nothing but talk at Dublin. No plans.

3. Vac Shack meetings on June 20 and July 3, 2020

Shortly after Dublin, Fox asked some Watchmen to visit him at the Vac Shack on June 20, 2020. The handful of attendees included Garbin and **Chappel**, the Watchmen's XO, who had been ordered by **Chambers** to maintain ongoing recorded contact with Fox. **Chappel** drove them to the Vac Shack on the FBI's dime; he wore a live wire to broadcast back to **Chambers/Impola** in real time, *plus* a recording device. (TT2, PageID#14558-59, 14621-24, 15227-30, 15283.)

This was the first time **Chappel** met Fox. (TT2, PageID#14621, 15081-85, 15402-04.) Fox was hoping to unite Michigan's militias and brainstorm. Fox discussed an idea to assault the Michigan Capitol with 200 individuals and execute the governor. There was also talk of firebombing Michigan police cars. (TT2, PageID#15081-85, 15223-24, 15506-07.) Their ideas were ridiculous and were going nowhere. Nonetheless, as **Robeson** had done in Dublin, **Chappel** pushed Fox to come up with an objective. (*Id.*, PageID#15229-30.)

Despite the FBI's efforts, there was nothing but talk at the Vac Shack. (*Id.*, PageID#15585.) As a result, following that meeting, **Chambers** texted **Chappel** that he had to get Fox "focused" on expressing specific plans. (*Id.*, PageID#15230-32; DX1008-09 (Appx0141-0142).) What good is a TEI if the FBI can't get its targets to act like the "terrorists" the FBI is inciting?

Chappel thus began communicating *incessantly* with Fox at the FBI's direction, with dogged persistence, and at least daily! Most of **Chappel**'s communications were on live wires to **Chambers** and secretly recorded; **Chappel** also exchanged thousands of text messages with Fox, which were also real-timed back to **Chambers**. (TT2, PageID#15226-29.) **Chappel** had only sent 50 texts to Fox in June; but he sent 300 in July, and 400 or more in each of August and September. (TT2, PageID#15241-47.) Most of these communications—which are government admissions under FRE 801(d)(2)(D)—were barred at trial by the judge's rulings.

Chappel and **Chambers'** relentless snooping on Fox wasn't enough for the FBI's sharks looking to create "conspiracies." In late June, they deployed undercover agent **Mark Schweers**. Pretending to be "Mark Woods," **Schweers** approached Fox to be the third member of Michigan III%. (TT2, PageID#14906-15, 14939-40.) Like **Chappel**, **Schweers** made a pilgrimage to the Vac Shack, on July 3, and secretly recorded Fox ranting about his idea to attack Michigan's capitol. (TT2, PageID#14907-12, 14952-58.) **Schweers** had no knowledge of *Croft*; Fox didn't mention Croft, and **Schweers** had never heard of him. (*Id.*, PageID#14969.)

In fact, Croft wasn't present at or knowledgeable about Fox's Vac Shack meetings, nor of nearly all activities of the Michiganders during June to October 2020. (TT2, PageID#14888-91, 15398-405.)

4. FTX in Cambria, WI

Croft *did* attend a summer FTX in Cambria, Wisconsin during the weekend of July 10-12, 2020. FTX's are traditional events of military/militia units, from ROTC to National Guard, and they often mix field training with weekend fun, and did here. The Cambria FTX was organized by the FBI, via **Robeson**, who had been promoting it since Dublin's event. (TT2, PageID#14585-86, 14693, 14729, 14758-59, 15250-53.)

Chappel drove Watchmen members Garbin, Harris, Franks, and Caserta to Cambria, and back afterwards, all on the FBI's tab. ([Id.](#), PageID#15255-57.) The FBI was concerned that Croft might not make it to the FTX; so, they had their agent/informant, **Plunk**, travel from Tennessee to Delaware to ensure he did. **Plunk** thus rode to Wisconsin with Croft and his three young daughters; she stayed in their hotel room. ([Id.](#), PageID#14857-62, 15427-28.) The FTX activities were recorded by **Plunk**, **Robeson**, **Chappel**, and **Schweers**. ([Id.](#), PageID#14859-60, 15029, 15084-87, 15252-53.)

FBI's **Robeson** led the FTX and addressed the group at the beginning. ([Id.](#), PageID#15250-52.) Some attendees participated in military exercises which included the use of a plywood-constructed "shoot house," a routine aspect of militia training and used in prior FTX's run by **Robeson**. ([Id.](#), PageID#14864-66.) Most of the FTX, though, was devoted to sunshine, cookouts, and family fun. ([Id.](#),

PageID#14863-65, 15088-89, 15251-59, 16020-23.) Croft took a day trip with his three young daughters. (Id., PageID#16013-15.)

Croft enjoys tinkering with fireworks to make small explosives. He spent one of the afternoons, with ex-Marine Harris, trying to make a small explosive with a firework. But it didn't work. (Id., PageID#14740-42, 14788-89, 14868-69, 14875-76, 14918-20, 15703; GX97 (Appx097).)

Beginning at Cambria, and to facilitate the FBI's efforts to lure Fox and the Watchmen to the "conspiracy" the FBI was trying to create, **Chappel** and the other agents/informants were instructed to tell Fox and the targeted Watchmen that they could have free credit cards with a \$5,000 limit. Agent/informant **Robeson** would be the one to provide the cards. (Id., PageID#15171-72, 15300-08, 15435-36.) **Robeson**, already a felon, was eventually terminated as an agent/informant in November 2020 due to his commission of still more felonies during the TEI. (Id., PageID#14690-92, 15537-38, 15811-20; R.396, USA Opp. at 9-10 (PageID#2728-29).)

After a day of sunshine and marijuana on Cambria's Saturday, many of the attendees went to dinner at a local restaurant. Amidst the intoxicated conversations, Croft is heard on one of the hidden recorders talking about wanting to arrest the governor and put her on trial for treason. (TT2, PageID#15092-95, 15258-60; GX93/106 (audio).) He talked ridiculously about "shoot[ing] down every air ship

that breaches the f***ing airspace” and “chop[ping] trees down at every f***ing road that crosses from Ohio and Indiana into Michigan.” (GX106 (audio); TT2, PageID#15433-34.) Nonsensical talk; stoned out of his mind.

Croft went home after Cambria weekend. Despite the FBI’s best efforts, there was no plan to do anything.

5. Peebles, Ohio

The next event—also promoted by the FBI—was on July 18 in Peebles, Ohio. It lasted a few hours, and there was a sign-in sheet, reflective of the attendees’ naïve certainty that talking trash with likeminded Americans about politicians was protected speech. (TT2, PageID#15422-23; GX111 (Appx0119-0120).) Once again, **Robeson** ran the meeting; its purpose was for the FBI’s assets to try to solidify a “plan” before the election. Croft was there for part of the event, and Fox was too, but their attendance overlapped only in part. **Chappel** and **Plunk** were there, with **Robeson**, to instigate and record. (TT2, PageID#14581-84, 14659-60, 14889, 15097-99, 15259-60, 15422-45, 15703-04.)

As ordered by **Chambers**, **Chappel** challenged the Peebles attendees that FTX’s, while fun, are not enough: the group must get a direction! (TT2, PageID#15260-66, 15435-36.) Thus, as before, the FBI and its agents were seeking to lure these men from marijuana-infused trash talk to actually planning something that would destroy their lives. (Much of that evidence was barred, though).

But, lo and behold, **Chambers'** crime-instigators were disappointed again. Predictably, Croft raged about storming state capitols and blowing up police cars, blah, blah, blah, which was an absolute yawner to the FBI's assets who knew it was nonsense. (TT2, PageID#15512-14, 15703-04, 15771.) Fox babbled about courses of action that "us Michigan guys" might take against their governor, with "three routes," one of which would require "at least 300 fu**ing men" and was a tactical nightmare; another option was "her little fu**ing palace near Traverse City where she lifts all the fu**ing [Covid] bans and shit." (TT2, PageID#15102-04, 15514-15; GX113 (audio).) Because Fox had arrived late for Peebles, and Croft left early, Croft was gone by the time Fox made those statements. (TT2, PageID#15423-24.) Nonetheless, they went nowhere because, as **Chappel** admitted, the group was aimless and had no direction by Peebles' conclusion. (*Id.*, PageID#15435.)

Indeed, **Chappel** testified that, until at least the first half of *August 2020*, there wasn't any plan or agreement among *anyone*. (TT2, PageID#15435-36.) As late as *August 9*, Fox told **Chappel** that an exercise against a governor would require a team of 7 to 8 "absolute operators," and **Chappel** agreed they only had "about four." (*Id.*, PageID#15437; GX138 (audio).) And, as **Chappel** also admitted, *Croft wasn't one of the four*. At that mid-August point, per **Chappel**, the four—"the FBI Four"—were **Chappel**, **Schweers**, Fox, and Fix: i.e., two FBI assets, a fake Navy Seal, and Fox. (TT2, PageID#14988, 15040, 15056, 15437-38.)

This “TEI” was going *nowhere*, and **Chambers/Chappel and their team** thus accelerated their efforts to lure others to their FBI Four.

6. July through September: chats, texts, and other activities, but not with Croft

After Peebles on July 18, Croft had little to do with **Chappel, Robeson, Schweers**, Fox, or the Watchmen for almost *two months*. Had the FBI not persisted in creating “conspiracies,” the blustery relationship between Croft and Michigan’s militia members would have faded away

One of the FBI’s problems was that Fox and the Watchmen *despised Croft* and were happy he remained in Delaware. For example, when the Watchmen conducted their fun-filled FTX’s in Munith in June, Fowlerville in July, and Munith, Michigan again in August 2020, Croft was not present at, or invited to, any of those or similar Watchmen activities. (TT2, PageID#14703-08, 15392-421, 15590-92, 15610, 15655-59, 15746-78.) The **FBI** was at them, but not Croft.

Nor was Croft involved in the *incessant* texting/“chatting,” including during July-September 2020, which occurred by and between **Chappel, Schweers, Robeson, Plunk**, Fox, the Watchmen (e.g., Harris, Caserta, Garbin and/or Franks), and others. They conducted their “chatting” on encrypted networks like “Wire” and “Threema.” (TT2, PageID#14607-21, 14661-68.) As presented at Trial 1, FBI analysts logged thousands of those texts/chats; **not one was to or from Croft.** (TT1-

R.826, PageID#12860-88; GX422 (Appx0105-0115).) Croft thus did not know what they were doing/saying in Michigan. (TT2, PageID#15416-21, 15783-85.) In fact, these much younger/fitter men dismissed Croft (in his mid-40's) as a “stoner pirate kind of whack nut looking dude.” (TT1, PageID#13608.) The FBI’s assets were even blunter: they called Croft “bonehead,” “moron,” “pussy.” (TT2, PageID#14801-04, 16096.) Fox, especially, did not like or trust Croft, telling **Chappel** as late as *September 7, 2020*, that he believed Croft was a “fed.” (TT2, PageID#15442; GX215 (audio).)

Unknown to Croft, therefore, **Chambers**, **Schweers**, and **Chappel** were inciting Fox in July/August to express his wild ideas for FBI-involved chat rooms and recordings. (TT2, PageID#14610, 15319-20.) In one, on August 1, Fox told **Schweers** that he’d like to do a recon of Whitmer’s locations in Lansing, Traverse City, and Mackinaw, and **Schweers** volunteered to check it out. (TT2, PageID#14925-27, 14991-97.) Fox also referenced sending “cupcakes,” his slang for an explosive. To encourage Fox, **Chappel** contacted him on August 3 and volunteered to start digging up information; **Chambers** and **Impola**, champing at the bit, sent agents to Mackinaw to take photos for Fox. (TT2, PageID#14926-28, 15316-18.)

Many of Fox’s ideas ranged from ludicrous to trivial, such as doing a “snatch and grab” of the governor from Mackinaw Island with a Black Hawk helicopter,

supposedly to be stolen from a military base by the fake Navy Seal. Or his idea to use two stolen boats, rendezvous in Lake Michigan and leave the governor in one, to make her endure a “massive inconvenience” before security picked her up. (TT2, PageID#14994-15008, 15057, 15646.) (Defendants’ efforts to further expose these and other ludicrous “plans” were shut down by the court).

Seeing their big-deal TEI floundering, the FBI in August was reduced to ordering their agents/informants to build up Croft with the group and work at holding it together. **Long** ordered **Plunk** to “keep working to try to solve differences in the group,” push for “compromises,” and convince “them that they were brought together by Croft and he has good ideas.” (DX1098-99 (Appx0163-0164); TT2, PageID#14876-88.) **Long** admitted: “we felt that if Mr. Croft was removed from the group the plan of *whatever they were planning* would fracture.” (*Id.*, PageID#14887.)

Woe to their TEI if the fake crimes they were creating—“*whatever they were*”—petered out on their own.

7. Daytime drive-by of the Michigan cottage on 8/29/20

Chappel and **Schweers**’ idea to do a recon of the governor’s cottage was front-and-center for **Chambers**’ TEI for most of August. Croft had nothing to do with that “recon” and was not even aware of it. It was an FBI operation with Fox as patsy. (TT2, PageID#15317-23, 15414-15.)

Chambers ordered **Chappel** to start hounding people to get it lined up and he directed **Chappel** whom to invite. Nearly everyone **Chappel** asked—e.g., Harris, Caserta, Garbin—begged off. It wound up being only **Chappel**, Fox, and one other (Eric Molitor). (TT2, PageID#15314-35; DX1019-28 (Appx0143-0152).)

Chambers and **Chappel** set the date. **Chambers** coordinated with the governor and her staff so that the date and time were convenient for her. (TT2, PageID#14626-27, 14642, 15116-139, 15320-30.) Thus, on the afternoon of Saturday, August 29, **Chappel** drove Fox and Molitor, on the FBI's dime, for a viewing that went past the governor's cottage in Elk Rapids. (TT2, PageID#15116-20, 15320-30, 15415-16.) FBI surveillance teams were there taking pictures; pole cameras were in place. Even the pretend “victim”-governor and her “detail” were in on this alleged “overt act,” but not Croft.

After the drive-by, **Chappel** purchased lunch for Fox and Molitor, at the aptly named Bull Tavern. During lunch **Chappel** gave Fox a pen and paper and told Fox to draw a map of where they'd been, all while the FBI photographed Fox from another booth in the restaurant, so they could use it against Fox at trial. (TT2, PageID#15329-31, 15439-41; GX187, DX1055-56 (Appx0127, 0159-0160).)

After lunch, **Chappel** drove Fox and Molitor to the boat launch—a small concrete slab, DX1059 (Appx0162)—across Birch Lake from the cottage. There, Fox smoked pot and enjoyed the afternoon with a young woman he met there.

Meanwhile, **Chappel** connived to take photos of Fox—stoned as can be, trying to make his ball cap work as a periscope—to be used against Fox when he was prosecuted for the FBI-orchestrated hoax. (TT2, PageID#15335-36, 15440-41; DX1058-59 (Appx0161-0162).)

The very next day, **Chappel** texted one of the purported “conspirators” (Garbin) to push the idea that they might want to get some explosives to “blow up” the bridge on I-31 in Elk Rapids, not far from the cottage; this would supposedly delay police response. (TT2, PageID#15340-43, 15594-97.) This was a genesis of the ridiculous “weapons of mass destruction” charge manufactured against two guys—Fox and Croft—who couldn’t “blow up” a cardboard target if their lives depended on it, much less a concrete interstate bridge. (GX232 (Appx0129).)

That same day, **Chambers** instructed **Chappel** to have Fox post his pictures from the August 29 drive-by on their chat channels. (TT2, PageID#15341-43, 15438-39; GX175/178, DX1030 (Appx0123-0126, 0154).) Croft was never on those channels, so he was unaware of these activities. (TT2, PageID#15438-39, 15708-09.)

And with eyes likely on the election calendar, **Chambers** in August directed **Chappel** to start promoting with Fox the FBI’s planned *nighttime* drive-by of the cottage. **Chambers** wanted this “overt act” to occur during FBI’s long-planned FTX in Luther, Michigan on September 11-13. (TT2, PageID#15342-46; DX1031-32

(Appx0155-0156).) **Chappel** told Fox to invite Croft, all as part of **Chambers/Chappel/Plunk's** efforts to overcome the group's distrust of Croft. (TT2, PageID#15344, 15442-44; GX215 (audio).)

8. FTX in Luther, MI

The Luther FTX was on September 11-13. (TT2, PageID#15520, 15709.) It was planned by **Robeson** and **Chappel** back in July during **Robeson's** Cambria FTX, which was when they first invited Croft. ([Id.](#), PageID#15443-44.) Croft drove from Delaware with his girlfriend for another weekend of family fun and harmless militia training. ([Id.](#), PageID#14889-90, 15183-84, 15515-20.)

There were at least *five* of the FBI's scammers at Luther to egg on the FBI's floundering kidnapping plot against its cooperating pretend “victim.” This included **Chappel, Robeson, Schweers, Plunk**, and FBI undercover agent **Tim Bates**, known as “**Red.**” (TT2, PageID#14928-30, 15148, 15776-77, 15829-31.) **Long** directed **Plunk** to try and convince Croft to stay at the Luther site, and not a hotel, to help refute the belief that Croft was a “fed.” ([Id.](#), PageID#14886-87.) It didn’t work: Croft stayed at a Super 8 in Big Rapids, 45 minutes away. ([Id.](#), PageID#15148-49, 15190-91.)

As with other FTX’s run by **Robeson** and the FBI, this FTX likewise had a “shoot house” to practice militia drills. (TT2, PageID#15514-18, 15642-45; GX135/172 (Appx0121-0122).) It used blue tarps to simulate doorways and walls;

it was makeshift and generic. Claims that it was a mock-up of the governor's cottage were nonsense. (TT2, PageID#15010-12, 15521-22, 15645, 15710-11.) Plus, there was no evidence *Croft* ever once used the Luther shoot house. (*Id.*, PageID#14936, 15053-54).)

As during Cambria weekend, Croft enjoyed making a small explosive from a firework, adding pennies to act like shrapnel. (TT2, PageID#14745-46, 15926-29.) It went “boom,” with green and purple, like a firework. (*Id.*, PageID#15184, 15654-55, 15728-29.) Demonstrating Croft’s hobbyist purpose—but inept technique—the pennies were later found, by FBI experts, to have travelled 2-3 *feet* from the small boom’s center. (*Id.*, PageID#15928.)

“Weapons of mass destruction.” What a farce!

The FBI undercover agent **Bates**, pretending to be **Chappel**’s friend “**Red**,” let the attendees know *he* could supply explosives. To lure Fox into the FBI’s “WMD” hoax, **Chambers** et al. made a video for **Bates** which showed a small improvised explosive device (IED) blowing up a car. (TT2, PageID#15854-55, 15884-85; GX224-25 (video).) No one had asked **Bates** to do so, but he insisted on showing a group of attendees, including Fox and Croft, this FBI-made video on his cellphone. (*Id.*, PageID#15522-24, 15829-37, 15883-87.) **Robeson** and **Plunk** loudly raved about it as per their instructions to lure their targets to talk for the secret recordings. (*Id.*, PageID#15877-78.) The stoner Croft was described as “excited” to

see the video, albeit that alleged reaction was not captured on any recordings. (Id., PageID#15523-24, 15836-37, 15884-90; GX226-27 (audio).)

Nonetheless, the video showed a small IED for enflaming a car. It would be useless against the concrete I-31 bridge suggested by **Chappel**.

9. Nighttime drive-by of the Michigan cottage on 9/12/20

One of **Chambers'** goals for Luther weekend was to conduct the FBI's second preplanned drive-by of the governor's cottage, this one at night. The FBI's case team discussed their plan the night before. **Chappel** and **Chambers** had been planning it since before the FBI's first drive-by on August 29. (TT2, PageID#15342-46, 15890-91; DX1031-32 (Appx0155-0156).) As on August 29, the pole cameras were in place; **Chambers** would have again coordinated with the pretend "victim" and her "detail." (TT2, PageID#15320-23, 15971-73.)

Not wanting such a sparse turnout as August 29, the FBI arranged for *three* cars to participate this time, all driven by FBI assets or their associates. **Chappel** lined people up to go. (TT2, PageID#15046-48, 15524-27, 15602.) It took place at 10 p.m. on 9/12/20. The FBI's assets drove 45 minutes south from Luther to pick up Croft at the Super 8 and bring him back north for the excursion to Elk Ridge. All three people in the car which fetched Croft were FBI plotters: **Chappel**, **Bates**, **Robeson**. (TT2, PageID#15046-48, 15148-56, 15524-25.) Realizing this nighttime drive had been hurriedly arranged for all except FBI plotters and Fox, both **Robeson**

and **Bates** asked **Chappel** whether Croft knew what was happening. (Id., PageID#15448-49, 15891-92.)

Indeed.

The three cars met up at a VFW, where each was given a task. The car driven by **Chappel** was to go to the boat launch; the one driven by Brian Higgins (**Robeson's** right-hand from Wisconsin) was to drive past the governor's cottage; the one driven by **Schweers** was to drive around the area. (TT2, PageID#14931-33, 15047-49, 15148-56, 15363-69, 15443-47.) For his part, Croft was shuffled into the back seat of **Chappel's** car with **Robeson** and Fox; **Bates** was in the front seat with driver **Chappel**. As per the FBI's plan, **Chappel** stopped at the I-31 bridge, where **Bates** led Fox down a tourist walkway to the bridge's underside. **Bates** told Fox to bring his phone so he could take a photo, to later use against Fox at trial; they were there for a minute. (TT2, PageID#15150-58, 15363-69, 15842-45, 15863-64, 15892-93; GX230/232-33 (Appx0128-0130).) Croft never left the car's backseat as **Chappel** circled the block to pick up **Bates** and Fox. (TT2, PageID#15150-51, 15444-47.) **Chappel** then drove to the boat launch per the FBI's plan.

The car with Higgins, Garbin, and Franks tried to find the cottage, but they had the wrong address and never did. That made the trip a "waste of time." (TT2, PageID#15526-31, 15719.) Nonetheless, **Chambers** also wanted them to flash a flashlight to see if **Chappel** and his passengers, at the boat launch across the small

lake, could see the light. At least that part of the excursion worked, as of course it would because, at that late hour, a flashing light could be seen for miles. (TT2, PageID#14627, 15150-54, 15363-65, 15526-29, 15717-23, 15842-51, 15865-70.) After this failed excursion, Croft went to his hotel for bed.

The next day, back at Luther, Fox spoke with some of the group about perhaps getting an explosive, of undetermined type, from “**Red**,” whose cost, “**Red**” promoted, might be \$4,000. (TT2, PageID#14697-98, 15160-63, 15874-76.) Croft made no commitment, suggested his eyes were “poppin” at the cost, and never provided so much as a dime. (TT2, PageID#14710-12, 15602-05, 15899-901.)

Some of the FBI’s agents/informants, Fox, and others—but not Croft, whom they thought was a “fed”—talked about having another FTX in November. They disagreed about whether that would be before or after the election. (TT2, PageID#15162-64.) Later in September/October, they continued those discussions in their texts/chats. But Croft was never part of those chats. (TT2, PageID#15451-55, 15655-56, 15729; GX443 (Appx0132).)

10. The ruse to buy gear; the arrests.

Following the failure of the September 12th “drive by,” **Chappel** and **Chambers** enhanced the pressure to avoid collapse of their incipient “kidnapping” scheme, as exemplified to them by apathetic and distracted Croft. Croft was back home in Delaware. Summer over, his daughters were in school and he was driving

his truck. He had no plans to be in Michigan again, much less to “kidnap” anyone. (TT2, PageID#15163-71.) *If* there were *any* communications with Croft, after Luther, they were trivial. (*Id.*, PageID#15451-54.)

Thus, by the end of September 2020, with the air rushing out of the FBI’s plan, **Chambers** instructed **Chappel** to have Fox meet soon with **Bates**/“**Red**” in Ypsilanti, Michigan, with the hope Fox would bring **Bates** a small “good faith” deposit for the explosive **Bates** had promoted. (TT2, PageID#14631-34, 15166-67, 15370-74, 15455-57; GX276 (audio); DX1034/1037 (Appx0157-0158).) To lure Fox to Ypsilanti, **Chappel** told Fox that **Bates**/“**Red**” would provide free tactical gear for the men and they’d get free lunch/beers at BW3. (TT2, PageID#15455-57.)

On October 7, **Chappel** drove Fox (and Garbin, Franks, Harris) to Ypsilanti to collect the free gear. (TT2, PageID#14631-34, 14709-12, 15163-71, 15370-77, 15455-58.) Instead of free gear and chicken wings, Fox, Garbin, Franks, and Harris were arrested. (TT2, PageID#15168-71, 15460-62, 15558-60.) They didn’t make *any* payments to **Bates**/“**Red**” or receive *any* “explosive” from **Bates**/“**Red**.**”** (*Id.*, PageID#14635-36, 14710-12, 15377.)

Croft was not even part of this ruse Michigan trip and knew nothing about it. He was arrested the next day in New Jersey at a Wawa gas station. (*Id.*, PageID#14710-12, 14746, 14893.)

The day after the arrests, the politicians bragged about the trap they'd set for these Americans. The FBI's purported "victim," Whitmer, who was never in danger, knew about the FBI's "kidnapping" hoax and received regular updates for months. She blamed President Trump.⁴

SUMMARY OF ARGUMENT

This "kidnapping" and "WMD" farce was a government operation from start to finish. The FBI and its tightly controlled paid informants orchestrated the whole thing. Like a Broadway show, government agents served as producer, director, script writer, choreographer, photographer, principal actors, and dancers. Even the supposed "victim" was in on the act.

Produced as a purported "conspiracy," this show flopped as to Barry Croft under the hornbook law its producers disregarded. Despite getting a *second* run, following Trial 1's acquittals of Harris and Caserta, the government failed to meet its burden of proof on essential elements of the two "conspiracy" counts against Croft.

⁴ T. Barrabi, *Michigan Gov. Whitmer was aware of kidnapping plot, state AG says*, FOX NEWS (Oct. 9, 2020) (at: <https://www.foxnews.com/politics/michigan-gov-whitmer-aware-kidnapping-plot-militia>); E. Lawler, *Whitmer Knew of Kidnapping Plot for Weeks*, MLIVE (Oct. 9, 2020) (at: <https://www.mlive.com/public-interest/2020/10/whitmer-knew-of-kidnapping-plot-for-weeks-she-tells-cnn.html>).

The government's own witnesses testified that mid-August 2020 was the earliest there was any alleged "agreement" to "kidnap" anyone, and *that* "agreement" was only among government agents and one or more of the Michiganders (two of whom were *acquitted* in Trial 1). The record is devoid of evidence that Croft was a party to that August "agreement" or even knew of it, including because his involvement with the Michiganders was limited to only the four events, and three of them (Dublin, Peebles, Cambria) had long *predated* the alleged August "agreement." Croft's attendance at the Luther FTX on September 11-13, and his innocuous activities there, do not suffice to make him a participant in whatever "agreement" was allegedly formed in August 2020, nor did Croft become a "conspirator" by being in the backseat of one of the FBI's cars during the FBI's drive-by on September 12th.

Due to these and other deficiencies, the evidence is insufficient to prove any alleged "conspiracy" against Croft. Nor did the government meet its burden to overcome Croft's defense of entrapment. No rational trier of fact could have found that Croft was predisposed to commit the alleged "conspiracy" offenses. All five factors the Court evaluates for determining predisposition support Croft's defense.

Aside from the insufficient evidence, Croft's trial was grossly unfair and his constitutional rights repeatedly denied. On the second day of testimony, Croft presented a colorable and plausible claim that one of the jurors was biased, had

prejudged Croft's guilt, and was bent on subverting the trial's fairness. The trial court failed to take seriously these credible allegations, thereby injecting structural error. It conducted superficial *ex parte* review, refused to dismiss the juror, and failed to grant a Remmer/Phillips hearing at which the juror and other witnesses could be questioned under oath by Croft's counsel. The court thereby failed to afford Croft any meaningful opportunity to demonstrate jury bias, mandating a new trial.

Finally, having been unwittingly ensnared by such overwhelming government resources directed *at him*, Croft sought to defend in part by demonstrating the oppressive government inducement and his lack of predisposition for the "conspiracy" scam the FBI and its agents pushed. He wanted to present, for example, numerous relevant texts, recorded statements, and other communications by and between **Chambers, Impola, Schweers, Long, Bates/"Red," Chappel, Robeson,** and/or **Plunk**, and likewise between these agents/informants and the alleged "conspirators," all as admissions of the government and for truth under FRE 801(d)(2)(D). The trial court shut down much of that evidence and thereby, in that and other ways, prejudicially denied Croft's constitutional rights to present a defense, to confrontation and effective cross-examination, and to a fair trial.

ARGUMENT

I. CROFT'S "CONSPIRACY" CONVICTIONS ARE BASED ON EVIDENCE THAT IS INSUFFICIENT AS A MATTER OF LAW, IN VIOLATION OF DUE PROCESS.

A. Standard of review.

The Due Process Clause protects against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the charged crime. Jackson v. Virginia, 443 U.S. 307, 315 (1979). The test is whether any rational trier of fact, viewing the evidence in the light most favorable to the prosecution, could have found the elements of the crime beyond a reasonable doubt. The sufficiency issues were raised via Croft's Rule 29 motions (TT2, PageID#16033-42, 16141-44), and are reviewed *de novo*.

B. The evidence was insufficient for conviction.

1. The kidnapping "conspiracy"

The essence of any conspiracy is an "agreement" between two or more people to commit an unlawful act. Iannelli v. United States, 420 U.S. 770, 777 & n.10 (1975). Where the statute requires an overt act—as here, with kidnapping under 18 U.S.C. 1201—the government must prove three elements: (1) the existence of an agreement to commit an unlawful act, *i.e.*, the federal offense of "kidnapping"; (2) the defendant's knowledge and intent to join the conspiracy; and (3) an overt act to

effect the conspiracy and constitute actual participation in it. United States v. Blackwell, 459 F.3d 739, 760 (6th Cir. 2006).

The government failed to prove essential elements of its alleged “kidnapping conspiracy.” As to Croft, the core requirement of an “agreement” is lacking. The government’s own witnesses conceded that there was no agreement to do anything until at the earliest the middle of August 2020. But that did *not* include Croft as they also conceded: only at most **Chappel, Schweers**, Fox, Fix, and maybe one or more of the Watchmen, two of whom were acquitted in Trial 1 (Harris and Caserta) and the other two chose to plead guilty for their own reasons (Franks and Garbin). **Chappel** testified that, as of that time in mid-August, “we were building up a plan of action to present to Barry Croft.” (TT2, PageID#15438.) Yet, despite thousands of hours of recordings, there is no evidence that **Chappel** or anyone presented a “plan” **to Croft** or that he agreed. (*Id.*, PageID#15438-39.)

The only possible evidence of Croft’s involvement, after mid-August, is that he attended the FBI’s Luther weekend, on September 11-13, at the invitation and encouragement of FBI agents/informants. The only other three events in which Croft had participated were Dublin (June), Peebles (July), and Cambria (July), but all those took place long before the mid-August timeframe which is the *earliest* the government’s own evidence suggests there was *any* kind of “agreement” among some “conspirators” (but not Croft). Nor did Croft participate, during *any* relevant

time, in any of the thousands of encrypted texts/chats and other communications, largely instigated by the FBI and its agents/informants **Chappel, Robeson, and Plunk**, with Fox, Garbin, Franks, Harris, Caserta, etc., much less did Croft do so from August 1 through Luther on September 11-13; nor did he do so from September 11-13 until the arrests on October 7/8, 2020. There is, therefore, amongst those communications, no evidence of Croft's alleged "agreement" to commit "kidnapping" (or a "WMD" offense). He also wasn't involved in, or even *aware of*, the FBI's August 29 drive-by of the cottage and the shenanigans to lure *Fox* to the boat launch.

That leaves *only* Luther weekend. But here, too—and remembering the standard is *beyond a reasonable doubt*—the evidence is insufficient as to Croft. He stayed in a hotel 45 minutes away, despite the FBI agents/informants' efforts to lure him to the Luther site. As at Cambria, Croft participated in the camaraderie of militia culture and he got one of his firecrackers, with some pennies attached, to harmlessly go "boom." His activities that weekend were completely innocuous. There were at least five FBI agents/informants at Luther—**Chappel, Robeson, Plunk, Schweers, Bates/"Red"** (TT2, PageID#15776-77)—and yet there are no recordings of Croft supposedly agreeing to the "kidnapping" plan which **Chappel** claimed they were working up with Fox.

The evidence, indeed, was that Fox and his alleged non-FBI confederates (Franks, Garbin, Harris, Caserta) did not like or trust Croft including because they thought he was a “fed.” Only the *FBI’s deceivers* were keen on Croft, and that was because they wanted to lure him into an FBI-concocted crime against a pretend “victim.” This dynamic further refutes that Croft made any “agreement” with any of the alleged “conspirators,” and vice versa, and explains the absence of such evidence as to Croft. To be sure, Croft socialized with them and they expressed together some of the same like-minded antigovernment hyperbole including against Whitmer. However, “[m]ere knowledge, approval of or acquiescence in the object or the purpose of the conspiracy, without an intention and agreement to cooperate in the crime” is not sufficient to make one a conspirator. United States v. Williams, 503 F.2d 50, 54 (6th Cir. 1974); United States v. Falcone, 311 U.S. 205, 207 (1940). “A conspiracy cannot be thrust upon a member, but instead must be purposely and voluntarily joined; there ‘must at some point be a meeting of the minds in the common design, purpose, or objects of the conspiracy.’” United States v. Nall, 949 F.2d 301, 306 (10th Cir. 1991) (quoting United States v. Butler, 494 F.2d 1246, 1249 (10th Cir. 1974)). Conspirators will also have a degree of mutual trust attendant to their shared stake in the venture. Direct Sales Co. v. U.S., 319 U.S. 703, 713 (1943).

No such credible evidence was presented as to Croft, not at *any* point in time in 2020 and thus not after mid-August’s date of the **Chambers/Chappel**-incited

alleged “agreement” by some. Croft’s purported “co-conspirators” did not like or trust him. He was not included in most of their events and in none of their texts/chats; and, although they tolerated his presence at the two FTX’s, they generally viewed him with derision. ***There is no evidence Croft ever reached a “meeting of the minds” with anyone, as essential for the alleged “kidnapping” “conspiracy.”***

Croft’s presence during the FBI’s 9/12/20 nighttime drive-by, during Luther weekend, is typical of his peripheral status. He was there *only* because the FBI insisted on driving 45 minutes out of the way to Croft’s hotel and thereby ensure that Croft was in the backseat of one of the FBI’s cars—like it or not—when **Chappel** drove by the bridge. Croft never left the backseat, never “set eyes” on the bridge (only **Bates** and Fox walked down), and, for all *that* evidence shows, Croft may have been *asleep* from his day of partying. Yet it is supposedly relied upon as evidence of “conspiracy.” It is not; at most, it shows that Croft was present during an “overt act” to effect an agreement which **Chappel** and Fox (and maybe some Watchmen) may have formed by that 9/12/20 date, but not Croft. An accused’s mere presence at one or more alleged “overt acts” is “insufficient to sustain a conspiracy conviction,” Williams, 503 F.2d at 54, in the absence of proof that such person had already purposely and voluntarily agreed to be part of that alleged “conspiracy.” Marino v. United States, 91 F.2d 691, 695 (9th Cir. 1937) (“[A]n accused must join in the agreement to be guilty [under the conspiracy statute], for even if he commits an overt

act, he does not violate the statute unless he joined in the agreement.”); United States v. Hirsch, 100 U.S. 33, 34 (1879).

Under that same rule and hornbook conspiracy law, *any* alleged act—of *any* so-called “conspirator”—which occurred *before* the formation of an actionable conspiracy agreement by such persons, is not an overt act for these purposes. The alleged conspiratorial agreement necessarily must be independent of and prior to an “overt act” which seeks to effect that alleged unlawful agreement; this rule eliminates, as “overt acts” in this case, any acts of Fox and the Watchmen which occurred *before* mid-August 2020, and also of Croft at *any time* because he was never part of that alleged mid-August agreement or *any* agreement. See, e.g., Hall v. United States, 109 F.2d 976, 984 (10th Cir. 1940) (“The overt act must be a subsequent independent act following the conspiracy and done to carry into effect the object thereof.”); Wilson v. United States, 275 F. 307, 314 (2nd Cir. 1921); Pearlman v. United States, 20 F.2d 113, 114 (9th Cir. 1927). That is also the import of the plain language of the kidnapping statute: it requires proof of an “overt act to *effect the object* of the [foregoing actionable] conspiracy.” 18 U.S.C. 1201(c).

Even assuming, *arguendo*, that the law would allow an “agreement” to be found from Croft’s presence during the FBI’s 9/12/20 drive-by, or his presence during Luther weekend to, for example, view and express excitement about **Bates/“Red’s”** “bomb” video, that “agreement” is not independent of these same

alleged overt acts, and thus fails the independence requirement. Plus, it is at most an agreement between Croft and government agents—i.e., **Chappel/Robeson/Bates** who dragged Croft along on the drive-by, and **Bates/“Red”** as to the “explosive.” An agreement that is exclusively between Croft and government agents cannot establish an actionable “conspiracy” as to Croft. See, e.g., Sears v. United States, 343 F.2d 139, 142 (5th Cir. 1965).

Finally, the alleged kidnapping “conspiracy” fails at another basic level: there is no proof of federal kidnapping’s essential element of the target’s lack of consent. “The victim’s lack of consent is a fundamental element of kidnapping.” United States v. McCabe, 812 F.2d 1060, 1061 (8th Cir. 1987). See Chatwin v. United States, 326 U.S. 455, 464 (1946). The jury was so instructed. (TT2, PageID#16164.)

Without sufficient proof of the target’s absence of consent, a purported “kidnapping” is not an unlawful act. As such, a “conspiracy” *premised* on such a “kidnapping” fails for lack of the requisite “unlawful act.” Salinas v. United States, 522 U.S. 52, 65 (1997) (“A conspirator must intend to further an endeavor which, if completed, would satisfy all of the elements of a substantive criminal offense.”).

In Love v. People, 160 Ill. 501, 43 N.E. 710 (1896), the court said:

It is safer law and sounder morals to hold that, where an owner arranges to have a crime committed against his property or himself, and knows that an attempt is to be made to encourage others to commit the act and others to be led into and encouraged in its commission by acting in concert with such owner, no crime is thus

committed.

Id. at 508-09. For certain crimes, including kidnapping, “consent to the criminal act by the person injured eliminates an essential element of the offense.” State v. Burnette, 242 N.C. 164, 170-71, 87 S.E.2d 191, 195 (1955). See also Connor v. People, 18 Colo. 373, 377, 33 P. 159, 160 (1893) (for crimes where lack of consent is an element, and “supposing the consent really to exist,” “there is no legal crime committed, though the doer of the act did not know of the existence of the circumstance which prevented the criminal quality from attaching”).

These principles apply here. The government’s own evidence shows that the purported “victim” was involved with the “kidnapping” hoax and, at least through her agents, cooperated with its planning, execution, and performance. The alleged “overt acts” of the 8/29/20 and 9/12/20 drive-bys of the governor’s cottage were done only with the prior approval of, and coordination with, the governor and her detail. As **Chappel** testified, the 8/29 event was entirely dependent on when it was convenient for them (TT2, PageID#15320-23), such that the “victim” was “arranging to have a crime committed against [her] property or [herself].” Love. When a purported “kidnapping” plot has this level of coordination with the supposed “victim”—who did not testify—the government failed to meet **its burden** to prove lack of consent. Its evidence suggests the opposite.

2. The WMD “conspiracy”

The WMD “conspiracy” fails for many of the same reasons. There is no evidence of an “agreement” involving Croft to obtain or use a WMD against the bridge or anyplace else; no agreement before mid-August and none after.

Croft’s viewing of the FBI video and showing “excitement” when watching it (as claimed by **Bates** and Garbin), is innocuous and insufficient to prove an agreement. His presence for the 9/12/20 drive-by is at most attendance at an overt act of a “conspiracy” he never joined, which, as detailed above, is not sufficient to make him a “conspirator” absent sufficient proof of his meeting of the minds with the persons alleged to be “conspirators.” What is more, Croft never contributed so much as a nickel to the FBI’s WMD lark, and he was not part of the “ruse” trip to Ypsilanti. He was again on the periphery—in the backseat—uninformed about what the Michiganders were being incited to do by **Chambers/Chappel/Robeson et al.**

3. Entrapment

Even assuming *arguendo* there is sufficient proof of “conspiracy” against Croft, the government *still* failed—where the court submitted Croft’s entrapment defense to the jury—to meet its burden to prove that Croft was “disposed to commit the criminal act prior to first being approached by Government agents.” Jacobson v. United States, 503 U.S. 540, 549 (1992). The defendant’s burden of *production*, for entrapment to go to the jury, has two parts—inducement and predisposition. But

predisposition is the ““principal element’ of entrapment. Inducement is merely the threshold inquiry for whether ‘the defense of entrapment is at issue.”” United States v. Cabrera, 13 F.4th 140, 147 (2nd Cir. 2021) (quoting Jacobson at 549 and Mathews v. United States, 485 U.S. 58, 63 (1988)).

No rational trier of fact could have found, beyond a reasonable doubt, that Croft was predisposed to commit the alleged “conspiracy” offenses. United States v. Anderson, 76 F.3d 685, 690 (6th Cir. 1996). There are five factors the Court evaluates for determining predisposition. United States v. Nelson, 922 F.2d 311, 317 (6th Cir. 1990). All five strongly show that Croft was entrapped.

The first—Croft’s character and reputation—favors Croft. At all relevant times, Croft was a truck driver raising three young daughters. He had a modest criminal record (not in evidence in Trial 2), which involved offenses from decades ago when he was 19-21 years old, and for which Delaware’s governor pardoned him. (R.773, PSR ¶¶ 125-30 (PageID#10184-88).) Now in his 40’s, he enjoyed his unconventional—but constitutionally protected—political views. And he would freely express them, as at Peebles and Dublin, sometimes to include provocative and lusty statements of hatred, animosity, criticism, and political hyperbole about politicians including Whitmer. All of his speech in those respects is at the *core* of First Amendment protection no matter how “vehement, caustic[,] and sometimes unpleasantly sharp.” N.Y. Times Co. v. Sullivan, 376 U.S. 254, 270 (1964). “Strong

and effective extemporaneous rhetoric cannot be nicely channeled in purely dulcet phrases,” NAACP v. Claiborne Hardware Co., 458 U.S. 886, 928 (1982), and may lawfully include “crude,” “abusive,” “inexact,” and “violent” rhetoric, even against *the president*. Watts v. United States, 394 U.S. 705, 708 (1969). Nonetheless, Croft’s raucous rhetoric did not credibly suggest that he was threatening violent acts that were *likely to occur*. In fact, he was 44 years old when arrested on October 8, 2020: He had never in his life engaged in violent action against the government. Nothing but talk.

That leads to the second factor—whether the suggestion of *criminal* activity was made by the government—which is also strongly supportive of Croft. Until the FBI got involved, via the likes of **Chambers, Impola, Long, Chappel, Robeson, Plunk, Schweers, Bates, etc.**, Croft’s political speech would have remained that: Talk. The FBI had been infiltrating Croft’s life, with its secret agent/informants, since at least 2019. (TT2, PageID#14677-79.) These purported “law enforcers” knew Croft’s words were empty “words,” because, if they actually believed Croft was making true threats of “kidnapping” or worse, Croft could have been arrested and prosecuted for such threats under 18 U.S.C. 875(c), to a five-year sentence if convicted. United States v. Coss, 677 F.3d 278, 289-290 (6th Cir. 2012). But the authorities knew Croft’s rhetorical excesses were not “true threats.” The FBI’s scammers thus sought to escalate Croft’s political speech into a prosecutable

“conspiracy” by inciting Croft and the others to declare an “objective,” to get a “plan,” to overcome “division,” and to *act* and not just talk. They were behind every key event—including all four attended by Croft, as well as both drive-bys and the “WMD” nonsense with **Bates’** video—and they incited the men at every opportunity. It was *the FBI’s* “conspiracy” to “kidnap” and use “WMD,” not Croft’s.

As to the third factor, there was no “profit” or financial benefit sought or obtained by Croft with his protected speech and/or his occasional enjoyment of the camaraderie of militia weekends, an old soul in the new world. The FBI’s agents/informants, by contrast, had an enormous profit motive to entrap.

Croft’s reluctance to commit the two alleged “conspiracy” offenses—the fourth factor—is most apparent by his apathy about and utter disinterest in these claimed “conspiracies” and “conspirators.” He only attended the four events and was otherwise uninvolved with the Michiganders. He was not part of their thousands of chats, they thought he was a “fed,” and they generally did not like or trust him. Back home in Delaware by September 13, Croft would not likely have been back to Michigan again in the foreseeable future. He was not there on October 7 for the “ruse” trip to Ypsilanti and had no knowledge of it. *But for the government’s* incitement and planning, these “conspiracies” were stillborn.

Finally, the fifth factor—the nature of the inducement or persuasion offered by the government—confirms Croft’s entrapment. Inducement requires something

more than merely affording an opportunity for the commission of the crime; it requires ““an opportunity plus something else—typically, excessive pressure by the government upon the defendant or the government’s taking advantage of an alternative, non-criminal type of motive.”” United States v. Dixon, 396 F. App’x 183, 186 (6th Cir. 2010) (quoting United States v. Gendron, 18 F.3d 955, 961 (1st Cir. 1994)).

It is staggering the extent to which the FBI and its agents/informants used excessive pressure, exploited the anger from COVID lockdowns and destructive summer riots, and manipulated emotional issues among vulnerable and excitable citizens. This included: nearly *constant* real-time monitoring of FBI’s communications with Fox, plus thousands of government-initiated texts/chats; the deployment of multiple paid agents/informants who sought to elicit and encourage extremist and violent behavior; and the FBI’s instigating, planning, promoting, and conducting of nearly all key events including both FTX’s attended by Croft, both cottage drive-bys, the “boat ramp” detour, the Bull Tavern “map” making, the “WMD” lark, the escorting of Fox to walk under the bridge, and the “ruse” Ypsilanti trip.

The FBI’s excessive pressure also included such outrageous tactics as deploying **Plunk** to ride and room with Croft to ensure he attended the Cambria FTX, the allowance and encouragement of **Robeson’s** “free money” scam, the

production of the “bomb” video and its display and promotion by **Bates**/“**Red**,” and the allowance of “otherwise illegal activities” by its agents/informants. One vivid example is the FBI’s farcical activities in obtaining a rifle from **Robeson** in Wisconsin, the FBI driving that rifle to Delaware, giving it back to **Robeson** there, supposedly so that felon **Robeson**—now with “OIA” permission—could deliver it to Croft, but when Croft didn’t want it, using **Plunk** to make the effort, and, when she failed, taking the rifle back to **Chappel** in Michigan. (TT2, PageID#14452, 14831-35, 14882-83, 16110-15).) A confederacy of the absurd.

No rational trier of fact could have found that Croft was predisposed to commit the alleged “conspiracy” offenses. For that reason, and because the “conspiracy” charges were not proven against him in any event, Croft’s “conspiracy” convictions violate due process. He must be discharged.

II. WHEN CROFT PRESENTED A COLORABLE MID-TRIAL CLAIM OF A JUROR'S BIAS AND PERJURY, THE TRIAL COURT DENIED CROFT A REMMER/PHILLIPS HEARING AND THEREBY FAILED TO AFFORD ANY MEANINGFUL OPPORTUNITY TO DEMONSTRATE JURY BIAS.

A. Standard of review.

This Court reviews for abuse of discretion lower court decisions of whether to conduct a hearing on possible jury bias/misconduct and whether to grant a new trial based on it. United States v. Lanier, 870 F.3d 546, 549 (6th Cir. 2017).

B. Background facts.

On the morning of August 11, 2022, before the second day of testimony, the court had an in-camera hearing to address a report of a juror's bias and misconduct. (R.848, Sealed Trans. 8/11/22(a.m.) (PageID#16307-11); R.711, Order (PageID#8980).) Croft's counsel explained that he had received a phone call the previous evening from a person who said he was a co-worker of a seated juror. The caller gave the juror's name and physical description and other corroborating details. (R.848, PageID#16307.) Based on the caller's description—and other reliable information—Croft's counsel determined the caller was speaking about seated Juror A.⁵ (R.848, PageID#16307-08.)

Croft's counsel continued:

⁵ The juror's actual number is not being used because the lower court ordered all such identifying information to be redacted/sealed, and this Court has access to all those unredacted/sealed filings.

[The caller] said they worked together for a number of years, and [Juror A] has been . . . telling people that he had been summoned for jury duty in federal court and he was hoping to get on the Whitmer jury because he already made up his mind as to a verdict in the case. Frankly, he said that he had already determined that the Defendants were guilty and he was going to hang them is what was reported to me. . . .

(Id., PageID#16307-09.)

Both Croft and Fox asked for permission to voir dire the panel and Juror A. (Id., PageID#16310-11). The trial court refused, stating it was in “investigation mode.” (Id.) The trial went forward with the day’s testimony.

While the trial was progressing, the court’s “jury clerk coordinator” “investigated” T.B.’s report by having a phone call with T.B. (Id., PageID#16310; R.856, Sealed Trans. 8/11/22(p.m.) at 6-12 (PageID#16547-53).) **None** of the parties or their counsel were invited to, or did, participate in this so-called “investigation,” despite their request to do so.

After this cursory “investigation” by the clerk, the court reported to the parties during a second in-camera conference after testimony concluded on August 11. (R.856, Sealed Transcript, PageID#16542-53). The court told counsel that the clerk had interviewed T.B. (Id., PageID#16548). The court related the following as a result of that interview:

- (1) T.B. was a co-worker of Juror A but the juror did not make the statements to T.B.

(2) During a work break Juror A told another colleague, in the break room, that he was selected for jury service and Juror A said “things like what we heard this morning. . . [T]hose guys are going to hang. I’ll make sure they are guilty.” The unidentified co-worker related this information to T.B., who then reported it to Croft’s counsel.

(3) T.B. told the clerk that the coworker who had related this information did not want to be identified, and T.B. did not want to be involved either for fear of losing his job. They both feared for their jobs “for reasons they did not describe to [the clerk].”

(Id., PageID#16547-48).

The court announced it would conduct an *ex parte* interview of Juror A, but not until after *another* day of testimony. (Id., PageID#16548). Croft’s counsel objected. Among other things, he urged that Juror A’s questioning must be done with all counsel present, and that the lawyers must be permitted to participate, and clients allowed to attend under Fed. Crim. Rule 43(a). He also urged that counsel be allowed to voir dire the panel. (Id., PageID#16549-50). He later filed objections. (R.707, Brief (PageID#8959-63).)

The court denied Croft’s requests. (R.711, Order at 4 (PageID#8982); R.856, PageID#16550-51.) After another full day of trial on August 12, the court had its *ex parte* meeting in chambers with Juror A. (R.849, Sealed Trans. 8/12/11, PageID#16313-19). Five people were present: the judge, the jury clerk, the case manager, the court reporter, and Juror A. None of the attorneys were there. Juror A was informed it was a “private meeting” that was being transcribed and a copy might

be provided to counsel. ***The juror was not placed under oath.*** Some of the court's questions to Juror A were minimally focused on the allegations but, instead were leading yes/no questions as to whether the juror, ***since he was sworn as a juror,*** has and will continue to follow the court's admonitions. (Id., PageID#16314-15).

After the court reiterated to Juror A that he already swore an oath in voir dire to follow the court's admonitions *and understood* that oath (id., PageID#16315), the court then told Juror A about the allegations. But even here the court minimized the allegations, telling Juror A "it's not like I have [it] on tape." The court asked if Juror A "***remember[s]*** making statements like that at any time." Juror A replied "none." (Id., PageID#16316). Juror A denied speaking with co-workers about his service, other than to allegedly say: "I have jury duty." (Id.)

On August 14, two days after the *ex parte* meeting, the court issued its order rejecting any hearing and retaining Juror A. (R.711, Order (PageID#8979-89).) Juror A was on the jury which convicted Croft. (TT2, PageID#16295).

Later, after trial was over and the verdict returned, Croft sought a new trial on grounds of Juror A's bias/misconduct and again requested a hearing. He presented an investigator's affidavit with additional evidence to support the initial claim. This included that another co-worker heard of Juror A's comments, that Juror A's mother also works for this same employer in an important position, and that the employees are afraid to get involved for fear of their jobs. (R.745/749, Motion & Aff.

(PageID#9726-57).) The court refused any hearing and denied a new trial. (R.779, Order (PageID#10218-45).)

C. Croft presented a colorable claim of juror bias and perjury which, at a minimum, mandated a Remmer/Phillips hearing at which Croft's counsel was entitled to participate.

The Sixth Amendment guarantees the right to trial by an impartial jury. “The presence of even a single biased juror deprives a defendant of [their] right to an impartial jury.” Williams v. Bagley, 380 F.3d 932, 944 (6th Cir. 2004). And here, more than just “partiality” was alleged; the report by T.B. suggested that Juror A had lied under oath in jury selection and was bent on subverting the trial’s fairness. Such misconduct is “presumptively prejudicial.” Remmer v. United States, 347 U.S. 227, 229 (1954). See also Smith v. Phillips, 455 U.S. 209, 215 (1982).

Under Remmer and Phillips, “a prima facie showing of juror bias entitles a defendant to an evidentiary hearing.” Cunningham v. Shoop, 23 F.4th 636, 652 (6th Cir. 2022). Phillips is unambiguous: “This Court has long held that the remedy for allegations of juror partiality is a hearing in which the defendant has the opportunity to prove actual bias.” Phillips, 455 U.S. at 215. Cunningham reiterated that right.

The trigger for an evidentiary hearing is “*only* a prima facie (*i.e.*, colorable) claim” of juror bias. Cunningham, 23 F.4th at 651. See also United States v. Lanier, 988 F.3d 284, 294 (6th Cir. 2021). Mere *speculation* is not sufficient to require a hearing, United States v. Owens, 426 F.3d 800, 805 (6th Cir. 2005); but the required

prima facie showing, by its nature, is otherwise easy to meet. Barnes v. Joyner, 751 F.3d 229, 248 (4th Cir. 2014) (“minimal showing”).

In the juror bias context, the minimal prima facie standard is met when a *credible* allegation of bias/prejudice (or other misconduct) is presented. A credible allegation is a plausible one. United States v. French, 977 F.3d 114, 119 (1st Cir. 2020). The prima facie standard does not require defendant to prove the claim, or even present testimony. Hearsay is *routinely* sufficient to meet the threshold prima facie burden—so long as the allegation is credible and plausible. Cunningham, 23 F.4th at 650-51 (investigator affidavit, which contained hearsay reports of interviews with jurors, sufficient for prima facie standard). As this Court stated in Cunningham ““***allegations of juror partiality’ suffice.***” Cunningham, 23 F.4th at 651-52 (quoting Phillips). See also Williams v. Taylor, 529 U.S. 420, 442-44 (2000).

A criminal defendant’s colorable allegation of a sitting juror’s bias and perjury thus mandates a hearing at which the defendant is afforded an opportunity to demonstrate the juror’s partiality and/or misconduct. Phillips, 455 U.S. at 215; Lanier, 988 F.3d at 294-95. Croft presented a colorable allegation of juror bias and perjury. The information reported by T.B. was specific, precise, and plausible. It was unsolicited by any party. T.B. credibly identified the subject juror as someone T.B. has worked with for several years. T.B. provided the context, work-place location, and substance of statements the juror recently made to more than one person (“he

has been telling people"). The substance of the juror's statements were described and are flatly disqualifying.

T.B.'s allegations were *corroborated* during the *ex parte* "investigation" conducted by the court's clerk. The clerk's unrecorded interview with T.B. confirmed that Juror A made his disqualifying biases and intentions known to other co-workers and was doing so openly. T.B.'s report to the clerk—that T.B. had not himself heard the subject disqualifying statements, and that they had been reported to him by another co-worker—only enhanced T.B.'s credibility. It did not diminish the gravity of Juror A's alleged statements or render T.B.'s report any less credible. Most alarming—and further enhancing the credibility—is that T.B.'s co-worker apparently did not want to be identified or involved, and that T.B. was likewise reluctant, for fear of losing their jobs by coming forward. Yet T.B. *did* come forward anyway, trying to do the right thing.

D. The court failed to provide the required hearing and any "meaningful opportunity" for Croft to demonstrate juror bias.

Because the court was thus presented with a credible and plausible allegation that a sitting juror had openly, and recently, stated a strong bias against the defendants and an intention to sabotage the trial, the court had two options:

- (1) Discharge Juror A and substitute an alternate, of which there were *five* available (and *four* by the *end* of the trial) (TT2,

PageID#14388, 14407-09, 16279); or

- (2) Conduct a hearing at which the parties by counsel could question, under oath, the necessary persons including at least Juror A, T.B., Juror A's other co-worker(s) as referenced by T.B., and the other sitting jurors.

The court failed to take either course, thereby abusing its discretion and denying Croft's rights to due process and a trial before an impartial jury. Cunningham, 23 F.4th at 661.

The *minimum* requirements of a constitutionally sufficient hearing have been amply detailed by this Court. The district court must provide the presumed-innocent accused with a "meaningful opportunity" to demonstrate the communications' "circumstances," their "impact[,]" and whether the juror is biased. All interested parties must be allowed to "participate" at the hearing. Remmer, 347 U.S. at 230; Phillips, 455 U.S. at 215-16; Cunningham, 23 F.4th at 649-51. The accused's attorney must be given the opportunity to question the witnesses and jurors individually and under oath. United States v. Corrado, 227 F.3d 528, 537 (6th Cir. 2000); Lanier, 988 F.3d at 295. The hearing must be "unhurried and thorough." United States v. Zelinka, 862 F.2d 92, 96 (6th Cir. 1988).

The district court, to be sure, has discretion to supervise the questioning and its scope, but the *allowance* of defense counsel's under-oath questioning of jurors

and witnesses, within a proper scope of inquiry, is a *bare minimum* of the “meaningful opportunity” which the constitution mandates. Lanier, 988 F.3d at 294-96; Oswald v. Bertrand, 374 F.3d 475, 481 (7th Cir. 2004). These minimum requirements are especially applicable in the Sixth Circuit because this circuit is the only one that places on the defendant the burden of proving bias at the Remmer hearing. Lanier, 988 F.3d at 295.

Rather than provide Croft with these minimal due process protections, the court engaged in a superficial inquiry which largely *excluded* Croft and his counsel in violation of Rule 43(a) and controlling law. Juror A’s reported statements revealed unmistakable bias and pre-judgment on the ultimate issue, which therefore mandated a searching inquiry. Lanier, 988 F.3d at 295-96. If Juror A had or expressed the views which T.B. related, Juror A’s bias would be structural error in the event his service continued and Croft was convicted (as happened). Cunningham, 23 F.4th at 660 n.9. Given the stakes and the certainty of a disqualifying bias apparent in Juror A’s alleged statements, the court was recklessly indifferent to Croft’s constitutional rights by so cavalierly dispensing with Croft’s colorable allegation of a biased juror.

The court, in fact, did not itself conduct critical aspects of the investigation; it delegated the duty of interviewing T.B. to a non-lawyer clerk, outside the judge’s presence. And that interview was neither transcribed nor recorded; and the parties and their counsel were all excluded. Remmer requires the judge to determine the

circumstances, not the staff. Remmer, 347 U.S. at 229-30; United States v. Johnson, 954 F.3d 174, 180 (4th Cir. 2020).

Then, when that staff-conducted interview nevertheless *corroborated* the substance of T.B.’s report and revealed another critical witness (the additional co-worker), the court unreasonably failed to interview *that* co-worker too, much less allow Croft’s counsel to do so at a Remmer hearing. Why? Supposedly because that co-worker was afraid that he/she would be fired if they got involved. But that only begs the question: What circumstances, and what kind of *employer*, would cause an employee to fear for his/her job for reporting to the federal court about a juror/co-worker’s obvious expressions of disqualifying bias in such an important criminal trial? T.B. expressed a similar fear for his job, which only compounded the need for greater inquiry and a hearing, not the rapid *ex parte* wind-down which the court pursued. The post-trial affidavit cemented the requirement for a hearing, when it was revealed that the co-workers’ fears about lost employment stemmed from the fact *Juror A’s mom* also works for the same employer in an important position. The court imposed on Croft’s counsel the impossible Catch-22 task of having to present evidence *beyond* the credible allegations in order to get a hearing, in circumstances where the witnesses were *afraid* to participate voluntarily, thereby necessitating the hearing.

Exacerbating the court’s failures was its *ex parte* “interview” with Juror A.

The juror wasn't placed under oath and was treated with undue deference, conveying the message of an unfortunate inconvenience. The judge's questioning revealed attributes of a biased and predetermined inquiry. Important questions were leading, suggested the desired answer, and/or telegraphed the "correct" answer. The judge minimized the seriousness of the allegations and emphasized the lack of any recordings or similar hard evidence of the claimed statements. The judge's questioning was imprecise and allowed for evasions ("do you remember doing that?"). And the follow up was minimal, unduly deferential, and lacked the requisite skepticism of even minimally effective cross-examination.

Compounding the deficiency of the court's *ex parte* unsworn approach is its failure to recognize Juror A's obvious self-interested reasons for why he might *false*ly deny the allegations even if they had occurred exactly as reported. Juror A had already sworn in open court, earlier that same week, that he did not have any disqualifying biases, which the judge made a point to *remind* Juror A about. After that reminder, how many jurors will be willing or able to admit they lied? The court also completely disregarded the well-known fact that "[d]etermining whether a juror is biased or has prejudged a case is difficult, partly because the juror may have an interest in concealing his own bias and partly because the juror may be unaware of it." Phillips, 455 U.S. at 221-22 (O'Connor, J., concurring).

That interest in concealment would be at its *greatest* when the juror is one

who, *as alleged here*, is bent on subverting the process in a high-profile case. This Court itself recognized in Cunningham that a juror's denial of improper communications—in that case, *made under oath*—does not “eliminate [the defendant's] entitlement to a proper Remmer hearing, and we must remand.” 23 F.4th at 653-54. That is even more so here because Juror A was not under oath, his denials were not subject to cross-examination, and the court's *ex parte* inquiry was superficial.

Because the district court conducted a constitutionally inadequate inquiry which failed “to guarantee [Croft] a meaningful opportunity to demonstrate jury bias,” “a new trial is in order.” Lanier, 988 F.3d at 288, 298. Alternatively, the matter must be remanded for a constitutionally sufficient Remmer/Phillips hearing at which Croft shall be afforded a meaningful opportunity to demonstrate juror bias; and he shall be granted a new trial if juror bias is found.

III. THE TRIAL COURT PREJUDICIALLY DENIED CROFT'S CONSTITUTIONAL RIGHTS TO PRESENT A DEFENSE, TO INTRODUCE SUPPORTING EVIDENCE, TO CONFRONTATION AND EFFECTIVE CROSS-EXAMINATION, AND TO A FAIR TRIAL, WHEN IT ARBITRARILY BARRED EVIDENCE CRITICAL TO CROFT'S DEFENSE AND LIMITED HIS CROSS-EXAMINATION OF GOVERNMENT WITNESSES.

A. Standard of review.

The trial court's errors at issue denied due process and multiple constitutional rights of the accused, in addition to being contrary to the Rules of Evidence and this Court's case law. This Court's review, therefore, is to make a de novo determination of whether Croft's constitutional rights were denied. United States v. Blackwell, 459 F.3d 739, 752 (6th Cir. 2006); United States v. Reichert, 747 F.3d 445, 453-54 (6th Cir. 2014). Moreover, a court's decision regarding whether evidence constitutes hearsay is reviewed de novo. United States v. Boyd, 640 F.3d 657, 663-64 (6th Cir. 2011).

These errors are structural errors which mandate a new trial without any showing of prejudice. Weaver v. Massachusetts, 582 U.S. 286 (2017). They are, in all events, not harmless, and the government cannot meet its burden to show harmlessness, including because of how weak the evidence is against Croft. United States v. Kettles, 970 F.3d 637, 643 (6th Cir. 2020) ("the government's burden for constitutional errors is 'considerably more onerous' than its burden for non-constitutional errors").

B. The trial court's subject evidentiary rulings denied Croft his constitutional rights in addition to violating the Rules of Evidence.

The U.S. Constitution guarantees the criminally accused a meaningful opportunity to present a complete defense and to effective cross-examination and confrontation, all as essential to due process and a fair trial. Chambers v. Mississippi, 410 U.S. 284, 294 (1973); Holmes v. South Carolina, 547 U.S. 319, 324 (2006). These fundamental concepts were disregarded in Croft's trial.

At issue are three evidentiary rulings which individually and in combination prejudicially denied Croft these fundamental concepts of justice and denied him a fair trial. These are: **(1)** the barring, as supposedly inadmissible hearsay, of numerous texts, recorded statements, and other communications by and between FBI agents/informants **Chappel, Plunk**, and/or **Robeson**, on the one hand, and the FBI employee-agents who controlled them, on the other; **(2)** the barring, as supposedly inadmissible hearsay, of numerous texts, recorded statements, and other communications by one or more of these agents/informants (**Chappel, Plunk**, and **Robeson**) with Fox, Croft, and other alleged "conspirators" on relevant matters; and **(3)** the arbitrary time limitations imposed by the court on defense counsel in their cross-examinations of government witness Franks. These are addressed below.

1. Chappel, Plunk, and Robeson's respective relevant communications by and between Chambers and other FBI handling agents should have been admitted.

Critical to Croft's defense were the numerous and frequent communications—primarily by text and cell phone—between **Chambers** (and also **Impola** and other handling agents) and the FBI-selected agents/informants, primarily **Chappel**, but also **Robeson** and **Plunk**. These communications—to include *both Chambers'* side of the conversations, but also that of **Chappel** and/or the other agents/informants—constituted relevant evidence of the shocking degree to which **Chambers**, **Chappel** and the other FBI agents/informants orchestrated this scam and generally engaged in incessant and oppressive inducement. For example, just as to text messages between **Chappel** and **Chambers**, from March 16, 2020 to October 8, 2020, there were **3,236 messages, or some 16 messages a day.** (R.666, Brief in Support MIL at 2 (PageID#8385); R.383/383-1, Def. Motion (PageID#2554-2620).)

Chambers routinely communicated directions to **Chappel** such as:

“good to suggest a group conversation on wire with Adam as well”
(6/30/20),
“got to get Adam focused” (6/23/20), and
“get him in a leadership chat.” (6/23/20)

(R.666, Brief at 2-3 & Exh. A (PageID#8385-86, 8389-92).) **Chambers** would even communicate to **Chappel** his goals for the workday. For example, on August 28,

2020, he texted to **Chappel**: “I have a few goals for today.” (Id., Exh. D, PageID#8386, 8401.)

Chappel, in turn, frequently asked for direction from **Chambers** such as:

“Should I see if some of the guys want to carpool with me?” (5/26/20),
“Introduce to group?” (6/23/20), or
“Want me to reach out if he gets back with about Adam or you gonna be monitoring.” (6/27/20)

(Id., Exh. B, PageID#8386, 8394-97.) The FBI paid **Chappel** exorbitantly for his work with **Chambers** on the Whitmer case. (TT2, PageID#15385-89.)

Robeson and **Plunk** also had close relationships with the FBI in the Whitmer case. They were both closely supervised by two handling agents each, their supervision included occasional FBI approval to *break the law* (engage in “otherwise illegal activity”), and they both acted under the constant and repeated direction and control of the FBI to perform *numerous* assigned tasks in the investigation. (TT2, PageID#14574-96, 14649-51, 14684-96, 14718-21, 14729-34, 14751-52, 14765-72, 14810-12, 14855-56, 14969-71, 15034-48, 15093-93, 15148-50, 15252, 15303-04, 15359-60, 15435-36, 15555, 15587, 15628-29, 15640-41, 15769-70, 15877-78, 16108-30, 16139-41.) That only ended, as to **Robeson**, when he was fired by **Chambers/Impola** for cause in November 2020 because of **Robeson’s** ongoing criminal behavior; but that was *after* **Robeson** helped run the Luther FTX and the 9/12/20 nighttime drive-by. (TT2, PageID#14690-92.)

Prior to the first trial, Croft and Fox filed a motion to ensure that all such relevant communications by and between **Chambers** and the other FBI handlers, on the one hand, and **Chappel**, **Robeson** and/or **Plunk**, on the other, would be admissible against the government as non-hearsay, and thus for truth, as vicarious party admissions under FRE 801(d)(2)(D). (R.383/383-1, Motion & Exhibits (PageID#2554-2620).) The government opposed the motion (R.396, Opp. (PageID#2720-51)), and the court denied it in large part via pretrial order. (R.487, FPT 1/18/22 at 40-64 (PageID#3692-716); R.439, Order (PageID#2996-3022).) That order permitted only those relevant statements which originated *from Chambers* and other FBI-employed special agents, but it barred such statements of **Chappel** and the other informants that were made *to Chambers* or the other FBI employees. (R.439 at 12-19 (PageID#3007-14).) The communications of, by, and originating with **Chappel** (or other agents/informants), including responses by **Chappel** *to Chambers'* texts, were barred as hearsay and not covered by 801(d)(2)(D). (Id.)

The defense raised the issue again in writing before the second trial. (R.665-66, Motion & Brief (PageID#8382-8506); R.670, Croft Joinder (PageID#8538-39).) The court again rejected the defendants' arguments to admit this evidence as non-hearsay and for truth under 801(d)(2)(D), and instead ordered that the evidence

would be handled per Trial 1's pretrial order. (R.692, Order 07/28/22 (PageID#8686-88); R.696, FPT at 12-15 (PageID#8721-24).)

The court's rulings were arbitrary and in violation of controlling law. An opposing party's own statements are not hearsay if offered against that party. See FRE 801(d)(2). Rule 801(d)(2) excludes admissions of a party-opponent from the definition of hearsay. The federal government is a party-opponent of the defendant in a criminal case. United States v. Branham, 97 F.3d 835, 851 (6th Cir. 1996); United States v. Kattar, 840 F.2d 118, 130 (1st Cir. 1988).

Rule 801(d)(2)(D) provides, in relevant part:

A statement is not hearsay if –

(2) Admission by party-opponent – The statement is offered against a party and is...(D) a statement by the party's agent or servant concerning a matter within the scope of the agency or employment, made during the existence of the relationship....

Under 801(d)(2)(D), statements of government employees and non-employee agents, within the scope of their work, are admissible against the government for their truth in a criminal case. The paradigm of the non-employee agent "is the confidential informant who works with law enforcement agents in developing a case against a target." Anne B. Poulin, *Party Admissions in Criminal Cases: Should the Government Have to Eat Its Words?*, 87 MINN. L. REV. 401, 456 (2002). This Court held to that effect in Branham, 97 F.3d at 851, concluding that an informant was the government's "agent" under 801(d)(2)(D) with respect to statements he made in

order to establish a relationship with the target/defendant. See also United States v. Reed, 167 F.3d 984, 988-89 (6th Cir. 1999); Lippay v. Christos, 996 F.2d 1490, 1499 (3rd Cir. 1993).

Rule 801(d)(2)(D), as properly applied in Branham, admits the statements of the government's agent/informant for their truth as admissions of the government, even though the agent/informant is not authorized to speak, so long as the agent/informant is speaking about matters within the scope of the project. That rule is properly "applied against the government in criminal cases." Poulin, 87 MINN. L. REV. at 414-15. See also United States v. Morgan, 581 F.2d 933, 938 (D.C. Cir. 1978).

The application of the rule against the government is especially applicable where entrapment has been alleged by the defense. Branham, indeed, was an entrapment case. Moreover, the Supreme Court has held that, for purposes of entrapment, a confidential informant *is* an agent of the government. Sherman v. United States, 356 U.S. 369, 376 (1958); United States v. Luisi, 482 F.3d 43, 53 (1st Cir. 2007); Poulin, 87 MINN. L. REV. at 458 & n.326.

Chappel, Robeson, and Plunk were all agents of the government for any all purposes relevant to 801(d)(2)(D), and especially, but not only, as to Croft's entrapment defense. They were each under the close and continuous direction and supervision of at least two special agents of the FBI; they were all required to abide

by FBI rules and admonishments; they needed and received FBI approval to break the law in the course of their duties; they were important, active, and contributing members of the FBI's team; and they were compensated, and in Chappel's case exorbitantly. As to these three, it is not a close call that, at all relevant times, they were the FBI's agents/servants in the Whitmer/Watchmen/Croft/Fox investigation.

This conclusion is compelled by Branham, by the plain meaning of 801(d)(2)(D), and by the purpose and intent of that rule. The relevant statements of **Chappel, Robeson, and Plunk**, just like those of **Chambers et al.**, are *all* admissible against the government under 801(d)(2)(D) because they were all agents/servants of the government at the time the statements were made and the statements related to matters within the scope of their duties. They are admissible even if not "approved" by the principal, and "even though contrary to the principal's interest, as party admissions often are." 87 MINN. L. REV. at 462. Their admission is also compelled because, under Rule 801(d), what's good for the goose is good for the gander. The government freely used, against Croft, 801(d)(2)(E)'s provision, which made the statements of his alleged co-conspirators admissible for truth against him on the theory that the declarant/co-conspirator is supposedly his agent. There is no coherent application of 801(d)(2)(D) which would then somehow *shield* admission against the government of statements by *its own* agents/informants on the same basis, especially when those agents/informants are the ones who were drumming up the

alleged “conspiracy” under which the 801(d)(2)(E) statements were admitted against Croft.

Rather than comply with Branham, the district court chose to follow case law from other circuits which have refused to give 801(d)(2)(D) the broad scope the rule commands. In addition to being contrary to Branham, the reasoning of those cases is “unsound,” Poulin, 87 MINN. L. REV. at 417, especially where *entrapment* is the critical issue and where the law thus already holds that informants *are* the government’s agents. Sherman, 356 U.S. at 376. The sheer volume of barred admissions was extensive, as detailed in R.383-1, PageID#2575-620. (See also R.487, FPT at 40-64 (PageID#3692-716).) And these are only the barred admissions which are *known* to the defense because reflected in texts/recordings. However, because the court precluded evidence of *all* admissions by the agents/informants to **Chambers/Impola**, Croft’s defense was likewise barred from presenting to the jury the admissions which are *not* reflected in recordings or texts. The result was a trial about entrapment with defendants’ hands tied behind their backs and the jury blindfolded to critical relevant facts.

It is precisely the type of arbitrary application of the Rules of Evidence which is prohibited under Chambers and violative of the right to present a defense.

2. Chappel, Plunk, and Robeson's respective relevant communications with and to Fox, Croft, and other alleged "conspirators" should have been admitted.

Relying on the same erroneous application of 801(d)(2)(D), the court also denied the defendants' request to admit, as admissions of the government and for truth, the numerous texts, recorded statements, and other communications made by **Chappel, Plunk, and/or Robeson** with and to Fox, Croft, and other alleged "conspirators" on relevant matters within the scope of each of the agent/informant's respective work in the case. (R.667-68, Motion & Brief (PageID#8507-36); TT2 at PageID#14583-84, 14598-99, 14760-63, 14996-98, 15019-21, 15338-40, 15368, 15997-99, 15601-02, 15811-13, 15904-06.) The only limited exception were those statements (if any) where the agent/informants "merely regurgitate[d] words that were fed by a government [employee-agent such as **Chambers**]." (R.439, PageID#3007-14.) All other communications of, by, and originating with **Chappel** (or the other agents/informants), and made to Fox, Croft, and/or other alleged "conspirators" were barred as hearsay and not covered by 801(d)(2)(D). (Id.)

That ruling thus unfairly permitted the alleged "defendant/co-conspirator's" side of such communications with the FBI's agents/informants to be admitted as non-hearsay against Croft/Fox under 801(d)(2)(E), but it barred the *FBI's side* of the same communication as made by its agents/informants (except for impeachment if they testified, as only **Chappel** did among these three). Once again, the sheer volume

of barred admissions was extensive, as detailed in R.383-1 (PageID#2575-620), and again that is only the admissions which were in recordings/texts and does not include other admissions by agents/informants that were not recorded.

Barred, for example, were admissions that, under FBI's control, the agents/informants:

- Planned, organized, and orchestrated key events including Peebles, Dublin, Cambria, and Luther (*the only four that Croft attended*), and both drive-bys on 8/29 and 9/12, and, on 9/12, arranged who went in which car and other details.
- Finagled leadership roles for themselves to have more control to effectuate the FBI's plans.
- Expressed their conclusion that the “conspirators” were divided and would never agree.
- Created the Michigan III% group for Fox to lead and created its Facebook page.
- Promoted the “free” money scam to “conspirators” to try to lure them.
- Aggressively pushed to overcome any “conspirator’s” reluctance and resistance, encouraged radical views, and pushed for dates and plans.
- Resisted Fox’s suggestion for “Spring” 2021 because “we’re not going to have that long.”
- Provided “conspirators” with weapons, ammunition, and other supplies.
- Pushed property and other crimes to salvage something from the floundering “kidnapping” plan.
- Suggested and encouraged the use of explosives, including providing potential suppliers, and planned the alleged “bomb” purchase.

- Organized the 10/7 ruse trip to Ypsilanti with lure of free gear/beer/food.

(R.383-1, Items 1-5, 8, 11-15, 23-29, 32-57, 73-94, 96-167 (PageID#2576-609).)

For the same reasons, the court's ruling here is also contrary to Branham and 801(d)(2)(D). **Chappel/Robeson/Plunk**, for example, were the government's primary agents for purposes of interacting with Fox, Croft, and Watchmen. Their statements of how they interacted with defendants are admissible, even if, for example, **Chappel/Robeson/Plunk** had been directed to not pressure defendants and/or to not suggest plans or violate law, and **Chappel/Robeson/Plunk** nonetheless disregarded those instructions. That is *exactly* the import of 801(d)(2)(D): to admit against the principal the statements of the agents/informants within the scope of their work, even if the principal did not approve, and would not have permitted, its agents' statements. See Poulin, 87 MINN. L. REV. at 462-63. "The Government cannot disown [**Chappel, Plunk, and/or Robeson**] and insist it is not responsible for [their] actions. [They were all] active government informer[s]."Sherman, 356 U.S. at 373.

The court's ruling completely hamstrung Croft in his defense and forced him to try a very different case—unable to use the government's admissions as such—than the one a proper application of the rule would have allowed.

Moreover, in addition to the required admission of such statements by **Chappel, Plunk, and/or Robeson** to Fox, Croft et al. for truth as admissions of the

government, such statements were also admissible, at the very least, merely for the fact that they were made, and regardless of truth, as directly relevant to Croft's entrapment defense. The court was required to admit them on at least that basis, as the defense urged, but it still refused on the groundless Catch-22 reasoning that, if not offered for truth, then they are "irrelevant" to entrapment. (R.439, Order of 02/02/22 at 17 (PageID#3012).) That reasoning disregards controlling authority. Branham, 97 F.3d at 851; Sherman.

3. The court should not have placed arbitrary time limits on the cross-examination of Kaleb Franks.

A key witness against Croft was Kaleb Franks, an alleged "co-conspirator" who had pleaded guilty to the "kidnapping" count in exchange for a light sentence, ultimately 48 months. Franks claimed to have been struggling with depression in 2020, and he supposedly joined his Watchmen friends in the "kidnapping" conspiracy in the hope he'd be killed. (TT2, PageID#15698-99.)

Franks testified on August 17, which was the trial's sixth day of testimony. Based on the parties' pretrial estimates, the court had informed the jury the trial would last **2-3 weeks**, with trial days from 8:30 a.m. to 2:00 p.m. (R.837, TT2, PageID#14170; R.696, FPT at 37, 47 (PageID#8746, 8756).) Nonetheless, the parties were well ahead of schedule on August 17; they finished all witnesses two

days later on August 19 (TT2, PageID#16137, 153), for a total of **8 days** of testimony.

Thus, when Franks was slated to testify on August 17, the trial was progressing faster than expected. Nonetheless, as the AUSA got up to begin what would be a relatively short direct exam of Franks (44 pages), the court announced to defense counsel that “they ought to plan on the Bertelsman rule in effect for this witness.” (Id., PageID#15694.) That was a reference to an approach to time limits once used by Judge William Bertelsman in United States v. Reaves, 636 F.Supp. 1575 (E.D. Ky. 1986); there, for cross-examination of a witness, Judge Bertelsman imposed, by *pretrial order* (thus, with prior notice), a *cumulative* time limit on all cross-examining parties that was equal to the amount of time used in that witness’ direct. The court had previously referenced the rule to Croft’s counsel. Now, the court was *imposing it*, without warning, as the government began Franks’ exam.

As such, when the government’s direct exam timed in at 50 minutes, the court mandated that counsel for Croft and Fox were together compelled to share that *same 50 minutes* for cross, which became 25 minutes each when counsel did not agree on a different division. (TT2, PageID#15738-39.) The defendants’ objections, both before and after, and in a motion for new trial, were denied. (TT2, PageID#15738-39, 15788-808; R.745/749, MNT at 7-11, 19-23 (PageID#9732-48); R.779, Order at 13-28 (PageID#10230-45).)

The court enforced this “rule” only for Franks, not any other witness, and never for the *government’s* exam of *its* witnesses. As a result, during the rushed cross of Franks, the court would interrupt to tell the defense lawyers and jury how much time was left. (TT2, PageID#15756, 15761, 15780, 15785, 15787.) The jury must have been wondering: Why is the court rushing the defense through *this* witness? Does the court think the defendants are guilty and we need to get this over with?

Exposing the rule’s frivolity, the judge sent the jury home *early* (at 1:44 p.m.) when Croft/Fox’s time for cross expired, only to then spend *49 minutes* (until 2:33 p.m.) so the defense could make a record of how their clients were prejudiced, among other issues. (TT2, PageID#15788-821.) In a *fair* trial that 49 minutes would have spent crossing *the witness*, not arguing about it. And the unfairness was stark. The other alleged “conspirator” who had flipped to avoid the threatened life sentence, and thus got *30* months, was Garbin. His direct testimony earlier that day was 53 pages; the combined cross was 100. (TT2, PageID#15499-531, 15550-661.) Now, for Franks, the government was again given as much time as it wanted (44 pages), but *defense counsel* were limited to 50 minutes, which became 48 pages. And they had to adjust on the fly with no advance notice.

Croft has the constitutional right to confront the witnesses against him and for effective cross-examination. Delaware v. Van Arsdall, 475 U.S. 673, 678 (1986). And, although a trial judge has latitude to restrict cross-examination to address

legitimate concerns of “harassment, prejudice, confusion of the issues, the witness’ safety, or interrogation that is repetitive or only marginally relevant,” *id.* at 679, the trial court may not exercise that discretion with bias to favor the prosecution nor to impair defense counsels’ effectiveness. Yet both those forbidden things occurred.

There were no legitimate reasons for the 50-minute limit. The trial was ahead of schedule. The jury had relatively light workdays. The absurdity of the rule is striking. Direct exams are easy, especially with a witness who is under the government and court’s thumb, like Franks, who had not yet been sentenced and was hoping for a light one (and got it too). Little skill is needed, just walk the controlled witness through the already-rehearsed events; he knows what’s expected. That it took an AUSA 50 minutes for that easy direct says *absolutely nothing* about how long an effective cross-examination, by two different defense lawyers, will or should take. Garbin’s cross took 100 pages, coming off a similar-length direct; that is the *minimum* Croft/Fox should have been allowed with Franks, if time limits were being established.

These two flippers (Franks and Garbin) were weak witnesses, *especially* Franks with his “I wanted to be killed” garbage and his drug addiction which, after his arrest, caused him to use illegal opioids in jail. In part due to Franks’ and Garbin’s credibility-devoid testimony in Trial 1, and ***effective cross unburdened by arbitrary time limits***, their Watchmen friends Caserta and Harris were *acquitted* of this fake

kidnapping “conspiracy” (and Harris of the equally scammed-up “WMD”), and the jury was unable to reach verdicts as to Croft and Fox on any counts. (TT1, PageID#12188-390, 12407-541, 12543-636, 12650-788, 14097-098.)

Most significant with Franks was his outright lie—total fiction—that the three friends (Garbin, Franks, Harris) “agreed” to the alleged “conspiracy” during a “hike” they supposedly took on August 5, 2020, during a Watchmen event at Harris’ parent’s house in Lake Orion. (TT1, PageID#12578-80, 12697-704, 12759-60; TT2, PageID#15746-48, 15782-84.) This was the “Three Musketeers hike,” wherein Harris supposedly said he wouldn’t do anything without the other two friends. (TT1, PageID#12579-80, 12697-98.) Harris, the former Marine who’d enlisted at age 17, took the witness stand in Trial 1 and told the jury Franks’ hike story was a lie; there was never *any* “agreement” or “Three Musketeers hike,” and the jury agreed, acquitting Harris. (TT1, PageID#13576-77, 13625-27.) Garbin, for his part, did not recall such a “hike.” Not in Trial 1 or 2. (TT1, PageID#12238-39; TT2, PageID#15609-10.) In fact, Garbin claimed in Trial 2 he didn’t “agree” to participate in the so-called “conspiracy” until “***mid-August*** 2020. (TT2, PageID#15610.) All fiction, whatever it would take to get his 30 months.

Thus, for Trial 2, it was again *critical* for the defense to expose what a liar Franks is, and how easily the government manipulated him, for example, to conjure up the “hike” nonsense. The court was certainly aware from Trial 1 that addict

Franks was the most vulnerable of government witnesses to effective cross, and it would be compelled to instruct the jury to consider Franks' testimony with "more caution." (R.845, TT2, PageID#16177.) For the court to then *unilaterally* inject itself to protect that witness in Trial 2 was a gross injustice. The absurd 25-minute rule (per side) interfered with Croft's ability to *effectively* confront Franks, expose his lies, challenge his credibility, highlight his biases, and perhaps obtain admissions, all as detailed in Croft's objections. (TT2, PageID#15794-804.)

None of the cases the trial court relied on to justify this ruling support it. (R.779, Order at 13-28 (PageID#10230-45).) Franks was a critical witness in a *criminal trial*, an alleged "conspirator," who flipped to testify against his co-defendants and fabricated stories in doing so. The defendants faced life in prison. Defendants' rights to confrontation, effective cross, and to present a defense were prejudicially denied by this latest arbitrary ruling.

C. A new trial is required.

These errors are structural and require a new trial without regard to prejudice. Weaver, 582 U.S. at 294-96. The effects of denying the right to present a defense are too hard to measure; such errors will "always result[] in fundamental unfairness." Id. at 295-96. Chambers itself ordered a new trial without considering harmlessness. 410 U.S. at 302. They are in any event not harmless; they forced Croft to try a completely different case, unable to use the government's admissions against it and

burdened by court-imposed arbitrary barriers to defending himself. The government cannot meet its onerous harmlessness burden. Kettles, 970 F.3d at 643-44. Along with the other evidentiary deficiencies addressed above, Trial 1's result proves that.

CONCLUSION

Croft's convictions should be reversed. He should be discharged on both "conspiracy" counts. Alternatively, he is entitled to a new trial and/or remand for a Remmer/Phillips hearing.

Date: August 16, 2023

Respectfully submitted,

/s/ Timothy F. Sweeney

Timothy F. Sweeney (0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY
820 West Superior Ave., Suite 430
Cleveland, Ohio 44113
Phone: (216) 241-5003
Fax: (216) 241-3131
Email: tim@timsweeneylaw.com

Counsel for Appellant Barry Croft, Jr.

CERTIFICATE OF COMPLIANCE

The undersigned certifies that the foregoing Brief was prepared using a proportionally spaced type-face in Microsoft Word (Times New Roman 14 Pt), and that, according to the Microsoft word-count feature, there are 16,245 words in this brief, exclusive of the Table of Contents, Table of Authorities, Statement in Support of Oral Argument, Addendum, and Certificates of Counsel, and thus complies with this Court's order of July 20, 2023, permitting 16,250 words for Croft's Brief. See Fed. R. App. P. 32(a)(7)(B)(iii); 6 Cir. R. 28(b).

/s/ Timothy F. Sweeney

Timothy F. Sweeney
Counsel for Appellant Barry Croft, Jr.

CERTIFICATE OF SERVICE

This is to certify that on August 16, 2023, the foregoing APPELLANT BARRY CROFT, JR.'S BRIEF ON APPEAL was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Timothy F. Sweeney

Timothy F. Sweeney (OH 0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY

**APPELLANT BARRY CROFT, JR.'S DESIGNATION
OF RELEVANT DISTRICT COURT DOCUMENTS**

Appellant Barry Croft, Jr., by and through counsel and pursuant to Rule 30 of the Sixth Circuit Rules, hereby states that the district court has an electronic record of all documents, pleadings, orders, notices, and transcripts that are relevant to this appeal, and all items listed in 6th Cir. Rule 30(f)(1) are included in that electronic record, with the exception of the paper/pdf exhibits cited in this Brief which were admitted as exhibits at the trial (but are not in the electronic record). These exhibits are included in Appellant Croft's Appendix filed contemporaneous with the Brief.

Copies of audio/video exhibits cited in this Brief, which were admitted as exhibits at the trial are being submitted on flash drives (4 copies) to the Court's record room as per 6th Cir. I.O.P. 10(d) and the case manager's instructions. These video exhibits are described below for ease of reference.

To facilitate the Court's reference to the district court's electronic record, Croft hereby makes his designation of relevant district court documents; see 6 Cir. R. 30(f)(1):

<u>Record No.</u>	<u>PageID</u>	<u>Date of Entry</u>	<u>Description of item in district court's electronic record</u>
86	#573-78	12/16/2020	Original indictment
172	#961-76	04/28/2021	Superseding Indictment
383, 383-1	#2554-2574 #2575-2620	12/29/2021	Def. Motion in limine re out of court statements, with detailed chart

(also at 366-1, 366-2)	#2352-72, #2373-2418	12/17/2021	
396	#2720-51	01/06/2022	USA Opp. to Def. Motion in Limine
439	#2996-3022	02/02/2022	Order on Motions in Limine
445	#3115-3133	02/07/2022	Kaleb Franks plea agreement
615, 615-1	#5892-5893, #5894-5911	04/08/2022	Notice of Verdict and Verdict forms from Trial 1
622	#6029	04/12/2022	Order of mistrial and denial of Rule 29 as to Croft and Fox
629	#6907-6918	04/22/2022	Croft motion for judgment of acquittal
642	#7126-7157	05/19/2022	Govt. opp. to motion for acquittal
653	#7816	07/01/2022	Order denying renewed motions for acquittal
665 666 661-1 to 666-6	#8382-83 #8384 #8389-8506	07/12/2022	Fox motion & brief re. motion in limine to allow the admission of CHS Dan's text messages to SA Chambers pursuant to Evid.R. 801(d)(2)(D) & Exhibits
667 668 668-1 to 668-6	#8507-08 #8509-8536	07/12/2022	Fox's motion and brief re motion in limine to allow the admission of CHS Dan's out of court statements pursuant to FER 801(d)(2)(D) & Exhibits
670	#8538-8539	07/12/2022	Croft's Joinder in Fox's motions at R. 665-668
692	#8686-8688	07/28/2022	Order re motions in limine
707	#8959-8963	08/11/2022	Croft brief re possible juror issue
709	#8976-8977	08/12/2022	Restricted access order re juror

			issue
711	#8979-8989	08/14/2022	Order re juror issue
712	#8990-9000	08/14/2022	Corrected order re juror issue
727	#9027-9028	08/23/2022	Order re filing of verdict forms and jury notes, and Croft verdict forms
727-1 727-2	#9029-9033 #9034-9038		
729	#9040-9041	09/08/2022	Order re unsealing juror filings 707, 709, 711
745 745-1	#9726-9748 #9750-9757	09/06/2022	Croft motion for new trial and Remmer hearing, with attached Decl. of G. Gaudard (Restricted Access)
749 749-1	#9763-9764 #9765-9796	09/08/2022	Order attaching redacted version of Croft motion for new trial & Affidavit A (Decl. of G. Gaudard, (R. 745, 745-1))
757	#9963	09/16/2022	Order granting Garbin a reduced sentence to 30 months
758	#9964-9977	09/19/2022	USA Opp. to motion for new trial (Restricted Access)
770	#10101-07	10/07/2022	Judgment as to Kaleb Franks for 48 months
773	#10150-10200	11/10/2022	Croft Initial PSR (SEALED)
779	#10218-45	11/25/2022	Order denying motion for new trial and Remmer hearing
787	#10401-10460	12/12/2022	Croft Final PSR (SEALED)
801	#10634-40	12/27/2022	Judgment as to Adam Fox
804	#10648-54	12/28/2022	Judgment as to Barry Croft
808	#10666	01/07/2023	Notice of Appeal

		<u>Date of Event</u>	<u>TRANSCRIPTS</u>
Miscellaneous Transcripts			
349	#2161-97	08/25/2021	Ty Garbin sentencing
461	#3403-41	02/09/2022	Kaleb Franks' plea transcript
487	#3692-3752	01/18/2022	Transcript of FPT in Trial 1 and re pretrial orders
535	#4144-4182	01/27/2021	Garbin's plea transcript
696	#8710-8767	07/26/2022	Transcript of FPT in Trial 2
Transcript of Trial 1 ("TT1")			
817	#10836-11014	03/09/2022	TT1, day 2 (openings, Witnesses T. Reineck)
818	#11015-11236	03/10/2022	TT1, day 3 (Witnesses T. Reineck, L. Larsen, C. Long)
819	#11237-11462	03/17/2022	TT1, day 4 (Witnesses C. Long, M. Schweers)
820	#11463-11705	03/18/2022	TT1, day 5 (Witnesses M. Schweers, D. Chappel)
821	#11706-11920	03/21/2022	TT1, day 6 (Witnesses D. Chappel)
822	#11921-12163	03/22/2022	TT1, day 7 (Witnesses D. Chappel)
823	#12164-12404	03/23/2022	TT1, day 8 (Witnesses M. Keepers, T. Garbin)
824	#12405-12646	03/24/2022	TT1, day 9 (Witnesses T. Garbin, K. Franks)
825	#12647-12850	03/25/2022	TT1, day 10 (Witnesses K. Franks, B. Clark, J. Miller)
826	#12851-13090	03/28/2022	TT1, day 11 (Witnesses B. Bowman, T. Bates, J. Jaskulski, M. Chuy-Horn, E. Bowers, R. Huizinga, M. Jacobs, M. Yauk, A.)

			Ayriss)
827	#13091-13356	03/29/2022	TT1, day 12 (Witnesses A. Ayriss, T. Syzmanski, J. Kelso, C. Carter, A. Resendez, D. Phelps, A. Cowan, C. Williams, G. Mrozek)
828	#13357-13565	03/30/2022	TT1, day 13 (Witnesses K. Martinez, C. Knight, T. Hunt, R. Gillette, K. Van Arsdale, Rule 29, C. Kuester, L. Cowan, M. Cooley)
829	#13566-13793	03/31/2022	TT1, day 14 (Witnesses D. Harris, J. Chambers)
830	#13794-14016	04/01/2022	TT1, day 15 (Jury Instructions, closings)
831	#14017-14042	04/04/2022	TT1, day 16 (Deliberations, jury questions)
832	#14043-14057	04/05/2022	TT1, day 17 (Deliberations, jury questions)
833	#14058-14069	04/06/2022	TT1, day 18 (Deliberations, jury questions)
834	#14070-14082	04/07/2022	TT1, day 19 (Deliberations, jury questions)
835	#14083-14106	04/08/2022	TT1, day 20 (Verdict)

Transcript of Trial 2 (“TT2”)

837	#14139-14404	08/09/2022	TT2, day 1 (voir dire)
838	#14405-14603	08/10/2022	TT2, day 2 (openings, T. Reineck)
839	#14604-14816	08/11/2022	TT2, day 3 (T. Reineck, K. Long)
840	#14817-15025	08/12/2022	TT2, day 4 (K. Long, M. Schweers)
841	#15026-15272	08/15/2022	TT2, day 5 (M. Schweers, D. Chappel, C. Knight)
842	#15273-15547	08/16/2022	TT2, day 6 (D. Chappel, J. Robertson, M. Keepers, T. Garbin)

843	#15548-15825	08/17/2022	TT2, day 7 (T. Garbin, K. Martinez, B. Clark, K. Franks)
844	#15826-16065	08/18/2022	TT2, day 8 (T. Bates, M. Yauk, J. Jaskulski, M. Chuy-Horn, T. Szymanski, C. Williams, K. Van Arsdale, M. Anderson, C. Kuester, Rule 29)
845	#16066-16186	08/19/2022	TT2, day 9 (L. Hastings, M. Cooley, J. Penrod, C. Baumgardner, W. Moorian, Jury instructions)
846	#16187-16288	08/22/2022	TT2, day 10 (closings)
847	#16289-16304	08/23/2022	TT2, day 11 (verdict)
848	#16305-16312	08/11/2022	SEALED Trans. 8/11/2022 (a.m.)
849	#16313-16320	08/12/2022	SEALED Trans.
856	#16547-53	08/11/2022	SEALED Trans. 8/11/22 (p.m.)
Sentencing			
852	#16389-16445	12/28/2022	Croft sentencing transcript

**AUDIO/VIDEO EXHIBITS CITED IN APPELLANT'S BRIEF
(4 sets submitted to Court on flash drives)⁶**

Exhibit Name	Identified /admitted	Description
GX34 (& GX34-T)	TT2, PageID #14723-24	Audio excerpt from Dublin, 6/6/20
GX35 (& GX35-T)	#14724	Audio excerpt from Dublin, 6/6/20
GX39	#14725-26	Audio excerpt from Dublin, 6/6/20

⁶ NOTE: The exhibits labeled “-T” are the transcripts of each audio recording which were used as guides with the jury during trial but not admitted as substantive evidence. See, e.g., TT2, PageID#14723-28, 16026-28, 16178.

(& GX39-T)		
GX40 (& GX40-T)	#14726-27	Audio excerpt from Dublin, 6/6/20
GX93 (& GX93-T)	#15093	Audio excerpt from Cambria 7/11/20
GX106 (& GX106-T)	#15094	Audio excerpt from Cambria 7/12/20
GX113 (& GX113-T)	#15102	Audio excerpt, 7/18/20
GX138 (& GX138-T)	#15108	Audio excerpt, 08/09/2020
GX215 (& GX215-T)	#15145-46	Fox/Chappel audio 09/07/2020
GX224	#15834-36	FBI-produced video
GX225	#15834-36	FBI-produced video
GX226 (& GX226-T)	#15837-39	Audio excerpt from Luther, 9/12/20
GX227 (& GX227-T)	#15837-39	Audio excerpt from Luther, 9/12/20
GX276 (& GX276-T)	#15167-68	Audio excerpt re ruse trip, 9/30/20

Respectfully Submitted,

/s/ Timothy F. Sweeney

Timothy F. Sweeney (0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY
820 West Superior Ave., Suite 430
Cleveland, Ohio 44113
Phone: (216) 241-5003

Counsel for Appellant Barry Croft, Jr.

CASE NO. 23-1029

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
CINCINNATI, OHIO**

UNITED STATES OF AMERICA,)
)
)
Appellee,)
)
) On appeal from the
vs.) U.S. District Court for the Western
) District of Michigan,
) Case No. 1:20-cr-00183-RJJ-2
BARRY CROFT, JR.,)
)
)
Appellant.)

On Appeal from the United States District Court
for the Western District of Michigan

**APPENDIX FILED BY APPELLANT
BARRY CROFT, JR.**

Timothy F. Sweeney (OH 0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY
The 820 Building, Suite 430
820 West Superior Ave.
Cleveland, Ohio 44113-1800
Phone: (216) 241-5003
Email: tim@timsweeneylaw.com

Counsel for Appellant Barry Croft, Jr.

TABLE OF CONTENTS

Required Documents

District Court Docket Sheet Appx0001

Trial Exhibits Cited in Appellant Croft's Brief

Exhibit No.	Identified /admitted PageID#	Description	Appx. Page No.
TRIAL 1			
GX422	#12855-57, 12860-62	Encrypted group chat toll records	Appx0105
TRIAL 2			
(All cited GX and DX exhibits were acknowledged by trial court as admitted at PageID#16026-31; and introduced/admitted during Trial 2 at pages noted below)			
GX21	#15073-74	Post/photo [redacted to remove address]	Appx0116
GX91	#15086-87	Photo of Croft	Appx0117
GX97	#14919	Photo of Croft at Cambria	Appx0118
GX111	#15098-99	Sign in sheet at Peebles [redacted to remove parts of phone numbers]	Appx0119
GX135	#15516-17	Photo of Luther shoot-house construction	Appx0121
GX172	#15518-19	Photo of Luther shoot-house construction	Appx0122
GX175	#15121-22	Texts on encrypted chat	Appx0123

GX178	#15122-23	Photo of cottage from 8/29/20 drive-by	Appx0126
GX187	#15124-25	Photo in Bull Tavern	Appx0127
GX230	#15843-44	I-31 bridge, photo underneath from 9/12/20	Appx0128
GX232	#15846, 65	I-31 bridge, "chamber of commerce" photo	Appx0129
GX233	#15150-51	I-31 bridge, photo underneath from 9/12/20	Appx0130
GX332	#15181-82	Photo of III% items [redacted to remove addresses]	Appx0131
GX443	#15164	Encrypted chat	Appx0132
GX479	#14479-81	Facebook posts May/June 2020 [redacted to remove irrelevant names and other identifying information]	Appx0133
GX496	#14478	Facebook posts Sept. 2019 [redacted to remove irrelevant names]	Appx0140
DX1008	#15231	Texts, 7/23/20 [redacted to remove parts of phone nos.]	Appx0141
DX1009	#15231-32	Texts, 8/07/20 [redacted to remove parts of phone nos.]	Appx0142
DX1019	#15321	Text 08/18/2020 [redacted to remove parts of phone nos.]	Appx0143
DX1020	#15319	Text 08/19/2020 [redacted to remove parts of phone nos.]	Appx0144
DX1021	#15322	Text 08/25/2020 [redacted to remove parts of phone nos.]	Appx0145
DX1022	#15323	Text 08/27/2020 [redacted to remove parts of phone nos.]	Appx0146
DX1023	#15324	Text 08/27/2020 [redacted to remove parts of phone nos.]	Appx0147
DX1024	#15325	Text 08/27/2020 [redacted to remove	Appx0148

		parts of phone nos.]	
DX1025	#15325	Text 08/28/2020 [redacted to remove parts of phone nos.]	Appx0149
DX1026	#15326	Text 08/28/2020 [redacted to remove parts of phone nos.]	Appx0150
DX1027	#15326	Text 08/28/2020 [redacted to remove parts of phone nos.]	Appx0151
DX1028	#15327	Text 08/28/2020 [redacted to remove parts of phone nos.]	Appx0152
DX1029	#15327	Text 08/28/2020[redacted to remove parts of phone nos.]	Appx0153
DX1030	#15342	Text 08/30/2020 [redacted to remove parts of phone nos.]	Appx0154
DX1031	#15343	Text 09/03/2020 [redacted to remove parts of phone nos.]	Appx0155
DX1032	#15345	Text 09/03/2020 [redacted to remove parts of phone nos.]	Appx0156
DX1034	#15372	Text 09/26/2020 [redacted to remove parts of phone nos.]	Appx0157
DX1037	#15373	Text 09/29/2020 [redacted to remove parts of phone nos.]	Appx0158
DX1055	#15329-30	Photo from Bull Tavern, 8/29/20	Appx0159
DX1056	#15330	Map at Bull Tavern, 8/29/20	Appx0160
DX1058	#15336	Photo from boat launch, 8/29/20	Appx0161
DX1059	#15335	Photo from boat launch, 8/29/20	Appx0162
DX1098	#14879-80	Text of 08/03/2020 [redacted to remove parts of phone nos.]	Appx0163
DX1099	#14876-77	Text of 08/10/2020 [redacted to remove parts of phone nos.]	Appx0164
DX1174	#14637, 16031	Facebook business records	Appx0165

**United States District Court
Western District of Michigan (Southern Division (1))
CRIMINAL DOCKET FOR CASE #: 1:20-cr-00183-RJJ All Defendants**

Case title: USA v. Fox et al

Date Filed: 12/16/2020

Magistrate judge case number: 1:20-mj-00416-SJB

Date Terminated: 12/28/2022

Assigned to: Judge Robert J. Jonker

Appeals court case number: 23-1014 the
Sixth Circuit

defendant(1)

Adam Dean Fox

TERMINATED: 12/27/2022

*identified on initiating document as
Adam Fox*

TERMINATED: 12/27/2022

represented by **Christopher M. Gibbons**

Gibbons & Boer

2404 Eastern Ave., SE

Grand Rapids, MI 49507

(616) 460-1587

Email: cgibbons0003@gmail.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Helen C. Nieuwenhuis

Federal Public Defender (Grand Rapids)

50 Louis St. NW, Ste. 300

Grand Rapids, MI 49503-2633

(616) 742-7420

Email: helen_nieuwenhuis@fd.org

TERMINATED: 02/11/2021

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or
Community Defender Appointment*

Steven S. Nolder

Scott & Nolder

65 E. State St., Ste. 200

Columbus, OH 43215

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Karen M. Boer

Karen M. Boer PLLC

125 Ottawa Ave., NW, Ste. 230

Grand Rapids, MI 49503

(616) 443-8699

Appx0001

Email: karenboer2010@gmail.com

ATTORNEY TO BE NOTICED*Designation: CJA Appointment***Sean Tilton**

Federal Public Defender (Grand Rapids)

50 Louis St. NW, Ste. 300

Grand Rapids, MI 49503-2633

(616) 742-7420

Email: sean_tilton@fd.org

*TERMINATED: 02/11/2021***ATTORNEY TO BE NOTICED***Designation: Public Defender or
Community Defender Appointment***Pending Counts**

18:1201(c) KIDNAPPING; kidnapping conspiracy
(1s)

18:2332a(a)(2)(A), (a)(2)(C), 18:921(a)(4)
USE OF CERTAIN WEAPONS OF MASS DESTRUCTION; conspiracy to use a weapon of mass destruction
(2s)

Disposition

192 months custody, 5 years supervised release, fine of \$1,250.00, and \$100.00 special assessment

192 months custody, concurrent with Count 1s, 5 years supervised release, concurrent with Count 1s, fine of \$1,250.00, and \$100.00 special assessment

Highest Offense Level (Opening)

Felony

Disposition

18:1201(c) KIDNAPPING; kidnapping conspiracy
(1)

Dismissed

Highest Offense Level (Terminated)

Felony

Disposition

18:1201(c) - CONSPIRACY TO COMMIT KIDNAPPING

Assigned to: Judge Robert J. Jonker

Appeals court case number: 23-1029 the Sixth Circuit

defendant (2)**Barry Gordon Croft, Jr.***TERMINATED: 12/28/2022**identified on initiating document as*represented by **Joshua Adam Blanchard**

Blanchard Law

309 S Lafayette St., Ste. 208

Appx0002

Barry Croft

TERMINATED: 12/28/2022

P.O. Box 938

Greenville, MI 48838

(616) 773-2945

Fax: (616) 328-6501

Email: josh@blanchard.law

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Melissa Corinne Freeman

Blanchard Law

309 S Lafayette St., Ste. 208

P.O. Box 938

Greenville, MI 48838

(616) 773-2945

Email: melissa@blanchard.law

TERMINATED: 01/24/2023

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Timothy F. Sweeney

Law Office of Timothy F. Sweeney

820 W. Superior, Ste. 430

Cleveland, OH 44113

(216) 241-5003

Fax: (216) 241-3138

Email: tim@timsweeneylaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

18:1201(c) KIDNAPPING; kidnapping conspiracy
(1s)

18:2332a(a)(2)(A), (a)(2)(C), 18:921(a)(4)
USE OF CERTAIN WEAPONS OF MASS DESTRUCTION; conspiracy to use a weapon of mass destruction
(2s)

26:5861(d), 26:5841, 26:5871, 18:2
UNLAWFUL TO RECEIVE A FIREARM NOT REGISTERED; possession of an unregistered destructive device
(3s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

235 months custody, 5 years supervised release, fine of \$1,250.00, and \$100.00 special assessment

235 months custody, 5 years supervised release, fine of \$1,250.00 and \$100.00 special assessment

120 months custody, 3 years supervised release, fine of \$1,000.00, and \$100.00 special assessment

Disposition

Appx0003

18:1201(c) KIDNAPPING; kidnapping
conspiracy
(1)

Dismissed

Highest Offense Level (Terminated)

Felony

Complaints

18:1201(c) - CONSPIRACY TO COMMIT
KIDNAPPING

Disposition

Assigned to: Judge Robert J. Jonker

defendant (3)

Ty Gerard Garbin

TERMINATED: 08/26/2021

identified on initiating document as

Ty Garbin

TERMINATED: 08/26/2021

represented by **Gary K. Springstead**

Springstead Bartish Borgula & Lynch PLLC
(Fremont)

28 W. Main St.

Fremont, MI 49412

(231) 924-8700

Fax: (231) 924-8702

Email: gary@sbbllaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Paul Mitchell

Paul L. Mitchell PLLC

161 Ottawa Ave., NW, Ste. 405

Grand Rapids, MI 49503

(616) 742-5880

Email: plm1218@yahoo.com

TERMINATED: 10/13/2020

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Mark A. Satawa

Satawa Law PLLC

26777 Central Park Blvd., Ste. 300

Southfield, MI 48076-4172

(248) 356-8320

Email: mark@satawalaw.com

ATTORNEY TO BE NOTICED

Designation: Retained

Nicole Springstead-Stolte

Springstead Bartish Borgula & Lynch PLLC
(GR)

60 Monroe Center St., NW, Ste. 500

Grand Rapids, MI 49503

Appx0004

(616) 458-5500

Email: nicole@sbllaw.com

ATTORNEY TO BE NOTICED*Designation: Retained***Pending Counts**

18:1201(c) KIDNAPPING; kidnapping conspiracy
(1)

Disposition

75 months custody, 3 years supervised release, fine of \$2,500.00, and \$100.00 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Disposition**Complaints**

18:1201(c) - CONSPIRACY TO COMMIT KIDNAPPING

Assigned to: Judge Robert J. Jonker

defendant (4)**Kaleb James Franks**

TERMINATED: 10/07/2022

identified on initiating document as

Kaleb Franks

TERMINATED: 10/07/2022

represented by **Scott Graham**

Scott Graham PLLC

1911 West Centre Ave., Ste. C

Portage, MI 49024

(269) 327-0585

Email: sgraham@scottgrahamllc.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

18:1201(c) KIDNAPPING; kidnapping conspiracy
(1s)

Disposition

48 months custody, 3 years supervised release, fine of \$2,500.00, and \$100.00 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts**Disposition**

18:1201(c) KIDNAPPING; kidnapping
conspiracy
(1)

Dismissed

Highest Offense Level (Terminated)

Felony

Complaints

18:1201(c) - CONSPIRACY TO COMMIT
KIDNAPPING

Disposition

Assigned to: Judge Robert J. Jonker

defendant (5)

Daniel Joseph Harris

TERMINATED: 04/08/2022

*identified on initiating document as
Daniel Harris*

TERMINATED: 04/08/2022

represented by **Julia Anne Kelly**
Willey & Chamberlain LLP
300 Ottawa Ave., NW, Ste. 810
Grand Rapids, MI 49503
(616) 458-2212
Email: jak@willeychamberlain.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Thomas William Parker Douglas

Douglas Law PLLC

106 East 8th St.

Holland, MI 49423

(801) 699-7746

Email: parkerdouglas66@gmail.com

TERMINATED: 02/11/2021

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

18:1201(c) KIDNAPPING; kidnapping
conspiracy
(1)

18:1201(c) KIDNAPPING; kidnapping
conspiracy
(1s)

Disposition

SEE #612 FOR JUDGMENT OF
ACQUITTAL

SEE #612 FOR JUDGMENT OF
ACQUITTAL

Appx0006

18:2332a(a)(2)(A), (a)(2)(C), 18:921(a)(4)
 USE OF CERTAIN WEAPONS OF MASS
 DESTRUCTION; conspiracy to use a
 weapon of mass destruction
 (2s)

26:5861(d), 26:5841, 26:5871, 18:2
 UNLAWFUL TO RECEIVE A FIREARM
 NOT REGISTERED; possession of an
 unregistered destructive device
 (3s)

26:5861(d), 26:5845(a)(3), 26:5871
 UNLAWFUL TO RECEIVE A FIREARM
 NOT REGISTERED; possession of an
 unregistered short-barreled rifle
 (4s)

SEE #612 FOR JUDGMENT OF
 ACQUITTAL

SEE #612 FOR JUDGMENT OF
 ACQUITTAL

SEE #612 FOR JUDGMENT OF
 ACQUITTAL

Highest Offense Level (Terminated)

Felony

Complaints

18:1201(c) - CONSPIRACY TO COMMIT
 KIDNAPPING

Disposition

Assigned to: Judge Robert J. Jonker

defendant (6)

Brandon Michael-Ray Caserta
TERMINATED: 04/08/2022
identified on initiating document as
 Brandon Caserta
TERMINATED: 04/08/2022

represented by **Michael Darragh Hills**
 Hills at Law, PC
 425 S Westnedge Ave.
 Kalamazoo, MI 49007
 (269) 373-5430
 Email: mhills@hillslawoffice.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

18:1201(c) KIDNAPPING; kidnapping
 conspiracy
 (1)

Disposition

See #613 for Judgment of Acquittal

18:1201(c) KIDNAPPING; kidnapping
conspiracy
(1s)

See #613 for Judgment of Acquittal

Highest Offense Level (Terminated)

Felony

Complaints

18:1201(c) - CONSPIRACY TO COMMIT
KIDNAPPING

Disposition

See #613 for Judgment of Acquittal

material witness

Material Witness

represented by **Thomas Smith**
Smith Law Firm, PLLC
200 Ottawa Ave., Ste.401, NW
Grand Rapids, MI 49503
(616) 796-0072
Fax: (616) 796-0073
Email: tsmith@smithlawfirm.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness

Material Witness (2)

represented by **Lawrence J. Phelan**
14080 Windemere Dr., NW
Walker, MI 49534
(616) 293-3070
Email: lphelan.hp@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness

Chastity Knight

represented by **John M. Karafa**
Gravis Law PLLC
120 W Apple Ave.
Muskegon, MI 49440
(231) 727-2117
Fax: (231) 727-2130
Email: jkarafa@gravislaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Casey Mayan**

represented by **Daniel R. Fagan**
Daniel R. Fagan & Associates, PC
429 Turner Ave., NW
Grand Rapids, MI 49504
(616) 224-2564
Fax: (616) 454-2232
Email: fagandrlaw@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Gary Landgraff**

represented by **Nicholas Voss Dondzila**
Kuiper Kraemer PC
180 Monroe Ave., NW, Ste. 400
Grand Rapids, MI 49503
(616) 454-3700
Email: nickdondzila@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Solomon Clark**

represented by **LaRissa Dione Hollingsworth**
Drew Cooper & Anding
80 Ottawa Ave., NW, Ste. 200
Grand Rapids, MI 49503
(616) 666-7589
Fax: 616-454-0036
Email: lhollingsworth@dca-lawyers.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Alex Davidson**

represented by **Geoffrey Upshaw**
Law Office of Geoffrey Upshaw
429 Turner Ave., NW
Grand Rapids, MI 49504
(616) 278-8092
Fax: (855) 710-7564
Email: Geoffrey_Upshaw@outlook.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Appx0009

material witness**Taya Plummer**represented by **Deno P. Fotieo**

Deno P. Fotieo - Attorney at Law

45 Parkview Dr., NE

45 Parkview Dr., NE

Grand Rapids, MI 49503

(616) 340-9694

Email: denofotieo@sbcglobal.net

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment****material witness****Jeremy Deeters**represented by **Lucas Xavier Dillon , Sr.**

The Dillon Law Group PLLC

1350 E Lake Lansing Rd., Ste. D

East Lansing, MI 48823

(419) 481-3028

Email: Lucas@thedillonlawgroup.com

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment****material witness****Thomas Leager**represented by **Patrick William O'Keefe , II**

O'Keefe Law, PLLC

7804 Francis Ct., Ste. 110

Lansing, MI 48917

(517) 253-0114

Fax: (517) 253-0121

Email: patrick@okeefelaw.net

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment****material witness****Jennifer Plunk**represented by **Roland Lindh**

161 Ottawa NW, Ste. 300-H

Grand Rapids, MI 49503

(616) 350-4348

Email: roland.lindh.iii@gmail.com

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment**

material witness**Stephen Robeson**

represented by **Lawrence J. Phelan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Daniel Joseph Harris**

represented by **Julia Anne Kelly**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Brandon Michael-Ray Caserta**

represented by **Michael Darragh Hills**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**Megan Cooley**

represented by **Roman J. Kosiorek**
96 Monroe Ctr., Ste. 205
Grand Rapids, MI 49503
(616) 988-4545
Email: romanlaw@sbcglobal.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

material witness**James Kawasaki**

represented by **Pavol Fabian**
Zamzow Fabian PLLC
P.O. Box 1906
Grand Rapids, MI 49501
(616) 965-2621
Email: pavol@zamzowfabian.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

movant**BuzzFeed, Inc.**

represented by **Joseph E. Richotte**
Butzel Long PC (Troy)
201 W Big Beaver Rd., Ste. 1200
Troy, MI 48084
(248) 258-1616
Fax: (248) 258-1439
Email: richotte@butzel.com
ATTORNEY TO BE NOTICED
Designation: Retained

movant**The Detroit News**

represented by **J. Michael Huget**
Honigman Miller Schwartz and Cohn LLP
(Ann Arbor)
315 E Eisenhower Pkwy., Ste. 100
Ann Arbor, MI 48108
(734) 418-4254
Email: mhuget@honigman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Andrew Michael Pauwels
Honigman LLP (Detroit)
2290 First National Bldg.
660 Woodward Ave.
Detroit, MI 48226
(313) 465-7290
Email: apauwels@honigman.com
ATTORNEY TO BE NOTICED
Designation: Retained

Leonard M. Niehoff
Honigman Miller Schwartz and Cohn LLP
(Ann Arbor)
315 E Eisenhower Pkwy., Ste. 100
Ann Arbor, MI 48108
(734) 418-4246
Email: lniehoff@honigman.com
ATTORNEY TO BE NOTICED
Designation: Retained

movant**Scripps Media, Inc.**

represented by **J. Michael Huget**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Appx0012

Designation: Retained

Andrew Michael Pauwels
(See above for address)
ATTORNEY TO BE NOTICED
Designation: Retained

Leonard M. Niehoff
(See above for address)
ATTORNEY TO BE NOTICED
Designation: Retained

movant

New York Times Company, The

represented by **Joseph E. Richotte**
(See above for address)
ATTORNEY TO BE NOTICED
Designation: Retained

Plaintiff

USA

represented by **Austin Jacob Hakes**
U.S. Attorney (Grand Rapids)
The Law Bldg.
330 Ionia Ave., NW
P.O. Box 208
Grand Rapids, MI 49501-0208
(616) 456-2404
Email: austin.hakes@usdoj.gov
TERMINATED: 11/19/2021
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Nils R. Kessler
U.S. Attorney (Grand Rapids)
The Law Bldg.
330 Ionia Ave., NW
P.O. Box 208
Grand Rapids, MI 49501-0208
(616) 456-2404
Email: Nils.Kessler@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Christopher M. O'Connor
U.S. Attorney (Grand Rapids)
The Law Bldg.
330 Ionia Ave., NW
P.O. Box 208
Grand Rapids, MI 49501-0208

Appx0013

United States District Court for the Western District of Michigan
 (616) 456-2404
 Email: Christopher.OConnor@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Daniel T. McGraw
 U.S. Attorney (Grand Rapids)
 The Law Bldg.
 330 Ionia Ave., NW
 P.O. Box 208
 Grand Rapids, MI 49501-0208
 (616) 456-2404
 Email: daniel.mcgraw@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Joel Scott Fauson
 U.S. Attorney (Grand Rapids)
 The Law Bldg.
 330 Ionia Ave., NW
 P.O. Box 208
 Grand Rapids, MI 49501-0208
 (616) 808-2062
 Email: joel.fauson@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Jonathan Roth
 U.S. Attorney (Grand Rapids)
 The Law Bldg.
 330 Ionia Ave., NW
 P.O. Box 208
 Grand Rapids, MI 49501-0208
 (616) 456-2408
 Email: jonathan.roth@usdoj.gov
TERMINATED: 04/19/2022
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
10/06/2020	1	COMPLAINT as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta; signed by Magistrate Judge Sally J. Berens (Attachments: # 1 Continuation of Criminal Complaint) (cbh) Modified on 10/8/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/06/2020)
10/06/2020	2	MOTION and ORDER TO SEAL CASE until defendant is arrested, the investigation is completed, or further order of this court; signed by Magistrate Judge Sally J. Berens (cbh) Modified on 10/8/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/06/2020)
10/06/2020	9	PENALTY SHEET re Criminal Complaint 1 as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta (cbh) Modified on 10/8/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/06/2020)

10/07/2020		WARRANT EXECUTED; defendant Brandon Caserta arrested by FBI agent Richard Trask in Ypsilanti, MI (USM Control Room, mac) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/07/2020		WARRANT EXECUTED; defendant Kaleb Franks arrested by FBI agent Richard Trask in Ypsilanti, MI (USM Control Room, mac) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/07/2020		WARRANT EXECUTED; defendant Adam Fox arrested by FBI agent Richard Trask in Ypsilanti, MI (USM Control Room, mac) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/07/2020		WARRANT EXECUTED; defendant Ty Garbin arrested by FBI agent Richard Trask in Ypsilanti, MI (USM Control Room, mac) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/07/2020		WARRANT EXECUTED; defendant Daniel Harris arrested by FBI agent Richard Trask in Ypsilanti, MI (USM Control Room, mac) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/07/2020		WARRANT EXECUTED; defendant Barry Croft arrested by FBI agent Unknown in Swedesboro, NJ (USM Control Room, jjb) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/08/2020		CASE UNSEALED as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta pursuant to arrest of defendants (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>10</u>	NOTICE OF HEARING as to defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, and Brandon Caserta: First appearance is set for 10/8/2020 at 02:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; public courtroom access will be available but may be limited due to coronavirus precautions in place; public audio access (listen only) is available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OF THIS PROCEEDING WITHOUT COURT PERMISSION IS PROHIBITED LGenR 4.1(c)(i) (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>14</u>	MINUTES of FIRST APPEARANCE of defendant Brandon Caserta held before Magistrate Judge Sally J. Berens; defendant's request for court appointed counsel granted; defendant remanded to USM (Proceedings Digitally Recorded) (jal) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>20</u>	CJA 23 financial affidavit by defendant Brandon Caserta in support of request for court-appointed counsel (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		(NON-DOCUMENT) ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, and Brandon Caserta; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>21</u>	ORDER SCHEDULING PROGRESSION OF CASE as to defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta: preliminary hearing and detention hearing set for 10/13/2020 at 09:30 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		(NON-DOCUMENT) NOTICE from chambers as to defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, and Brandon Caserta: Public courtroom access for the 10/13/2020 9:30 AM hearing will be available but may be limited due to coronavirus precautions in place. Public audio access (listen only) for the 10/13/2020 9:30 AM hearing will be available by phone at (888) 363-4734 with Access Code 6957754#. RECORDING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i). (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)

10/08/2020	<u>12</u>	MINUTES of FIRST APPEARANCE of defendant Kaleb Franks held before Magistrate Judge Sally J. Berens; defendant's request for court appointed counsel granted; defendant remanded to USM (Proceedings Digitally Recorded) (jal) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>18</u>	CJA 23 financial affidavit by defendant Kaleb Franks in support of request for court-appointed counsel (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>15</u>	MINUTES of FIRST APPEARANCE of defendant Adam Fox held before Magistrate Judge Sally J. Berens; defendant's request for court appointed counsel granted; defendant remanded to USM (Proceedings Digitally Recorded) (jal) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>16</u>	CJA 23 financial affidavit by defendant Adam Fox in support of request for court-appointed counsel (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		DEFENDANT Adam Fox will be represented by Helen C. Nieuwenhuis (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>11</u>	MINUTES of FIRST APPEARANCE of defendant Ty Garbin held before Magistrate Judge Sally J. Berens; CASE UNSEALED; defendant's request for court appointed counsel granted; defendant remanded to USM (Proceedings Digitally Recorded) (jal) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>17</u>	CJA 23 financial affidavit by defendant Ty Garbin in support of request for court-appointed counsel (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		Federal Public Defender recommends that Paul Mitchell be appointed to represent defendant Ty Garbin (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>13</u>	MINUTES of FIRST APPEARANCE of defendant Daniel Harris held before Magistrate Judge Sally J. Berens; defendant's request for court appointed counsel granted; defendant remanded to USM (Proceedings Digitally Recorded) (jal) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020	<u>19</u>	CJA 23 financial affidavit by defendant Daniel Harris in support of request for court-appointed counsel (cbh) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		Federal Public Defender recommends that Thomas William Parker Douglas be appointed to represent defendant Daniel Harris (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/08/2020		(DISREGARD)Federal Public Defender recommends that Scott Graham be appointed to represent defendant Barry Croft (Federal Public Defender,) Modified per request of FPD on 10/8/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/08/2020)
10/09/2020		Federal Public Defender recommends that Michael Darragh Hills be appointed to represent defendant Brandon Caserta (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020		CJA 20 APPOINTMENT of Michael Darragh Hills for defendant Brandon Caserta; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020	<u>24</u>	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Brandon Caserta [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Brandon Caserta only] (USPO Sheila Osborn, jae,) Modified to revoke attorney access on 10/13/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/09/2020)

10/09/2020		Federal Public Defender recommends that Scott Graham be appointed to represent defendant Kaleb Franks (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020		CJA 20 APPOINTMENT of Scott Graham for defendant Kaleb Franks; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020	<u>23</u>	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Kaleb Franks [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Kaleb Franks only] (USPO Sheila Osborn, jae,) Modified to revoke attorney access on 10/13/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020		(NON-DOCUMENT) ATTORNEY APPEARANCE of Sean Tilton for defendant Adam Fox [Attorney Sean Tilton added to party Adam Fox(pty:dft)] (Tilton, Sean) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020	<u>22</u>	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Adam Fox [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Fox only] (USPO Sheila Osborn, jae,) Modified to revoke attorney access on 10/16/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020		CJA 20 APPOINTMENT of Paul Mitchell for defendant Ty Garbin; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020	<u>26</u>	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Ty Garbin [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Ty Garbin only] (USPO Matthew Koon, jae,) Modified to revoke attorney access on 10/16/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020		CJA 20 APPOINTMENT of Thomas William Parker Douglas for defendant Daniel Harris; signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/09/2020	<u>25</u>	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Daniel Harris [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Daniel Harris only] (USPO Matthew Koon, jae,) Modified to revoke attorney access on 10/13/2020 (jal). [1:20-mj-00416-SJB] (Entered: 10/09/2020)
10/12/2020	<u>27</u>	UNOPPOSED MOTION for leave to file <i>under Restricted Access</i> by Kaleb Franks (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 10/12/2020)
10/12/2020	<u>28</u>	(RESTRICTED ACCESS) DOCUMENT re defendant [Access to this document is available to the Court and attorney(s) for USA, Kaleb Franks only] (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 10/12/2020)
10/12/2020	<u>29</u>	(RESTRICTED ACCESS) DOCUMENT <i>Letters of Support re. Detention Factors</i> re defendant (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 10/12/2020)
10/13/2020	<u>37</u>	MINUTES of preliminary hearing and detention hearing as to defendant Brandon Caserta held before Magistrate Judge Sally J. Berens; defendant's request for continuance of preliminary hearing granted; heard on detention, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	<u>30</u>	ORDER granting Defendant Frank's Unopposed Motion for Leave to File Under Restricted Access <u>27</u> ; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	<u>35</u>	MINUTES of preliminary hearing and detention hearing as to defendant Kaleb Franks held before Magistrate Judge Sally J. Berens; defendant's request for continuance of

United States District Court for the Western District of Michigan

preliminary hearing granted; heard on detention, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)

		preliminary hearing granted; heard on detention, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	32	MINUTES of preliminary hearing as to defendant Adam Fox held before Magistrate Judge Sally J. Berens; defendant's request for continuance of preliminary hearing and detention hearing granted; defendant remanded to USM (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	31	ATTORNEY SUBSTITUTION of Gary K. Springstead replacing attorney Paul Mitchell for USA (Springstead, Gary) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	33	MINUTES of preliminary hearing as to defendant Ty Garbin held before Magistrate Judge Sally J. Berens; substitution of counsel granted; defendant's request for continuance of preliminary hearing and detention hearing granted; defendant remanded to USM (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	34	ORDER granting substitution of counsel 31 as to defendant Ty Garbin; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/13/2020	36	MINUTES of preliminary hearing and detention hearing as to defendant Daniel Harris held before Magistrate Judge Sally J. Berens; defendant's request for continuance of preliminary hearing granted; heard on detention, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/13/2020)
10/14/2020		(NON-DOCUMENT) ATTORNEY APPEARANCE of Mark A. Satawa for defendant Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta [Attorney Mark A. Satawa added to party Ty Garbin(pty:dft)] (Satawa, Mark)[1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/14/2020	38	NOTICE OF HEARING as to defendant Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, and Brandon Caserta: preliminary hearing set for 10/16/2020 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; bond hearings for defendants Adam Fox and Ty Garbin will also be held (cbh) [1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/14/2020		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta: Public courtroom access for the 10/16/2020 10:00 AM hearing will be available but may be limited due to coronavirus precautions in place. Public audio access (listen only) for the 10/16/2020 10:00 AM hearing will be available by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i). (cbh) [1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/14/2020	39	TRANSCRIPT of Volume I of Preliminary Hearing as to defendant Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta held 10/13/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/12/2021 ; redaction request due 11/4/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/14/2020	42	ORDER OF DETENTION pending trial as to defendant Brandon Caserta; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/14/2020)

10/14/2020	40	ORDER OF DETENTION pending trial as to defendant Kaleb Franks; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/14/2020	41	ORDER OF DETENTION pending trial as to defendant Daniel Harris; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/14/2020)
10/16/2020	50	MINUTES of continued preliminary hearing as to defendant Brandon Caserta held before Magistrate Judge Sally J. Berens; bindover order to issue; detention continued (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	51	ORDER that defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris and Brandon Caserta are bound over for further proceedings before the Grand Jury; status conference set for 11/4/2020 at 02:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	48	MINUTES of continued preliminary hearing as to defendant Kaleb Franks held before Magistrate Judge Sally J. Berens; bindover order to issue; detention continued (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	44	MINUTES of preliminary hearing and detention hearing as to defendant Adam Fox held before Magistrate Judge Sally J. Berens; bindover order to issue; detention hearing waived, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	45	ORDER OF DETENTION pending trial as to defendant Adam Fox; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	46	MINUTES of preliminary hearing and detention hearing as to defendant Ty Garbin held before Magistrate Judge Sally J. Berens; bindover order to issue; heard on detention, order of detention to issue (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	47	ORDER OF DETENTION pending trial as to defendant Ty Garbin; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	49	MINUTES of continued preliminary hearing as to defendant Daniel Harris held before Magistrate Judge Sally J. Berens; bindover order to issue; detention continued (Court Reporter: Glenda Trexler) (jal) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/16/2020	43	RULE 5 DOCUMENTS received from District of Delaware as to defendant Barry Croft (Attachments: # 1 Docket Sheet, # 2 Motion to Detain, # 3 Waiver of Rule 5, # 4 Waiver of Rule 5 Det Hrg, # 5 Commitment Order) (sjc) [1:20-mj-00416-SJB] (Entered: 10/16/2020)
10/26/2020	52	MOTION for ends of justice continuance <i>to extend time for filing indictment</i> by USA as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta (Kessler, Nils)[1:20-mj-00416-SJB] (Entered: 10/26/2020)
10/26/2020	53	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta re MOTION for ends of justice continuance <i>to extend time for filing indictment</i> 52 unopposed (Kessler, Nils)[1:20-mj-00416-SJB} (Entered: 10/26/2020)
10/26/2020	54	TRANSCRIPT of Volume II of Preliminary Hearing as to defendant Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta held 10/16/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the

		<p><u>Policy Regarding Transcripts</u> the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/25/2021 ; redaction request due 11/16/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/26/2020)</p>
10/26/2020	55	<p>TRANSCRIPT of Detention Hearing as to defendant Adam Fox held 10/16/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the <u>Policy Regarding Transcripts</u> the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/25/2021 ; redaction request due 11/16/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/26/2020)</p>
10/27/2020	56	<p>TRANSCRIPT of Detention Hearing as to defendant Kaleb Franks held 10/13/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the <u>Policy Regarding Transcripts</u> the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/25/2021 ; redaction request due 11/17/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/27/2020)</p>
10/28/2020	57	<p>MOTION for bond <i>Defendant's Motion for Revocation of Detention Order and Memorandum in Support</i> by Kaleb Franks (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 10/28/2020)</p>
10/28/2020	58	<p>CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb Franks re MOTION for bond <i>Defendant's Motion for Revocation of Detention Order and Memorandum in Support</i> 57 (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 10/28/2020)</p>
10/29/2020	59	<p>TRANSCRIPT of Detention Hearing as to defendant Brandon Caserta held 10/13/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the <u>Policy Regarding Transcripts</u> the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/27/2021 ; redaction request due 11/19/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/29/2020)</p>
10/29/2020		<p>APPEAL OF MAGISTRATE JUDGE DECISION to District Judge by Kaleb Franks re Order of Detention 40 (<i>as taken from</i> 57) (jal) [1:20-mj-00416-SJB] (Entered: 10/29/2020)</p>
10/29/2020	61	<p>TRANSCRIPT of Detention Hearing as to defendant Ty Garbin held 10/16/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction set for 1/27/2021 ; redaction request due 11/19/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/29/2020)</p>

		transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/27/2021 ; redaction request due 11/19/2020 (Court Reporter: Trexler, Glenda (517)819-0396) Modified text per Court Reporter on 10/29/2020; replaced by 62 (ems).[1:20-mj-00416-SJB] Modified text on 1/12/2021 (ems). (Entered: 10/29/2020)
10/29/2020	62	CORRECTED TRANSCRIPT of Detention Hearing as to defendant Ty Garbin held 10/16/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/27/2021 ; redaction request due 11/19/2020 (Court Reporter: Trexler, Glenda (517)819-0396)[1:20-mj-00416-SJB] Modified text on 1/12/2021; this entry replaces Transcript 61 (ems). (Entered: 10/29/2020)
10/29/2020	60	TRANSCRIPT of Detention Hearing as to defendant Daniel Harris held 10/13/2020 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/27/2021 ; redaction request due 11/19/2020 (Court Reporter: Trexler, Glenda (517)819-0396) [1:20-mj-00416-SJB] (Entered: 10/29/2020)
10/30/2020	64	ORDER granting Government's Unopposed Motion for Ends of Justice Continuance to Extend Time for Filing Indictment 52 as to Adam Fox (1), Barry Croft (2), Ty Garbin (3), Kaleb Franks (4), Daniel Harris (5), Brandon Caserta (6); signed by Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/30/2020)
10/30/2020	65	NOTICE rescheduling hearing as to Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta that was previously set for 11/4/2020; status conference set for 12/17/2020 at 11:00 AM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (cbh) [1:20-mj-00416-SJB] (Entered: 10/30/2020)
10/30/2020	63	ORDER regarding response to Motion for Bond 57 , Appeal to District Judge - Magistrate Judge Decision; government response due not later than 11/10/2020; ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) [1:20-mj-00416-SJB] (Entered: 10/30/2020)
11/09/2020	66	RESPONSE in opposition by USA as to Kaleb Franks re MOTION for bond <i>Defendant's Motion for Revocation of Detention Order and Memorandum in Support</i> 57 (Kessler, Nils) [1:20-mj-00416-SJB] (Entered: 11/09/2020)
11/10/2020	67	UNOPPOSED MOTION for protective order by USA as to Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta (Attachments: # 1 Proposed Order) (Kessler, Nils)[1:20-mj-00416-SJB] (Entered: 11/10/2020)

11/10/2020	68	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta re UNOPPOSED MOTION for protective order 67 (Kessler, Nils) [1:20-mj-00416-SJB] (Entered: 11/10/2020)
11/11/2020	69	MOTION for leave to file <i>Reply to the Government's Response to Defendant's Detention Appeal</i> by Kaleb Franks (Attachments: # 1 Attachment Proposed Reply Brief) (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 11/11/2020)
11/11/2020	70	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb Franks re MOTION for leave to file <i>Reply to the Government's Response to Defendant's Detention Appeal</i> 69 (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 11/11/2020)
11/12/2020	72	PROTECTIVE ORDER; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 11/12/2020)
11/12/2020	71	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb Franks re MOTION for leave to file <i>Reply to the Government's Response to Defendant's Detention Appeal</i> 69 <i>Amended Certificate Regarding Motion Concurrence</i> (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 11/12/2020)
11/16/2020	73	ORDER granting motion for leave to file 69 as to Kaleb Franks (4); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) [1:20-mj-00416-SJB] (Entered: 11/16/2020)
11/19/2020	74	ORDER denying motion for bond 57 and affirming the Magistrate Judge's Order of detention 40 as to Kaleb Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) [1:20-mj-00416-SJB] (Entered: 11/19/2020)
11/20/2020	75	EX PARTE MOTION filed by Kaleb Franks (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 11/20/2020)
11/20/2020	76	SEALED MOTION filed by Kaleb Franks (Attachments: # 1 Proposed Document) (Graham, Scott) Modified text on 11/25/2020 (jal). [1:20-mj-00416-SJB] (Entered: 11/20/2020)
11/25/2020	77	(RESTRICTED ACCESS) ORDER as to Kaleb Franks <i>granting Ex-Parte Motion</i> 75 ; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 11/25/2020)
12/07/2020	78	MOTION for leave to file <i>under Restricted Access</i> by Kaleb Franks as to Adam Fox, Kaleb Franks, Daniel Harris, Brandon Caserta (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 12/07/2020)
12/07/2020	79	(RESTRICTED ACCESS) DOCUMENT re defendant (Graham, Scott) [1:20-mj-00416-SJB] (Entered: 12/07/2020)
12/08/2020	80	ORDER granting Defendants' Motion for Leave to File Under Restricted Access 78 as to Adam Fox (1), Kaleb Franks (4), Daniel Harris (5), Brandon Caserta (6); signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 12/08/2020)
12/08/2020		(NON-DOCUMENT) ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for defendant Barry Croft; signed by Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 12/08/2020)
12/08/2020		Federal Public Defender recommends that Joshua Adam Blanchard be appointed to represent defendant Barry Croft (Federal Public Defender,) [1:20-mj-00416-SJB] (Entered: 12/08/2020)
12/08/2020		CJA 20 APPOINTMENT of Joshua Adam Blanchard for defendant Barry Croft; signed by

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		Magistrate Judge Sally J. Berens (jal) [1:20-mj-00416-SJB] (Entered: 12/08/2020)
12/14/2020	85	NOTICE rescheduling hearing as to Brandon Caserta that was previously set for same date at 11:00 AM for an in person proceeding: status conference set for 12/17/2020 at 12:00 PM by video before Magistrate Judge Sally J. Berens; Zoom connection information will be sent to the attorneys before the hearing; Public access information for this proceeding will be filed separately; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) [1:20-mj-00416-SJB] (Entered: 12/14/2020)
12/14/2020	83	NOTICE rescheduling hearing as to Kaleb Franks that was previously set for same date and time for an in-person proceeding: status conference set for 12/17/2020 at 11:00 AM by video before Magistrate Judge Sally J. Berens; Zoom connection information will be sent to the attorneys before the hearing; Public access information for this proceeding will be filed separately; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) [1:20-mj-00416-SJB] (Entered: 12/14/2020)
12/14/2020	84	NOTICE rescheduling hearing as to Adam Fox that was previously set for same date at 11:00 AM for an in person proceeding: status conference set for 12/17/2020 at 11:30 AM by video before Magistrate Judge Sally J. Berens; Zoom connection information will be sent to the attorneys before the hearing; Public access information for this proceeding will be filed separately; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) [1:20-mj-00416-SJB] (Entered: 12/14/2020)
12/14/2020	82	NOTICE rescheduling hearing as to Ty Garbin that was previously set for same date at 11:00 AM for an in person proceeding: status conference set for 12/17/2020 at 10:30 AM by video before Magistrate Judge Sally J. Berens; Zoom connection information will be sent to the attorneys before the hearing; Public access information for this proceeding will be filed separately; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) [1:20-mj-00416-SJB] (Entered: 12/14/2020)
12/14/2020	81	NOTICE rescheduling hearing as to Daniel Harris that was previously set for same date at 11:00 AM for an in person proceeding: status conference set for 12/17/2020 at 10:00 AM by video before Magistrate Judge Sally J. Berens; Zoom connection information will be sent to the attorneys before the hearing; Public access information for this proceeding will be filed separately; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) [1:20-mj-00416-SJB] (Entered: 12/14/2020)
12/15/2020		(NON-DOCUMENT) NOTICE from chambers as to defendants Adam Fox, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta: Public audio access (listen only) for the 12/17/2020 hearings beginning at 10:00 AM will be available by phone at (888) 363-4734 with Access Code 6957754#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii). (jal) [1:20-mj-00416-SJB] (Entered: 12/15/2020)
12/16/2020	86	INDICTMENT as to Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, Brandon Caserta (ns) (Entered: 12/16/2020)
12/16/2020	87	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by defendant Adam Fox (Nieuwenhuis, Helen) (Entered: 12/16/2020)
12/17/2020	88	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Adam Fox (Hakes, Austin) (Entered: 12/17/2020)
12/17/2020	89	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Barry Croft (Hakes, Austin) (Entered: 12/17/2020)

12/17/2020	90	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Ty Garbin (Hakes, Austin) (Entered: 12/17/2020)
12/17/2020	91	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Kaleb Franks (Hakes, Austin) (Entered: 12/17/2020)
12/17/2020	92	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Daniel Harris (Hakes, Austin) (Entered: 12/17/2020)
12/17/2020	93	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by USA as to defendant Brandon Caserta (Hakes, Austin) (Entered: 12/17/2020)
12/17/2020	94	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by defendant Kaleb Franks (Graham, Scott) (Entered: 12/17/2020)
12/17/2020	95	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by Ty Garbin (Satawa, Mark); Modified text on 1/7/2021 (pjw) (Entered: 12/17/2020)
12/17/2020	96	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by defendant Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 12/17/2020)
12/17/2020	97	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by defendant Daniel Joseph Harris (Douglas, Thomas) (Entered: 12/17/2020)
12/17/2020	98	UNOPPOSED MOTION for protective order and Memorandum in Support by USA as to Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Kessler, Nils) Modified text on 12/18/2020 (pjw). (Entered: 12/17/2020)
12/17/2020	99	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Barry Gordon Croft, Jr re UNOPPOSED MOTION for protective order 98 (Kessler, Nils) (Entered: 12/17/2020)
12/17/2020	100	MINUTES of ARRAIGNMENT and INITIAL PRETRIAL CONFERENCE as to Daniel Joseph Harris (5) held before Magistrate Judge Sally J. Berens; defendant pled not guilty to Count 1; detention continued (jal) (Entered: 12/17/2020)
12/17/2020	101	MINUTES of ARRAIGNMENT and INITIAL PRETRIAL CONFERENCE as to Ty Gerard Garbin (3) held before Magistrate Judge Sally J. Berens; defendant pled not guilty to Count 1; detention continued (Proceedings Digitally Recorded) (jal) (Entered: 12/17/2020)
12/17/2020	102	MINUTES of ARRAIGNMENT and INITIAL PRETRIAL CONFERENCE as to Kaleb James Franks (4) held before Magistrate Judge Sally J. Berens; defendant pled not guilty to Count 1; detention continued (Proceedings Digitally Recorded) (jal) (Entered: 12/17/2020)
12/17/2020	103	MINUTES of ARRAIGNMENT and INITIAL PRETRIAL CONFERENCE as to Adam Dean Fox (1) held before Magistrate Judge Sally J. Berens; defendant pled not guilty to Count 1; detention continued (Proceedings Digitally Recorded) (jal) (Entered: 12/17/2020)
12/17/2020	104	MINUTES of ARRAIGNMENT and INITIAL PRETRIAL CONFERENCE as to Brandon Michael-Ray Caserta (6) held before Magistrate Judge Sally J. Berens; defendant pled not guilty to Count 1; detention continued (Proceedings Digitally Recorded) (jal) (Entered: 12/17/2020)
12/17/2020	105	ORDER as to defendants Adam Dean Fox, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta re Rule 5(f); signed by Magistrate Judge Sally J. Berens (jal) (Entered: 12/17/2020)

12/17/2020	120	DEFENDANT'S RIGHTS as to defendant Kaleb James Franks (jln) (Entered: 12/29/2020)
12/17/2020	121	DEFENDANT'S RIGHTS as to defendant Ty Gerard Garbin (jln) Modified date on 12/30/2020 (jln). (Entered: 12/30/2020)
12/18/2020	106	PENALTY SHEET re Indictment 86 as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 12/18/2020)
12/18/2020	107	ORDER granting motion for protective order 98 as to Barry Gordon Croft Jr. (2); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 12/18/2020)
12/18/2020	108	MOTION for release from custody <i>Defendant's motion to revoke detention order</i> by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	109	BRIEF in support by Barry Gordon Croft, Jr re MOTION for release from custody <i>Defendant's motion to revoke detention order</i> 108 (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	110	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re MOTION for release from custody <i>Defendant's motion to revoke detention order</i> 108 (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	111	EX PARTE MOTION filed by Barry Gordon Croft, Jr (Attachments: # 1 Exhibit 1) (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	112	MOTION for leave to file <i>to file under restricted access</i> by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	113	(RESTRICTED ACCESS) MOTION by defendant [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Attachments: # 1 Declaration, # 2 Exhibit 1, # 3 Exhibit 2) (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020	114	(RESTRICTED ACCESS) DOCUMENT <i>proposed order</i> re defendant [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Blanchard, Joshua) (Entered: 12/18/2020)
12/18/2020		(NON-DOCUMENT) ORDER REFERRING (RESTRICTED ACCESS) MOTION by defendant [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] 113 , MOTION for release from custody <i>Defendant's motion to revoke detention order</i> 108 , EX PARTE MOTION filed by Barry Gordon Croft, Jr 111 , MOTION for leave to file <i>to file under restricted access</i> 112 as to defendant Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 12/18/2020)
12/21/2020	115	ORDER granting Defendant Croft's Motion for Leave to File Under Restricted Access 112 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 12/21/2020)
12/24/2020	116	DEFENDANT'S RIGHTS by Daniel Joseph Harris (Douglas, Thomas) Modified text on 12/29/2020 (jal). (Entered: 12/24/2020)
12/27/2020	117	RESPONSE in opposition by USA as to Barry Gordon Croft, Jr re MOTION for release from custody <i>Defendant's motion to revoke detention order</i> 108 (Attachments: # 1

		Attachment USMS Form 106) (Kessler, Nils) (Entered: 12/27/2020)
12/28/2020	118	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Kaleb James Franks ; signed by Magistrate Judge Sally J. Berens and Judge Bernice B. Donald, Sixth Circuit Court of Appeals (jal) (Entered: 12/28/2020)
12/28/2020	119	ORDER Appointing Coordinating Discovery Attorney, granting 113 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 12/28/2020)
01/06/2021	122	INITIAL PRETRIAL CONFERENCE SUMMARY STATEMENT by defendant Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 01/06/2021)
01/07/2021	123	DEFENDANT'S RIGHTS as to defendant Brandon Michael-Ray Caserta (jln) (Entered: 01/07/2021)
01/12/2021	124	DEFENDANT'S RIGHTS as to defendant Adam Dean Fox (jln) (Entered: 01/12/2021)
01/12/2021	125	NOTICE OF HEARING as to defendant Barry Gordon Croft, Jr: first appearance, arraignment, initial pretrial conference and detention hearing set for 1/13/2021 at 04:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jal) (Entered: 01/12/2021)
01/12/2021	126	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Barry Gordon Croft, Jr ; signed by Magistrate Judge Sally J. Berens and Judge Bernice B. Donald, Sixth Circuit Court of Appeals (jal) (Entered: 01/12/2021)
01/13/2021	127	(RESTRICTED ACCESS) PRETRIAL SERVICES REPORT as to Barry Gordon Croft, Jr [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Barry Gordon Croft, Jr only] (USPO Sheila Osborn, jae,) Modified to revoke attorney access on 1/14/2021 (jln). (Entered: 01/13/2021)
01/13/2021		(NON-DOCUMENT) NOTICE from chambers as to defendant Barry Gordon Croft, Jr: Public audio access (listen only) for the 1/13/2021 hearings beginning at 4:00 PM will be available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) (Entered: 01/13/2021)
01/13/2021	128	DEFENDANT'S RIGHTS as to defendant Barry Gordon Croft, Jr (jln) (Entered: 01/14/2021)
01/13/2021	129	CJA 23 financial affidavit by defendant Barry Gordon Croft, Jr in support of request for court-appointed counsel (jln) (Entered: 01/14/2021)
01/13/2021	130	(DISREGARD) ORDER as to defendant Barry Gordon Croft, Jr re Rule 5(f); signed by Magistrate Judge Sally J. Berens (jln) Modified on 1/14/2021, document not attached (jln). (Entered: 01/14/2021)
01/13/2021	131	MINUTES of FIRST APPEARANCE, ARRAIGNMENT, DETENTION, and INITIAL PRETRIAL CONFERENCE as to Barry Gordon Croft Jr. held before Magistrate Judge Sally J. Berens; defendant's request for court appointed counsel granted; previous provisional court appointment of counsel affirmed; defendant plead not guilty to Indictment; defendant's motion to revoke detention order 108 , denied, order to issue; heard on detention, order of detention to issue(Proceedings Digitally Recorded) (jln) (Entered: 01/14/2021)
01/14/2021	132	ORDER as to defendant Barry Gordon Croft, Jr re Rule 5(f); signed by Magistrate Judge Sally J. Berens (jln) (Entered: 01/14/2021)

01/14/2021	133	ORDER denying motion for release from custody 108 as to Barry Gordon Croft Jr.; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 01/14/2021)
01/14/2021	134	ORDER SCHEDULING PROGRESSION OF CASE as to defendant Barry Gordon Croft, Jr; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 01/14/2021)
01/14/2021	135	ORDER OF DETENTION pending trial as to defendant Barry Gordon Croft, Jr; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 01/14/2021)
01/15/2021	136	ORDER SETTING FINAL PRETRIAL AND TRIAL as to defendants Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta: jury trial set for 3/23/2021 at 08:30 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; final pretrial conference set for 3/10/2021 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 01/15/2021)
01/21/2021	137	NOTICE as to Ty Gerard Garbin: change of plea hearing is set for 1/27/2021 at 11:00 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; (Chief Judge Robert J. Jonker, sdb) (Entered: 01/21/2021)
01/22/2021	138	MOTION for disclosure of <i>grand jury testimony</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order) (Hakes, Austin) (Entered: 01/22/2021)
01/25/2021	139	SEALED MOTION filed by Brandon Michael-Ray Caserta ; filed under seal pursuant to statute or rule (Hills, Michael) (Entered: 01/25/2021)
01/25/2021	140	SEALED MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document) (Hills, Michael) Modified text on 1/26/2021 (jln). (Entered: 01/25/2021)
01/26/2021		(NON-DOCUMENT) ORDER REFERRING SEALED MOTION filed by Brandon Michael-Ray Caserta ; filed under seal pursuant to statute or rule 139 , PROPOSED SEALED MOTION filed by Brandon Michael-Ray Caserta 140 as to defendant Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 01/26/2021)
01/26/2021		(NON-DOCUMENT) NOTICE as to defendant Ty Gerard Garbin:Public courtroom access for the 1/27/2021 at 11:00 AM hearing will be available in both the 6th floor courtroom and the 7th floor overflow courtroom. Public audio access (listen only) for the hearing will be available by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i). [1:20-cr-183] (Chief Judge Robert J. Jonker, sdb) (Entered: 01/26/2021)
01/26/2021	141	(RESTRICTED ACCESS) ORDER as to Brandon Michael-Ray Caserta <i>granting sealed motion</i> 139 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 01/26/2021)
01/27/2021	142	PLEA AGREEMENT as to Ty Gerard Garbin (Kessler, Nils) (Entered: 01/27/2021)
01/27/2021	143	MINUTES of CHANGE OF PLEA as to defendant Ty Gerard Garbin: defendant plead guilty to the Indictment held before Chief Judge Robert J. Jonker (Court Reporter: Glenda Trexler) (Chief Judge Robert J. Jonker, sdb) (Entered: 01/27/2021)
01/27/2021	144	NOTICE as to defendant Ty Gerard Garbin: sentencing set for 7/8/2021 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; defense

		counsel should review the <u>obligations</u> section of the WDMI website (Chief Judge Robert J. Jonker, sdb) (Entered: 01/27/2021)
01/27/2021	145	MOTION for ends of justice continuance with memorandum in support by Brandon Michael-Ray Caserta (Hills, Michael) Modified text on 1/28/2021 (pjw). (Entered: 01/27/2021)
01/27/2021	146	CERTIFICATE regarding compliance with LCrimR 12.4 by Brandon Michael-Ray Caserta re MOTION for ends of justice continuance 145 (Hills, Michael) (Entered: 01/27/2021)
01/27/2021	147	CONSENT TO ADJOURNMENT/WAIVER of Speedy Trial by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 01/27/2021)
01/27/2021	148	NOTICE that the court will delay issuance of a ruling on Brandon Michael-Ray Caserta's motion for ends of justice continuance 145 until such time as defendants file a consent or an objection to the motion; Responses due 2/10/21 (Chief Judge Robert J. Jonker, sdb) (Entered: 01/27/2021)
01/28/2021	149	CONSENT TO ADJOURNMENT/WAIVER of Speedy Trial by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 01/28/2021)
01/31/2021	150	CONSENT TO ADJOURNMENT/WAIVER of Speedy Trial by Daniel Joseph Harris (Douglas, Thomas) (Entered: 01/31/2021)
02/01/2021	151	CONSENT TO ADJOURNMENT/WAIVER of Speedy Trial by Kaleb James Franks (Graham, Scott) (Entered: 02/01/2021)
02/01/2021	152	TRANSCRIPT of Arraignment, Initial Pretrial Conference, Detention Hearing and Motion Hearing as to defendant Barry Gordon Croft, Jr held 01/13/2021 before Magistrate Judge Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 5/3/2021 ; redaction request due 2/22/2021 (Court Reporter: Trexler, Glenda (517)819-0396) (Entered: 02/01/2021)
02/04/2021	153	MOTION to withdraw as attorney <i>and brief in support</i> by Parker Douglas by Daniel Joseph Harris (Douglas, Thomas) (Entered: 02/04/2021)
02/04/2021	154	CERTIFICATE regarding compliance with LCrimR 12.4 by Daniel Joseph Harris re MOTION to withdraw as attorney <i>and brief in support</i> by Parker Douglas 153 (Douglas, Thomas) (Entered: 02/04/2021)
02/04/2021		(NON-DOCUMENT) ORDER REFERRING MOTION to withdraw as attorney <i>and brief in support</i> by Parker Douglas 153 as to defendant Daniel Joseph Harris to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/04/2021)
02/04/2021	155	MOTION to withdraw as attorney with Brief in Support and Notice of Imputed Disqualification by Helen C. Nieuwenhuis and Sean R. Tilton by Adam Dean Fox (Nieuwenhuis, Helen) Modified text on 2/5/2021 (pjw). (Entered: 02/04/2021)
02/04/2021	156	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION to withdraw as attorney with Brief in Support and Notice of Imputed Disqualification by

United States District Court for the Western District of Michigan
Helen C. Nieuwenhuis and Sean R. Tilton [155](#) (Nieuwenhuis, Helen) Modified text on 2/5/2021 (pjw). (Entered: 02/04/2021)

02/05/2021		(NON-DOCUMENT) ORDER REFERRING MOTION to withdraw as attorney , <i>Notice of Imputed Disqualification, Motion to Withdraw, and Brief in Support</i> by Helen C. Nieuwenhuis and Sean R. Tilton 155 as to defendant Adam Dean Fox to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/05/2021)
02/05/2021	157	(DISREGARD) NOTICE OF HEARING ON MOTION as to defendant Adam Dean Fox, Daniel Joseph Harris regarding document numbers 153 , 155 : motion hearing is set for 2/10/2021 at 11:00 AM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jln) Modified on 2/5/2021, no document attached (jln) (Entered: 02/05/2021)
02/05/2021	158	NOTICE OF HEARING ON MOTION as to defendant Adam Dean Fox and Daniel Joseph Harris regarding defendant Harris's Motion to Withdraw as Attorney 153 and defendant Fox's Motion to Withdraw as Attorney 155 : motion hearing is set for 2/10/2021 at 11:00 AM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jln) (Entered: 02/05/2021)
02/05/2021	159	NOTICE rescheduling hearing on motions as to defendants Adam Dean Fox and Daniel Joseph Harris regarding defendant Harris's Motion to Withdraw as Attorney 153 and defendant Fox's Motion to Withdraw as Attorney 155 that was previously set for 2/10/2021 at 11:00 AM; motion hearing is set for 2/11/2021 at 03:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jln) (Entered: 02/05/2021)
02/05/2021		(NON-DOCUMENT) NOTICE from chambers as to defendants Adam Dean Fox and Daniel Joseph Harris: Public audio access (listen only) for the 2/11/2021 hearing beginning at 3:00 PM will be available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jln) (Entered: 02/05/2021)
02/09/2021	160	CONSENT TO ADJOURNMENT/WAIVER of Speedy Trial by Adam Dean Fox (Nieuwenhuis, Helen) (Entered: 02/09/2021)
02/10/2021	161	ORDER granting motion for ends of justice continuance 145 as to Brandon Michael-Ray Caserta, Adam Dean Fox, Barry Gordon Croft, Jr., Kaleb James Franks, Daniel Joseph Harris: final pretrial conference set for 9/23/2021 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; dispositive motions due by 7/12/2021; jury trial set for 10/12/2021 at 08:30 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/10/2021)
02/11/2021	162	MINUTES of motion hearing as to MOTION to withdraw as attorney <i>and brief in support</i> by Parker Douglas filed by Daniel Joseph Harris 155 , and MOTION to withdraw as attorney, <i>Notice of Imputed Disqualification, Motion to Withdraw, and Brief in Support</i> by Helen C. Nieuwenhuis and Sean R. Tilton filed by Adam Dean Fox held before Magistrate Judge Sally J. Berens; motions granted; order to enter for replacement counsel (Proceedings Digitally Recorded) (jln) (Entered: 02/12/2021)
02/12/2021		(NON-DOCUMENT) ORDER APPOINTING FEDERAL PUBLIC DEFENDER as replacement counsel for defendants Adam Dean Fox and Daniel Joseph Harris, granting motions 153 and 155 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/12/2021)

02/12/2021		Federal Public Defender recommends that Julia Anne Kelly be appointed to represent defendant Daniel Joseph Harris (Federal Public Defender,) (Entered: 02/12/2021)
02/12/2021		Federal Public Defender recommends that Christopher M. Gibbons be appointed to represent defendant Adam Dean Fox (Federal Public Defender) (Entered: 02/12/2021)
02/12/2021		CJA 20 APPOINTMENT of Julia Anne Kelly for defendant Daniel Joseph Harris; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/12/2021)
02/12/2021		CJA 20 APPOINTMENT of Christopher M. Gibbons for defendant Adam Dean Fox; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/12/2021)
02/16/2021	163	ORDER denying on the present record motion for disclosure 138 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Ty Gerard Garbin (3), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/16/2021)
02/23/2021	164	EX PARTE MOTION and PROPOSED ORDER re STAGE 1 BUDGET as to Adam Dean Fox (Attachments: # 1 Exhibit) (Gibbons, Christopher) Modified text on 2/23/2021 (pjw). (Entered: 02/23/2021)
02/23/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE PROPOSED STAGE 1 BUDGET as to Adam Dean Fox 164 as to defendant Adam Dean Fox to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/23/2021)
02/25/2021	165	EX PARTE MOTION and PROPOSED ORDER for STAGE 1 BUDGET as to Daniel Joseph Harris (Attachments: # 1 Exhibit A) (Kelly, Julia) Modified text on 2/26/2021 (pjw) Modified on 3/2/2021, replaced by 166 (jal). (Entered: 02/25/2021)
03/01/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE PROPOSED STAGE 1 BUDGET as to Daniel Joseph Harris 165 as to defendant Daniel Joseph Harris to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/01/2021)
03/01/2021	166	EX PARTE MOTION and PROPOSED ORDER for STAGE 1 BUDGET as to Daniel Joseph Harris (Attachments: # 1 Exhibit) (Kelly, Julia) Modified text on 3/2/2021 (pjw). (Entered: 03/01/2021)
03/02/2021	167	(RESTRICTED ACCESS) DOCUMENT <i>Ex Parte Status Report of Coordinating Discovery Attorney, March 2021</i> (jal) Modified text on 3/3/2021 (jal) (Entered: 03/03/2021)
03/04/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE PROPOSED STAGE 1 BUDGET as to Daniel Joseph Harris 166 as to defendant Daniel Joseph Harris to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/04/2021)
03/09/2021	168	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Brandon Michael-Ray Caserta ; signed by Magistrate Judge Sally J. Berens and Judge Bernice B. Donald, Sixth Circuit Court of Appeals (jln) (Entered: 03/09/2021)
03/23/2021	169	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Adam Dean Fox ; signed by Magistrate Judge Sally J. Berens and Judge Bernice B. Donald, Sixth Circuit Court of Appeals (jln) (Entered: 03/23/2021)
03/23/2021	170	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Daniel Joseph Harris ; signed by Magistrate Judge Sally J. Berens and Judge Bernice B. Donald, Sixth Circuit Court of Appeals (jln) (Entered: 03/23/2021)

03/30/2021	171	NOTICE <i>Bill of Particulars for Forfeiture of Property</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta [Attorney Daniel Thomas McGraw added to party USA(pty:pla)] (McGraw, Daniel) (Entered: 03/30/2021)
04/28/2021	172	<i>SUPERSEDING INDICTMENT</i> as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (ns) (Entered: 04/28/2021)
04/28/2021	173	<i>SUPERSEDING PENALTY SHEET</i> re Indictment 172 as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 04/28/2021)
05/04/2021	174	UNOPPOSED MOTION for protective order <i>modifying ECF No. 107</i> by Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Blanchard, Joshua) (Entered: 05/04/2021)
05/04/2021	175	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re UNOPPOSED MOTION for protective order <i>modifying ECF No. 107</i> 174 (Blanchard, Joshua) (Entered: 05/04/2021)
05/04/2021	176	ORDER granting motion for protective order 174 as to Barry Gordon Croft Jr. (2); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 05/04/2021)
05/04/2021	177	PROPOSED WAIVER of personal appearance at arraignment and entry of plea of not guilty by Adam Dean Fox (Gibbons, Christopher) (Entered: 05/04/2021)
05/05/2021	178	ORDER accepting waiver of personal appearance at arraignment re defendant Adam Dean Fox; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 05/05/2021)
05/05/2021	179	PROPOSED WAIVER of personal appearance at arraignment and entry of plea of not guilty by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 05/05/2021)
05/05/2021	180	ORDER accepting waiver of personal appearance at arraignment re defendant Brandon Michael-Ray Caserta; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 05/05/2021)
05/05/2021	181	PROPOSED WAIVER of personal appearance at arraignment and entry of plea of not guilty by Daniel Joseph Harris (Kelly, Julia) (Entered: 05/05/2021)
05/05/2021	182	ORDER accepting waiver of personal appearance at arraignment re defendant Daniel Joseph Harris; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 05/05/2021)
05/06/2021	183	PROPOSED WAIVER of personal appearance at arraignment and entry of plea of not guilty by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 05/06/2021)
05/06/2021	184	ORDER accepting waiver of personal appearance at arraignment re defendant Barry Gordon Croft, Jr; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 05/06/2021)
05/07/2021	185	UNOPPOSED MOTION for protective order <i>modifying ECF No. 107</i> by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order) (Hills, Michael) (Entered: 05/07/2021)
05/07/2021	186	CERTIFICATE regarding compliance with LCrimR 12.4 by Brandon Michael-Ray Caserta re UNOPPOSED MOTION for protective order <i>modifying ECF No. 107</i> 185 (Hills, Michael) (Entered: 05/07/2021)
05/07/2021	187	ORDER granting motion for protective order 185 as to Brandon Michael-Ray Caserta (6); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 05/07/2021)

05/07/2021	188	UNOPPOSED MOTION for protective order <i>Motion to Modify Protective Order</i> by Daniel Joseph Harris (Attachments: # 1 Attachment Proposed Order) (Kelly, Julia) (Entered: 05/07/2021)
05/07/2021	189	CERTIFICATE regarding compliance with LCrimR 12.4 by Daniel Joseph Harris re UNOPPOSED MOTION for protective order <i>Motion to Modify Protective Order</i> 188 (Kelly, Julia) (Entered: 05/07/2021)
05/10/2021	190	ORDER granting motion for protective order 188 as to Daniel Joseph Harris (5) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 05/10/2021)
05/14/2021	191	PROPOSED WAIVER of personal appearance at arraignment and entry of plea of not guilty by Kaleb James Franks (Graham, Scott) (Entered: 05/14/2021)
05/15/2021	192	ORDER accepting waiver of personal appearance at arraignment re defendant Kaleb James Franks; signed by Magistrate Judge Phillip J. Green (ald) (Entered: 05/15/2021)
05/20/2021	193	MOTION to compel access to detention hearing exhibits by BuzzFeed, Inc. as to Barry Gordon Croft, Jr (Attachments: # 1 Memorandum in Support of Motion, # 2 Exhibit 1) (Richotte, Joseph) Modified text on 5/20/2021 (pjw). Modified on 5/20/2021 (mg). (Entered: 05/20/2021)
05/20/2021	194	CERTIFICATE regarding compliance with LCrimR 12.4 by BuzzFeed, Inc. as to Barry Gordon Croft, Jr re MOTION to compel access to detention hearing exhibits 193 (Richotte, Joseph) Modified text on 5/20/2021 (pjw). Modified text on 5/20/2021 (mg). (Entered: 05/20/2021)
05/20/2021		(NON-DOCUMENT) ORDER REFERRING MOTION to compel <i>ACCESS TO DETENTION HEARING EXHIBITS</i> 193 as to defendant Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A) signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 05/20/2021)
05/20/2021	195	NOTICE OF HEARING ON MOTION as to defendant Barry Gordon Croft, Jr regarding Movant Buzzfeed, Inc.'s Motion for Access to Detention Hearing Exhibits 193 : motion hearing is set for 6/16/2021 at 01:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; Public audio access (listen only) for the hearing will be available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jal) (Entered: 05/20/2021)
05/21/2021	196	NOTICE of Appearance by Scripps Media, Inc., The Detroit News as to Barry Gordon Croft, Jr [Attorney Leonard M. Niehoff added to party Scripps Media, Inc.(pty:mov), Attorney Leonard M. Niehoff added to party The Detroit News(pty:mov)] (Niehoff, Leonard) (Entered: 05/21/2021)
05/21/2021	197	NOTICE of Appearance by Scripps Media, Inc., The Detroit News as to Barry Gordon Croft, Jr [Attorney Andrew Michael Pauwels added to party Scripps Media, Inc. (pty:mov), Attorney Andrew Michael Pauwels added to party The Detroit News(pty:mov)] (Pauwels, Andrew) (Entered: 05/21/2021)
05/21/2021	198	MOTION to compel <i>access to Detention Hearing Exhibits</i> by Scripps Media, Inc., The Detroit News as to Barry Gordon Croft, Jr (Huget, J.) (Entered: 05/21/2021)
05/21/2021	199	BRIEF in support by Scripps Media, Inc., The Detroit News as to Barry Gordon Croft, Jr re MOTION to compel <i>access to Detention Hearing Exhibits</i> 198 with certificate of compliance (Niehoff, Leonard) Modified text on 5/24/2021 (pjw). (Entered: 05/21/2021)

05/21/2021	200	CERTIFICATE regarding compliance with LCrimR 12.4 by Scripps Media, Inc., The Detroit News as to Barry Gordon Croft, Jr re MOTION to compel <i>access to Detention Hearing Exhibits 198</i> (Niehoff, Leonard) (Entered: 05/21/2021)
05/21/2021		(NON-DOCUMENT) ORDER REFERRING MOTION to compel <i>access to Detention Hearing Exhibits 198</i> as to defendant Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 05/21/2021)
05/21/2021	201	NOTICE OF HEARING ON MOTION as to defendant Barry Gordon Croft, Jr regarding Motion by Scripps Media, Inc. and The Detroit News to Compel Access to Detention Hearing Exhibits 198 : motion hearing is set for 6/16/2021 at 01:00 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; Public audio access (listen only) for the hearing will be available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jln) (Entered: 05/21/2021)
05/27/2021	202	(RESTRICTED ACCESS) INITIAL PRESENTENCE REPORT as to Ty Gerard Garbin ; an objection meeting, if necessary, is scheduled for June 11, 2021, at 9:00 a.m., by telephone, with this U.S. Probation Officer [Access to this document is available to the Court and attorney(s) for USA, Ty Gerard Garbin only] (USPO Anna Pakiela, amu,) (Entered: 05/27/2021)
05/28/2021	203	EX PARTE MOTION <i>with brief in support</i> filed by Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order, # 2 Proposed Document) (Blanchard, Joshua) Modified text on 6/1/2021 (eod) (Entered: 05/28/2021)
06/01/2021	204	RESPONSE to motion by USA as to Barry Gordon Croft, Jr re MOTION to compel <i>access to detention hearing exhibits 193</i> , MOTION to compel <i>access to Detention Hearing Exhibits 198</i> (Kessler, Nils) Modified text on 6/2/2021 (eod) (Entered: 06/01/2021)
06/03/2021	205	RESPONSE in opposition by Barry Gordon Croft, Jr re MOTIONS to compel access to detention hearing exhibits with certificate of compliance 193 and 198 (Blanchard, Joshua) Modified text on 6/4/2021 (pjw). (Entered: 06/03/2021)
06/07/2021	206	(RESTRICTED ACCESS) ORDER as to Barry Gordon Croft, Jr ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 06/07/2021)
06/10/2021	207	UNOPPOSED MOTION to modify protective order by Kaleb James Franks (Attachments: # 1 Attachment Proposed Order - Modified Protective Order) (Graham, Scott) Modified text on 6/11/2021 (jem). (Entered: 06/10/2021)
06/10/2021	208	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re UNOPPOSED MOTION to Modify Protective Order 207 (Graham, Scott) Modified text on 6/11/2021 (jem). (Entered: 06/10/2021)
06/11/2021	209	ORDER granting motion for protective order 207 as to Kaleb James Franks (4); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 06/11/2021)
06/14/2021	210	MOTION to compel <i>Access to Detention Hearing Exhibits</i> with certificate of compliance by New York Times Company, The as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment Memorandum in Support) (Richotte, Joseph) Modified text on 6/15/2021 (pjw) (Entered: 06/14/2021)
06/14/2021	211	CERTIFICATE regarding motion concurrence by New York Times Company, The as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel

		Joseph Harris, Brandon Michael-Ray Caserta for MOTION to compel <i>Access to Detention Hearing Exhibits</i> 210 (Richotte, Joseph) Modified text on 6/14/2021 (mg) (Entered: 06/14/2021)
06/15/2021	212	NOTICE rescheduling hearing on motion as to defendant Barry Gordon Croft, Jr regarding document numbers 210 , 193 , 198 that was previously set for same date and time in courtroom 650; motion hearing is set for 6/16/2021 at 01:00 PM at 601 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jln) (Entered: 06/15/2021)
06/16/2021	213	MINUTES of motion hearing as to defendant Barry Gordon Croft, Jr re 193 MOTION to compel <i>ACCESS TO DETENTION HEARING EXHIBITS</i> , 198 MOTION to compel <i>access to Detention Hearing Exhibits</i> filed by The Detroit News, Scripps Media, Inc., and 210 MOTION to compel <i>Access to Detention Hearing Exhibits</i> filed by The New York Times Company held before Magistrate Judge Sally J. Berens; motions taken under advisement; order to issue (Proceedings Digitally Recorded) (jln) Modified text on 6/16/2021 (jln). (Entered: 06/16/2021)
06/25/2021	214	(RESTRICTED ACCESS) FINAL PRESENTENCE REPORT as to Ty Gerard Garbin [Access to this document is available to the Court and attorney(s) for USA, Ty Gerard Garbin only] (USPO Anna Pakiela, jrb,) (Entered: 06/25/2021)
06/28/2021	215	NOTICE rescheduling hearing as to Ty Gerard Garbin that was previously set for 7/8/21; sentencing set for 8/25/2021 at 04:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Chief Judge Robert J. Jonker, sdb) (Entered: 06/28/2021)
07/11/2021	216	MOTION for early designation of witnesses and exhibits by Barry Gordon Croft, Jr (Blanchard, Joshua) Modified text on 7/12/2021 (pjw). (Entered: 07/11/2021)
07/11/2021	217	BRIEF in support by Barry Gordon Croft, Jr re MOTION for early designation of witnesses and exhibits 216 (Blanchard, Joshua) Modified text on 7/12/2021 (pjw). (Entered: 07/11/2021)
07/11/2021	218	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re MOTION for early designation of witnesses and exhibits 216 (Blanchard, Joshua) Modified text on 7/12/2021 (pjw). (Entered: 07/11/2021)
07/11/2021	219	MOTION in limine <i>for Brandenburg Jury Instruction</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 07/11/2021)
07/11/2021	220	BRIEF in support by Adam Dean Fox re MOTION in limine <i>for Brandenburg Jury Instruction</i> 219 (Attachments: # 1 Attachment A Unpublished Opinion Stone, # 2 Attachment B Unpublished Opinion Stone, # 3 Attachment C Proposed Instruction) (Gibbons, Christopher) Modified text on 7/12/2021 (pjw). (Entered: 07/11/2021)
07/11/2021	221	MOTION in limine <i>for Strictissimi Juris Instruction</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 07/11/2021)
07/11/2021	222	BRIEF in support by Adam Dean Fox re MOTION in limine <i>for Strictissimi Juris Instruction</i> 221 (Attachments: # 1 Attachment A Proposed Instruction, # 2 Attachment B Proposed Instruction) (Gibbons, Christopher) Modified text on 7/12/2021 (pjw). (Entered: 07/11/2021)
07/11/2021	223	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION in limine <i>for Brandenburg Jury Instruction</i> 219 (Gibbons, Christopher) (Entered: 07/11/2021)

07/11/2021	224	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION in limine for <i>Strictissimi Juris Instruction</i> 221 (Gibbons, Christopher) (Entered: 07/11/2021)
07/12/2021	225	MOTION to compel <i>Discovery</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	226	BRIEF in support by Brandon Michael-Ray Caserta re MOTION to compel <i>Discovery</i> 225 (Attachments: # 1 Exhibit 1 - JPE Vol 2 - 17-20, # 2 Exhibit 2 - Text Messages) (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	227	CERTIFICATE regarding compliance with LCrimR 12.4 by Brandon Michael-Ray Caserta re MOTION to compel <i>Discovery</i> 225 (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	228	MOTION to compel <i>Motion to Allow Submission of Unique Juror Questionnaire</i> with Memorandum in Support and certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 7/13/2021 (pjw) (Entered: 07/12/2021)
07/12/2021	229	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION to compel <i>Motion to Allow Submission of Unique Juror Questionnaire</i> 228 (Graham, Scott) (Entered: 07/12/2021)
07/12/2021	230	MOTION to change venue and <i>Memorandum in Support</i> and certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 7/13/2021 (pjw). (Entered: 07/12/2021)
07/12/2021	231	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION to change venue and <i>Memorandum in Support</i> 230 (Graham, Scott) (Entered: 07/12/2021)
07/12/2021	232	MOTION to sever defendant and <i>Memorandum in Support</i> and certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 7/13/2021 (pjw). (Entered: 07/12/2021)
07/12/2021	233	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION to sever defendant and <i>Memorandum in Support</i> 232 (Graham, Scott) (Entered: 07/12/2021)
07/12/2021	234	MOTION to compel <i>Identification of Exculpatory Evidence</i> by Daniel Joseph Harris (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	235	BRIEF in support by Daniel Joseph Harris re MOTION to compel <i>Identification of Exculpatory Evidence</i> 234 (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	236	(RESTRICTED ACCESS) DOCUMENT <i>Exhibit A to Brief in Support of Motion to Compel Identification of Exculpatory Evidence</i> re defendant [Access to this document is available to the Court and attorney(s) for USA, Daniel Joseph Harris only] (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	237	CERTIFICATE regarding compliance with LCrimR 12.4 by Daniel Joseph Harris re MOTION to compel <i>Identification of Exculpatory Evidence</i> 234 (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	238	MOTION to compel <i>prosecutor to identify statements offered under FRE 801(d)(2)(E)</i> by Daniel Joseph Harris (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	239	BRIEF in support by Daniel Joseph Harris re MOTION to compel <i>prosecutor to identify statements offered under FRE 801(d)(2)(E)</i> 238 (Kelly, Julia) (Entered: 07/12/2021)

07/12/2021	240	CERTIFICATE regarding compliance with LCrimR 12.4 by Daniel Joseph Harris re MOTION to compel <i>prosecutor to identify statements offered under FRE 801(d)(2)(E) 238</i> (Kelly, Julia) (Entered: 07/12/2021)
07/12/2021	241	MOTION in limine to <i>Exclude Statements as Irrelevant and Unfairly Prejudicial</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	242	BRIEF in support by Brandon Michael-Ray Caserta re MOTION in limine to <i>Exclude Statements as Irrelevant and Unfairly Prejudicial 241</i> (Attachments: # 1 Exhibit 1 - 9/19/20 ROA, # 2 Exhibit 2 - 10/7/20 ROA) (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	243	MOTION for joinder in <i>Defendant Fox' Motion for Special Jury Instruction Based on Brandenburg v. Ohio</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	244	MOTION for joinder in <i>Defendant Fox' Motion for Special Jury Instruction Regarding Strictissimi Juris Standard for Sufficiency of the Evidence</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 07/12/2021)
07/12/2021	245	MOTION to suppress <i>fruits of warrant at 511 Daniels Court</i> by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 07/12/2021)
07/12/2021	246	BRIEF in support by Barry Gordon Croft, Jr re MOTION to suppress <i>fruits of warrant at 511 Daniels Court 245</i> (Attachments: # 1 Exhibit A - Search Warrant, # 2 Exhibit B - Return and Tabulation, # 3 Exhibit C - Alleged Cipher) (Blanchard, Joshua) (Entered: 07/12/2021)
07/12/2021	247	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re MOTION to suppress <i>fruits of warrant at 511 Daniels Court 245</i> (Blanchard, Joshua) (Entered: 07/12/2021)
07/12/2021	248	MOTION for leave to file <i>Motion to Exceed Word Count</i> with Brief in Support and certificate of compliance by Kaleb James Franks (Attachments: # 1 Attachment Defendant's Motion for Disclosure of all Records Related to Confidential Human Sources) (Graham, Scott) Modified text on 7/13/2021 (pjw). (Entered: 07/12/2021)
07/12/2021	249	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION for leave to file <i>Motion to Exceed Word Count 248</i> (Graham, Scott) (Entered: 07/12/2021)
07/12/2021	250	MOTION for joinder in <i>Motion for Special Jury Instruction based on Brandenburg v. Ohio, ECF No. 219; Motion for Special Jury Instruction based on Strictissimi Juris, ECF No 221; Motion for Individual Jury Questionnaires, ECF No. 228; Motion to Compel Identification of Exculpatory Evidence, ECF No. 234; Motion to Compel Prosecutor to Identify Co-Conspirator Statements, ECF No. 238; Motion for Disclosure of All Records Related to Confidential Human Sources, ECF No 248-1</i> by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 07/12/2021)
07/13/2021	251	MOTION for joinder by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Gibbons, Christopher) (Entered: 07/13/2021)
07/13/2021	252	MOTION for joinder <i>ECF 216 - Motion for Early Designation of Witnesses and Exhibits; ECF 219 - Motion in Limine for Brandenburg Jury Instructions; ECF 221 - Motion in Limine for Strictissimi Juris Instruction; ECF 225 - Motion to Compel Discovery; ECF 234 - Motion to Compel Identification of Exculpatory Evidence; ECF 238 - Motion to Compel Prosecutor to Identify Statements under FRE 801(d)(2)(E); ECF 241 - Motion in</i>

		<i>Limine to Exclude Statements as Irrelevant and Unfairly Prejudicial</i> by Kaleb James Franks (Graham, Scott) (Entered: 07/13/2021)
07/13/2021	253	MOTION for joinder in <i>Co-Defendants' Motions</i> by Daniel Joseph Harris (Kelly, Julia) (Entered: 07/13/2021)
07/13/2021	254	OPINION and ORDER granting in part and denying in part motions to compel 193 , 198 , and 210 as to Barry Gordon Croft Jr.; order stayed for 7 days to allow Defendant Croft to file an appeal; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 07/13/2021)
07/14/2021	255	MOTION for extension of time to file response/reply as to MOTION in limine to <i>Exclude Statements as Irrelevant and Unfairly Prejudicial</i> 241, MOTION to sever defendant and <i>Memorandum in Support</i> 232, MOTION to compel <i>Discovery</i> 225, MOTION to compel <i>Motion to Allow Submission of Unique Juror Questionnaire</i> 228, MOTION for disclosure <i>Motion for early designation of witnesses and exhibits</i> 216, MOTION for leave to file <i>Motion to Exceed Word Count</i> 248, MOTION to suppress <i>fruits of warrant at 511 Daniels Court</i> 245, MOTION to change venue and <i>Memorandum in Support</i> 230, MOTION in limine for <i>Brandenburg Jury Instruction</i> 219 , MOTION in limine for <i>Strictissimi Juris Instruction</i> 221 , MOTION to compel <i>prosecutor to identify statements offered under FRE 801(d)(2)(E)</i> 238, MOTION to compel <i>Identification of Exculpatory Evidence</i> 234 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 07/14/2021)
07/14/2021	256	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION for extension of time to file response/reply as to MOTION in limine to <i>Exclude Statements as Irrelevant and Unfairly Prejudicial</i> 241, MOTION to sever defendant and <i>Memorandum in Support</i> 232, MOTION to compel <i>Discove</i> 255 (Kessler, Nils) (Entered: 07/14/2021)
07/15/2021	257	ORDER granting motion for extension of time to file response/reply 255 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); granting motion for leave to file 248 as to Kaleb James Franks (4); granting motion to compel 228 as to Kaleb James Franks (4). Government's response deadline for 219 , 221 , 232, 238 and 241 is 8/26/2021. Government's response deadline for 225 and 248 is 8/9/2021. Government's response deadline for 216, 230, 234 and 245 is 8/26/2021. The Court sets a deadline of 8/26/2021 for joint submission of a proposed questionnaire and any related written argument re 228 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 07/15/2021)
07/15/2021	258	MOTION for disclosure of all records related to confidential human sources and <i>memorandum in support with certificate of compliance</i> by Kaleb James Franks (pjw) (Entered: 07/19/2021)
08/04/2021	259	SECOND EX PARTE MOTION filed by Adam Dean Fox (Attachments: # 1 Proposed Document) (Gibbons, Christopher) (Entered: 08/04/2021)
08/05/2021		(NON-DOCUMENT) ORDER REFERRING SECOND EX PARTE MOTION filed by Adam Dean Fox 259 as to defendant Adam Dean Fox to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 08/05/2021)
08/09/2021	260	RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION for leave to file <i>Motion to Exceed Word Count</i> 248, MOTION to compel <i>Discovery</i> 225 with

		certificate of compliance (Kessler, Nils) Modified text on 8/9/2021; per filer request (eod); modified text on 8/10/2021 (pjw) (Entered: 08/09/2021)
08/09/2021	261	SUPPLEMENT re MOTION in limine 241 by Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit 1) (Hills, Michael) Modified text on 8/10/2021 (pjw) (Entered: 08/09/2021)
08/11/2021		(DISREGARD) (NON-DOCUMENT) ORDER REFERRING MOTION for leave to file <i>Motion to Exceed Word Count</i> 248 filed by Kaleb James Franks, MOTION to compel <i>Discovery</i> 225 filed by Brandon Michael-Ray Caserta, MOTION for joinder in <i>Motion for Special Jury Instruction based on Brandenburg v. Ohio</i> , ECF No. 219; <i>Motion for Special Jury Instruction based on Strictissimi Juris</i> , ECF No 221; <i>Motion for Individual Jury Questionnaires</i> , ECF No. 228; <i>Motion to Comp</i> 250 filed by Barry Gordon Croft, Jr., MOTION for joinder in Co-Defendants' Motions 253 filed by Daniel Joseph Harris to District Judge ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) Modified text on 8/13/2021, disregarded per chambers (pjw). (Entered: 08/11/2021)
08/12/2021	262	MOTION for leave to file <i>Reply Brief</i> by Adam Dean Fox (Attachments: # 1 Attachment Reply Brief) (Gibbons, Christopher) (Entered: 08/12/2021)
08/12/2021	263	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION for leave to file <i>Reply Brief</i> 262 (Gibbons, Christopher) (Entered: 08/12/2021)
08/13/2021		(NON-DOCUMENT) ORDER REFERRING MOTION for leave to file <i>Motion to Exceed Word Count</i> 248 , MOTION to compel <i>Discovery</i> 225 , MOTION for joinder in <i>Motion for Special Jury Instruction based on Brandenburg v. Ohio</i> , ECF No. 219; <i>Motion for Special Jury Instruction based on Strictissimi Juris</i> , ECF No 221; <i>Motion for Individual Jury Questionnaires</i> , ECF No. 228; <i>Motion to Comp</i> 250 , MOTION for joinder in Co-Defendants' Motions 253 , MOTION in limine for <i>Brandenburg Jury Instruction</i> 219 , MOTION in limine for <i>Strictissimi Juris Instruction</i> 221 , MOTION to compel Motion to Allow Submission of Unique Juror Questionnaire 228 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/13/2021)
08/13/2021	264	MOTION for leave to file <i>Response to Government's Reply</i> by Brandon Michael-Ray Caserta (Attachments: # 1 Attachment - Response to Government's Reply, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5) (Hills, Michael) (Entered: 08/13/2021)
08/13/2021	265	CERTIFICATE regarding compliance with LCrimR 12.4 by Brandon Michael-Ray Caserta re MOTION for leave to file <i>Response to Government's Reply</i> 264 (Hills, Michael) (Entered: 08/13/2021)
08/16/2021	266	MOTION and BRIEF for pretrial conference by Adam Dean Fox (Gibbons, Christopher) Modified text on 8/17/2021 (pjw). (Entered: 08/16/2021)
08/16/2021	267	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION for pretrial conference 266 (Gibbons, Christopher) Modified text on 8/17/2021 (pjw) (Entered: 08/16/2021)
08/17/2021	268	UNOPPOSED MOTION for leave to file <i>Reply to Government Response</i> by Kaleb James Franks (Attachments: # 1 Proposed Document Defendant Franks's Proposed Reply to the Government) (Graham, Scott) (Entered: 08/17/2021)
08/17/2021	269	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re UNOPPOSED MOTION for leave to file <i>Reply to Government Response</i> 268 (Graham,

		Scott) (Entered: 08/17/2021)
08/18/2021		(NON-DOCUMENT) ATTORNEY APPEARANCE of Nicole Springstead-Stolte for defendant Ty Gerard Garbin [Attorney Nicole Springstead-Stolte added to party Ty Gerard Garbin(pty:dft)] (Springstead-Stolte, Nicole) (Entered: 08/18/2021)
08/18/2021	270	PROPOSED SEALED MOTION <i>For Leave to E-File Attachment under Seal</i> filed by Ty Gerard Garbin (Springstead, Gary) (Entered: 08/18/2021)
08/18/2021	271	SENTENCING MEMORANDUM by USA as to Ty Gerard Garbin (Kessler, Nils) (Entered: 08/18/2021)
08/18/2021	272	MOTION for downward departure under 5K1.1 <i>and memorandum in support</i> by USA as to Ty Gerard Garbin (Kessler, Nils) (Entered: 08/18/2021)
08/18/2021	273	SENTENCING MEMORANDUM by Ty Gerard Garbin (Attachments: # 1 Attachment C - Report from Parents for Peace, # 2 Attachment D - T - Letters of Support) (Springstead, Gary) (Entered: 08/18/2021)
08/18/2021	274	MOTION for variance under 18 U.S.C. 3553(a) by Ty Gerard Garbin (Springstead, Gary) (Entered: 08/18/2021)
08/18/2021	275	BRIEF in support by Ty Gerard Garbin re MOTION for variance under 18 U.S.C. 3553(a) 274 (Springstead, Gary) (Entered: 08/18/2021)
08/18/2021	280	ATTACHMENT A-Sentencing Mitigation Video re 273 by defendant Ty Gerard Garbin (pjw) Modified text on 8/20/2021 (pjw) Modified text on 12/16/2022 (ns). (Entered: 08/20/2021)
08/19/2021	276	BRIEF in support by Ty Gerard Garbin re MOTION for variance under 18 U.S.C. 3553(a) 274 (<i>Corrected</i>) (Springstead, Gary) (Entered: 08/19/2021)
08/19/2021	277	SEALED ORDER as to Ty Gerard Garbin re PROPOSED SEALED MOTION <i>For Leave to E-File Attachment under Seal</i> filed by Ty Gerard Garbin 270 , denied at this time ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/19/2021)
08/19/2021		(NON-DOCUMENT) ORDER REFERRING UNOPPOSED MOTION for leave to file <i>Reply to Government Response</i> 268 , MOTION for leave to file <i>Reply Brief</i> 262 as to defendant Adam Dean Fox, Kaleb James Franks to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 08/19/2021)
08/19/2021	278	NOTICE as to defendant Ty Gerard Garbin: sentencing set for 8/25/2021 at 04:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; defense counsel should review the <u>obligations</u> section of the WDMI website. The hearing will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (Chief Judge Robert J. Jonker, ymc) (Entered: 08/19/2021)
08/20/2021	279	PROPOSED ORDER <i>Preliminary Order of Forfeiture</i> by USA as to Ty Gerard Garbin (McGraw, Daniel) (Entered: 08/20/2021)
08/20/2021		Copy of Sealed Order, 277 as to defendant Ty Gerard Garbin mailed to Gary Springsted (pjw) (Entered: 08/20/2021)
08/20/2021	281	PROPOSED SEALED MOTION <i>for Leave to E-File Attachment under Seal</i> filed by Ty Gerard Garbin (Attachments: # 1 Attachment B) (Springstead, Gary) Modified duplicate

		text on 8/23/2021 (jem). (Entered: 08/20/2021)
08/20/2021	282	ORDER granting Defendant Adam Fox's Motion Pursuant to Local Rule 47.2(c) to File a Reply to Government's Response to Defendants' Motions to Compel 262 as to Adam Dean Fox; proposed reply is accepted for filing; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 08/20/2021)
08/20/2021	283	ORDER granting Defendant Franks's Motion for Leave to File Reply to Government's Response to Motions to Compel 268 as to Kaleb James Franks (4); proposed reply is accepted for filing; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 08/20/2021)
08/20/2021	284	NOTICE OF HEARING ON MOTION as to defendants Adam Dean Fox, Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta regarding Defendant Brandon Caserta's Motion to Compel Discovery 225 and Defendant Kaleb Franks's Motion for Disclosure of All Records Related to Confidential Human Sources 258 : motion hearing is set for 8/27/2021 at 10:00 AM at 401 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jal) (Entered: 08/20/2021)
08/20/2021	285	REPLY TO RESPONSE to motion by Adam Dean Fox re MOTION for leave to file <i>Motion to Exceed Word Count</i> 248 and MOTION to compel <i>Discovery</i> 225 ; filed per Order 282 (jem) Modified text on 8/23/2021 (jem). (Entered: 08/23/2021)
08/20/2021	286	REPLY TO RESPONSE to motion by Kaleb James Franks re MOTION for leave to file <i>Motion to Exceed Word Count</i> 248 , MOTION to compel <i>Discovery</i> 225 ; filed per Order 283 (jem) Modified text on 8/23/2021 (jem). (Entered: 08/23/2021)
08/23/2021	287	(RESTRICTED ACCESS) ORDER as to Ty Gerard Garbin re PROPOSED SEALED MOTION for Leave to E-File Attachment under Seal filed by Ty Gerard Garbin 281 , granted ; signed by Chief Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for USA, Ty Gerard Garbin only] (Chief Judge Robert J. Jonker, ymc) (Entered: 08/23/2021)
08/23/2021	288	SEALED DOCUMENT <i>Attachment B</i> re 273 filed by Ty Gerard Garbin; filed under seal pursuant to order 287 (Springstead, Gary) Modified linkage on 8/23/2021 (jem). (Entered: 08/23/2021)
08/23/2021	289	EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit 1) (Hills, Michael) (Entered: 08/23/2021)
08/23/2021		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta: Public audio access (listen only) for the 8/27/2021 hearing beginning at 10:00 AM will be available by phone at (888) 363-4734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (jln) (Entered: 08/23/2021)
08/24/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Brandon Michael-Ray Caserta 289 as to defendant Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 08/24/2021)
08/24/2021	290	CORRECTED MOTION for joinder in <i>Motion for Special Jury Instruction based on Brandenburg v. Ohio</i> , ECF No. 219; <i>Motion for Special Jury Instruction based on Strictissimi Juris</i> , ECF No 221; <i>Motion for Individual Jury Questionnaires</i> , ECF No. 228; <i>Motion to Compel Identification of Exculpatory Evidence</i> , ECF No. 234; <i>Motion to Compel Prosecutor to Identify Co-Conspirator Statements</i> , ECF No. 238; <i>Motion for Disclosure of All Records Related to Confidential Human Sources</i> , ECF No 258 by Barry

		Gordon Croft, Jr (this entry replaces 250) (Blanchard, Joshua) Modified text on 8/25/2021 (pjw). (Entered: 08/24/2021)
08/25/2021	291	(RESTRICTED ACCESS) ORDER as to Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Brandon Michael-Ray Caserta 289 ; signed by Magistrate Judge Sally J. Berens [Access to this document is available to the Court and attorney(s) for USA, Brandon Michael-Ray Caserta only] (jal) (Entered: 08/25/2021)
08/25/2021	292	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Adam Dean Fox ; signed by Magistrate Judge Sally J. Berens and Judge Jeffrey S. Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (jal) (Entered: 08/25/2021)
08/25/2021	293	ORDER granting proposed order 279 as to Ty Gerard Garbin (3); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 08/25/2021)
08/25/2021	294	MINUTES of SENTENCING for Ty Gerard Garbin (3), Count(s) 1, 75 months custody, 3 years supervised release, fine of \$2,500.00, and \$100.00 special assessment; defendant advised of right to appeal ; held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, pdb) (Entered: 08/25/2021)
08/26/2021		(NON-DOCUMENT) ORDER REFERRING MOTION for leave to file <i>Response to Government's Reply</i> 264 as to defendant Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 08/26/2021)
08/26/2021	295	NOTICE rescheduling hearing on motion as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta regarding Defendant Brandon Caserta's Motion to Compel Discovery 225 ; Defendant Kaleb Franks's Motion for Disclosure of All Records Related to Confidential Human Sources 258 that was previously set for 8/27/2021; motion hearing is set for 9/2/2021 at 10:00 AM at 499 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; public audio access will remain the same (jal) (Entered: 08/26/2021)
08/26/2021	296	ORDER granting Defendant Brandon Caserta's Motion Pursuant to Local Rule 47.2(c) to File a Reply to Government's Response to Defendants' Motions to Compel 264 as to Brandon Michael-Ray Caserta (6); proposed reply is accepted for filing; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 08/26/2021)
08/26/2021	297	REPLY TO RESPONSE to motion by Brandon Michael-Ray Caserta re MOTION to compel <i>Discovery</i> 225 (<i>filed per</i> 296) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5) (mg) (Entered: 08/26/2021)
08/26/2021	298	MOTION for extension of time to file <i>Proposed Jury Questionnaire and Memorandum in Support</i> by Kaleb James Franks (Graham, Scott) (Entered: 08/26/2021)
08/26/2021	299	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION for extension of time to file <i>Proposed Jury Questionnaire and Memorandum in Support</i> 298 (Graham, Scott) (Entered: 08/26/2021)
08/26/2021	300	JUDGMENT as to defendant Ty Gerard Garbin ; signed by Chief Judge Robert J. Jonker (Attachments: # 1 Attachment Forfeiture List) (Chief Judge Robert J. Jonker, ymc) (Entered: 08/26/2021)
08/26/2021	301	(RESTRICTED ACCESS) STATEMENT OF REASONS re 300 as to Ty Gerard Garbin [Access to this document is available to the Court and attorney(s) for USA, Ty Gerard Garbin only] (Chief Judge Robert J. Jonker, ymc) (Entered: 08/26/2021)

08/26/2021	302	RESPONSE in opposition by USA as to Barry Gordon Croft, Jr re MOTION to suppress <i>fruits of warrant at 511 Daniels Court</i> 245 (Attachments: # 1 Exhibit 1) (Hakes, Austin) (Entered: 08/26/2021)
08/26/2021	303	RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to change venue <i>and Memorandum in Support</i> 230 (Hakes, Austin) (Entered: 08/26/2021)
08/26/2021	304	RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to sever defendant <i>and Memorandum in Support</i> 232 (Hakes, Austin) (Entered: 08/26/2021)
08/26/2021	305	RESPONSE in opposition by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION for disclosure <i>Motion for early designation of witnesses and exhibits</i> 216 (Kessler, Nils) (Entered: 08/26/2021)
08/26/2021	306	RESPONSE in opposition by USA as to Adam Dean Fox re MOTION in limine <i>for Brandenburg Jury Instruction</i> 219 , MOTION in limine <i>for Strictissimi Juris Instruction</i> 221 (Kessler, Nils) (Entered: 08/26/2021)
08/26/2021	307	RESPONSE in opposition by USA as to Daniel Joseph Harris re MOTION to compel <i>Identification of Exculpatory Evidence</i> 234 (Kessler, Nils) (Entered: 08/26/2021)
08/26/2021	308	RESPONSE in opposition by USA as to Daniel Joseph Harris re MOTION to compel prosecutor to identify statements offered under FRE 801(d)(2)(E) 238 (Kessler, Nils) (Entered: 08/26/2021)
08/26/2021	309	RESPONSE in opposition by USA as to Brandon Michael-Ray Caserta re MOTION in limine <i>to Exclude Statements as Irrelevant and Unfairly Prejudicial</i> 241 (Kessler, Nils) (Entered: 08/26/2021)
08/27/2021	310	ORDER denying motion for disclosure 216 as to Barry Gordon Croft Jr. (2); denying motion to compel 234 as to Daniel Joseph Harris (5); denying motion to compel 238 as to Daniel Joseph Harris (5) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/27/2021)
08/27/2021	311	ORDER granting motion for extension of time to file 298 as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/27/2021)
08/27/2021	312	ORDER denying motion to sever defendant 232 as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/27/2021)
08/27/2021	313	ORDER denying motion for change of venue 230 as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 08/27/2021)
08/27/2021	314	EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit 1, # 2 Proposed Document) (Hills, Michael) (Entered: 08/27/2021)
08/27/2021	315	SUPPLEMENT re 258 , 225 to Motions to Compel by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit Text Exchanges, # 2 Exhibit Text Exchanges, # 3 Text Exchanges) (Graham, Scott) (Entered: 08/27/2021)
08/29/2021	316	SUPPLEMENT re 258 , 225 Second Joint Supplement to Motions to Compel by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Graham, Scott) (Entered: 08/29/2021)
08/30/2021	317	JOINT MOTION for subpoena duces tecum pursuant to Fed. R. Crim. P. 17(c) by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Graham, Scott) (Entered: 08/30/2021)

		Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document Ex A - Subpoena) (Blanchard, Joshua) Modified text on 9/3/2021 (pjw). (Entered: 08/30/2021)
08/30/2021	318	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT MOTION for subpoena <i>duces tecum pursuant to Fed. R. Crim. P. 17(c)</i> 317 (Blanchard, Joshua) Modified text on 9/3/2021 (pjw). (Entered: 08/30/2021)
08/30/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Brandon Michael-Ray Caserta 314 as to defendant Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 08/30/2021)
08/30/2021		(NON-DOCUMENT) ORDER REFERRING JOINT MOTION for subpoena <i>duces tecum pursuant to Fed. R. Crim. P. 17(c)</i> 317 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 08/30/2021)
08/31/2021	319	RESPONSE to <i>Joint Supplements</i> by USA as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re 316 , 316 , 315 , 316 , 315 , 315 , 315 , 316 , 315 (Kessler, Nils) (Entered: 08/31/2021)
09/01/2021	320	JOINT EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document) (Blanchard, Joshua) Modified text on 9/2/2021 (pjw) (Entered: 09/01/2021)
09/01/2021	321	ORDER granting Defendants' Unopposed Joint Motion for Subpoena Duces Tecum Directed to Twitter 317 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); signed by Magistrate Judge Sally J. Berens (jal) (Entered: 09/01/2021)
09/01/2021	322	(RESTRICTED ACCESS) ORDER as to Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Brandon Michael-Ray Caserta 314 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 09/01/2021)
09/01/2021	323	NOTICE rescheduling hearing on motion as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta regarding Defendant Brandon Caserta's Motion to Compel Discovery 225 and Defendant Kaleb Franks's Motion for Disclosure of All Records Related to Confidential Human Sources 258 that was previously set for the same date and time in Judge Quist's courtroom (499); motion hearing is set for 9/2/2021 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens (jln) (Entered: 09/01/2021)
09/02/2021		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta 320 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta to to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/02/2021)
09/02/2021	324	MINUTES of motion hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta re

		Defendant Brandon Caserta's Motion to Compel Discovery 225 and Defendant Kaleb Franks's Motion for Disclosure of All Records Related to Confidential Human Sources 258 held before Magistrate Judge Sally J. Berens; motions denied, order to issue (Court Reporter: Paul Brandell) (jln) Modified text on 9/7/2021 (jln). (Entered: 09/02/2021)
09/02/2021	325	ORDER denying Defendant Brandon Caserta's Motion to Compel Discovery 225 and Defendant Kaleb Franks's Motion for Disclosure of All Records Related to Confidential Human Sources 258 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 09/02/2021)
09/02/2021	326	<i>JOINT PROPOSED JURY QUESTIONNAIRE</i> by Kaleb James Franks as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re 257 (Graham, Scott) Modified text on 9/3/2021 (pjw) (Entered: 09/02/2021)
09/03/2021	327	ORDER granting motion for hearing 266 as to Adam Dean Fox (1), Barry Gordon Croft, Jr. (2) Kaleb James Franks, (4), Daniel Joseph Harris (5) and Brandon Michael-Ray Caserta (6); Conference set for 9/14/2021 at 10:00 AM before Chief Judge Robert J. Jonker; any objections must be filed not later than 9/9/2021 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 09/03/2021)
09/07/2021	328	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta 320 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 09/07/2021)
09/07/2021	329	ORDER declining to use supplemental jury questionnaire as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/07/2021)
09/08/2021	330	ORDER denying motion in limine 219 as to Adam Dean Fox (1); denying motion in limine 221 as to Adam Dean Fox (1); denying the following motions for joinder as they pertain to [219, 221]: denying motion for joinder 290 as to Barry Gordon Croft Jr. (2); denying motion for joinder 252 as to Kaleb James Franks (4); denying motion for joinder 253 as to Daniel Joseph Harris (5); denying motion for joinder 243 as to Brandon Michael-Ray Caserta (6); denying motion for joinder 244 as to Brandon Michael-Ray Caserta (6); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/08/2021)
09/08/2021	331	JOINT MOTION for ends-of-justice continuance by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Graham, Scott) Modified text on 9/9/2021 (pjw) (Entered: 09/08/2021)
09/08/2021	332	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT MOTION to continue <i>all dates</i> 331 (Graham, Scott) (Entered: 09/08/2021)
09/09/2021	333	ORDER regarding response to Motion to Continue 331 : response due by 9/15/2021; Hearing on motion set for 9/17/21 at 10:00 AM; the Rule 17.1 pretrial conference set for 9/14/21 is cancelled; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/09/2021)
09/09/2021	334	ORDER denying motion to suppress 245 as to Barry Gordon Croft Jr. (2); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/09/2021)

09/09/2021	335	UNOPPOSED MOTION to amend/correct <i>return date of subpoena duces tecum directed to Twitter, Inc.</i> by Barry Gordon Croft, Jr as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit A - Return of Service, # 2 Proposed Order B - Proposed Order) (Blanchard, Joshua) (Entered: 09/09/2021)
09/09/2021	336	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re UNOPPOSED MOTION to amend/correct <i>return date of subpoena duces tecum directed to Twitter, Inc.</i> 335 (Blanchard, Joshua) (Entered: 09/09/2021)
09/10/2021		(NON-DOCUMENT) ORDER REFERRING UNOPPOSED MOTION to amend/correct <i>return date of subpoena duces tecum directed to Twitter, Inc.</i> 335 as to defendant Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 09/10/2021)
09/10/2021		Copy of Order Regarding Response to Motion, 333 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta distributed to GR-USPO/USM (pjw) (Entered: 09/10/2021)
09/10/2021	337	ORDER granting motion to amend/correct return date of subpoena duces tecum directed to Twitter, Inc. 335 as to Adam Dean Fox, Barry Gordon Croft Jr., Kaleb James Franks, Daniel Joseph Harris, and Brandon Michael-Ray Caserta; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 09/10/2021)
09/14/2021	338	TRANSCRIPT of Motions as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 09/02/2021 before Magistrate Sally J. Berens ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/13/2021 ; redaction request due 10/5/2021 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/14/2021)
09/14/2021	339	ORDER denying motion in limine 241 as to Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 09/14/2021)
09/14/2021	340	RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT MOTION to continue <i>all dates</i> 331 (Kessler, Nils) (Entered: 09/14/2021)
09/15/2021	341	NOTICE regarding expert testimony by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment) (Kessler, Nils) (Entered: 09/15/2021)
09/16/2021	342	(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta. The hearing set for 9/17/2021 at 10:00 AM before Chief Judge Robert J. Jonker will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING

		OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) Modified text on 9/16/2021 (pjw) (Entered: 09/16/2021)
09/16/2021	343	APPEAL OF MAGISTRATE JUDGE DECISION to District Judge by Kaleb James Franks re Order on Motion to Compel, Order on Motion for Disclosure 325 (Graham, Scott) (Entered: 09/16/2021)
09/17/2021	344	MINUTES of motion hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re 331 JOINT MOTION to continue <i>all dates</i> filed by Barry Gordon Croft, Jr., Brandon Michael-Ray Caserta, Kaleb James Franks, Adam Dean Fox, Daniel Joseph Harris held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 09/17/2021)
09/17/2021	345	ORDER granting motion to continue 331 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); 9/23/2021 final pretrial and 10/12/2021 trial dates are CANCELLED, and will be reset in a subsequent Order ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 09/17/2021)
09/17/2021	346	ORDER regarding response to Appeal to District Judge - Magistrate Judge Decision 343 ; responses due by 10/1/2021 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 09/17/2021)
09/20/2021		Copy of Order on Motion to Continue, 345 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta distributed to GR-USM (pjw) (Entered: 09/20/2021)
09/20/2021	347	ORDER RESETTING PRETRIAL AND JURY TRIAL as to defendants Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta: jury trial reset for 3/8/2022 at 08:30 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; final pretrial conference reset for 2/18/2022 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker. Defense motions in limine regarding admission of out-of-court statements of defendants (or others) from proposed transcriptions of recorded conversations shall be filed by 12/17/2021. Government responses to be filed by 1/7/2022. Motion hearing on pending motions in limine is set for 1/18/2022 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker. All other motions to be filed by 1/14/2022. Expert disclosure deadline for all parties' testifying experts is 2/4/2022. Provisional status conferences are scheduled for 10/28/2021 at 10:00 a.m. and 11/23/2021 at 10:00 a.m. ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 09/20/2021)
09/27/2021	348	RESPONSE to motion by USA as to Kaleb James Franks re APPEAL OF MAGISTRATE JUDGE DECISION to District Judge by Kaleb James Franks re Order on Motion to Compel, Order on Motion for Disclosure 325 343 (Kessler, Nils) (Entered: 09/27/2021)
09/30/2021	349	TRANSCRIPT of Sentence as to defendant Ty Gerard Garbin held 08/25/2021 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of

		transcript restriction set for 12/29/2021 ; redaction request due 10/21/2021 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/30/2021)
10/07/2021	350	EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document) (Hills, Michael) (Entered: 10/07/2021)
10/07/2021	351	ORDER that Defendant Franks's Appeal of Magistrate Judge's Order 343 is OVERRULED. The Magistrate Judge's Order 325 is AFFIRMED as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 10/07/2021)
10/12/2021	352	EX PARTE PROPOSED STAGE 1 BUDGET as to Daniel Joseph Harris (Attachments: # 1 Exhibit A) (Kelly, Julia) (Entered: 10/12/2021)
10/25/2021	353	NOTICE CANCELLING provisional status conference set for 10/28/2021 as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta. The next provisional status conference is scheduled for 11/23/2021 (Chief Judge Robert J. Jonker, ymc) (Entered: 10/25/2021)
10/26/2021	354	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Daniel Joseph Harris ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Daniel Joseph Harris only] (Chief Judge Robert J. Jonker, ymc) (Entered: 10/26/2021)
10/26/2021	355	(RESTRICTED ACCESS) STAGE 1 BUDGET as to Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Brandon Michael-Ray Caserta only] (Chief Judge Robert J. Jonker, ymc) (Entered: 10/26/2021)
10/28/2021	356	TRANSCRIPT of Motion as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 09/17/2021 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 1/26/2022 ; redaction request due 11/18/2021 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 10/28/2021)
11/05/2021		(NON-DOCUMENT) ATTORNEY APPEARANCE of Jonathan Roth for USA [Attorney Jonathan Roth added to party USA(pty:pla)] (Roth, Jonathan) (Entered: 11/05/2021)
11/18/2021	357	NOTICE CANCELLING HEARING as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Chief Judge Robert J. Jonker, sdb) (Entered: 11/18/2021)
11/19/2021	358	(DISREGARD)(RESTRICTED ACCESS) ORDER as to Adam Dean Fox ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) Modified text on 11/19/2021 (krv) (Entered: 11/19/2021)
11/19/2021	359	(RESTRICTED ACCESS) ORDER as to Kaleb James Franks ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 11/19/2021)
11/19/2021	360	NOTICE of Withdrawal by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Hakes, Austin) (Entered: 11/19/2021)

11/30/2021	361	EX PARTE MOTION with Proposed Order filed by Kaleb James Franks (Graham, Scott) Modified text on 11/30/2021 (pjw) (Entered: 11/30/2021)
11/30/2021	362	SEALED MOTION filed by Kaleb James Franks re EX PARTE MOTION filed by Kaleb James Franks 361 (Attachments: # 1 Attachment) (Graham, Scott) Modified text per Order 365 on 12/2/2021 (pjw). (Entered: 11/30/2021)
12/01/2021	363	EX PARTE PROPOSED STAGE 2 BUDGET with proposed order as to Adam Dean Fox [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Attachment Exhibit A, # 2 Attachment) (Gibbons, Christopher) Modified text on 12/2/2021 (pjw). (Entered: 12/01/2021)
12/01/2021	364	CORRECTED EX PARTE PROPOSED STAGE 2 BUDGET with proposed order as to Adam Dean Fox [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Attachment Exhibit A, # 2 Attachment Corrected) (Gibbons, Christopher) Modified text on 12/2/2021; this entry replaces 363 (pjw). (Entered: 12/01/2021)
12/01/2021	365	(RESTRICTED ACCESS) ORDER as to Kaleb James Franks re EX PARTE MOTION filed by Kaleb James Franks 361 granted ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 12/01/2021)
12/01/2021		SEALED MOTION (<i>as taken from</i> 362 filed by Kaleb James Franks ; filed under seal pursuant to order 365 (pjw) (Entered: 12/02/2021)
12/17/2021	366	MOTION for leave to file <i>Defendants' Motion in Limine Regarding Admission of Out-of-Court Statements and Memorandum in Support</i> Proposed Order with by Kaleb James Franks (Attachments: # 1 Defendants' Motion in Limine Regarding Admission of Out-of-Court Statements and Memorandum in Support, # 2 Chart) (Graham, Scott) Modified text on 12/17/2021 (pjw). (Entered: 12/17/2021)
12/17/2021	367	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION for leave to file <i>Defendants' Motion in Limine Regarding Admission of Out-of-Court Statements and Memorandum in Support</i> 366 (Graham, Scott) (Entered: 12/17/2021)
12/17/2021	368	MOTION in limine <i>To Preclude Defendants' Attempt To Admit Hearsay Statements</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 12/17/2021)
12/17/2021	369	MOTION in limine <i>To Exclude Evidence And Preclude Improper Impeachment</i> , by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 12/17/2021)
12/17/2021	370	MOTION in limine <i>to Admit Other Acts Evidence Under Rule 404(b)</i> . by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment 1, # 2 Attachment 2) (Kessler, Nils) Modified text on 12/20/2021 (pjw) (Entered: 12/17/2021)
12/17/2021	371	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION in limine <i>To Exclude Evidence And Preclude Improper Impeachment</i> , 369 , MOTION in limine <i>To Preclude Defendants' Attempt To Admit Hearsay Statements</i> 368 , MOTION in limine <i>to Admit Other Acts Evidence Under Rule 404(b)</i> . 370 (Kessler, Nils) (Entered: 12/17/2021)
12/18/2021	372	MOTION to compel government to identify known Brady material contained within discovery dump with certificate of compliance by Adam Dean Fox, Barry Gordon Croft,

		Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit A - Declaration of Julie de Almeida) (Blanchard, Joshua) Modified text on 12/20/2021 (pjw) (Entered: 12/18/2021)
12/18/2021	373	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION to compel <i>government to identify known Brady material contained within discovery dump</i> 372 (Blanchard, Joshua) (Entered: 12/18/2021)
12/20/2021	374	CORRECTED MOTION to compel <i>government to identify known Brady material contained within discovery dump</i> with certificate of compliance by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit A - Declaration of Julie de Almeida) (Blanchard, Joshua); this entry replaces 372 Modified text on 12/21/2021 (pjw) (Entered: 12/20/2021)
12/20/2021	375	MOTION to strike <i>pleading</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 12/20/2021)
12/20/2021	376	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Kaleb James Franks ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Kaleb James Franks only] (Chief Judge Robert J. Jonker, ymc) (Entered: 12/20/2021)
12/20/2021	377	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Adam Dean Fox ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Chief Judge Robert J. Jonker, ymc) (Entered: 12/20/2021)
12/22/2021	378	EX PARTE MOTION with proposed order filed by Kaleb James Franks (Attachments: # 1 Attachment to Ex-Parte Motion) (Graham, Scott) Modified text on 12/27/2021 (pjw) (Entered: 12/22/2021)
12/25/2021	379	MOTION to dismiss with Memorandum in Support and certificate of compliance by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Graham, Scott); Modified text on 12/27/2021 (pjw). (Entered: 12/25/2021)
12/29/2021	380	RESPONSE in opposition by Barry Gordon Croft, Jr re MOTION in limine to <i>Admit Other Acts Evidence Under Rule 404(b)</i> . 370 with certificate of compliance (Attachments: # 1 Exhibit A - Pardon) (Blanchard, Joshua) Modified text on 12/29/2021 (pjw) (Entered: 12/29/2021)
12/29/2021	381	ORDER granting motion for leave to file 366 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 12/29/2021)
12/29/2021	382	ORDER denying motion to compel 372 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); denying motion to compel 374 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); dismissing as moot motion to strike 375 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 12/29/2021)
12/29/2021	383	MOTION in limine <i>regarding admission of out-of-court statements with Memorandum in Support and certificate of compliance</i> by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb

		James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment) (pjw) (Entered: 12/30/2021)
12/30/2021	384	(RESTRICTED ACCESS) ORDER as to Kaleb James Franks re EX PARTE MOTION filed by Kaleb James Franks 378 , denied without prejudice signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 12/30/2021)
12/31/2021	385	MOTION to continue <i>pretrial-motion filing deadline</i> by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Graham, Scott) (Entered: 12/31/2021)
12/31/2021	386	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION to continue <i>pretrial-motion filing deadline</i> 385 (Graham, Scott) (Entered: 12/31/2021)
12/31/2021	387	RESPONSE in opposition by Kaleb James Franks re MOTION in limine <i>to Admit Other Acts Evidence Under Rule 404(b)</i> . 370 with certificate of compliance (Graham, Scott) Modified text on 1/3/2022 (pjw) (Entered: 12/31/2021)
12/31/2021	388	RESPONSE in opposition by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION in limine <i>To Exclude Evidence And Preclude Improper Impeachment</i> , 369 with certificate of compliance (Attachments: # 1 Exhibit A - Chambers' Business Proposal, # 2 Exhibit B - Funding Email from Chambers, # 3 Exhibit C - Chambers' Resume, # 4 Exhibit D - Exeintel Cert. of Dissolution, # 5 Exhibit E - Summary of Chambers' FD-1023s) (Blanchard, Joshua) Modified text on 1/3/2022 (pjw) (Entered: 12/31/2021)
12/31/2021	389	RESPONSE in opposition by Daniel Joseph Harris re MOTION in limine <i>to Admit Other Acts Evidence Under Rule 404(b)</i> . 370 with certificate of compliance (Kelly, Julia) Modified text on 1/3/2022 (pjw) (Entered: 12/31/2021)
12/31/2021	390	RESPONSE to motion by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION in limine <i>To Preclude Defendants' Attempt To Admit Hearsay Statements</i> 368 (Gibbons, Christopher) Modified text on 1/3/2022 (pjw) (Entered: 12/31/2021)
12/31/2021	391	ORDER regarding response to motion for extension 385 ; the government shall file a response not later than 1/5/22; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 12/31/2021)
01/04/2022	392	EX PARTE MOTION filed by Adam Dean Fox (Attachments: # 1 Proposed Order, # 2 Proposed Document to be Issued by the Court) (Gibbons, Christopher) (Entered: 01/04/2022)
01/04/2022	393	RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION to continue <i>pretrial-motion filing deadline</i> 385 (Kessler, Nils) (Entered: 01/04/2022)
01/05/2022	394	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 01/05/2022)
01/05/2022	395	ORDER denying motion to continue pretrial motion filing deadline 385 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 01/05/2022)
01/06/2022	396	RESPONSE in opposition by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta

		re MOTION in limine regarding <i>admission of out-of-court statements with Memorandum in Support and certificate of compliance</i> 383 (Roth, Jonathan) (Entered: 01/06/2022)
01/07/2022	397	MOTION for leave to file <i>reply to government's response to motion</i> with proposed order by Kaleb James Franks (Attachments: # 1 Proposed Reply) (Graham, Scott) Modified on 1/10/2022 (pjw) (Entered: 01/07/2022)
01/07/2022	440	REPLY TO RESPONSE to motion by Kaleb James Franks re MOTION in limine regarding <i>admission of out-of-court statements with Memorandum in Support and certificate of compliance</i> 383 (pjw) (Entered: 02/03/2022)
01/10/2022	398	MOTION for leave to file <i>Reply Brief</i> with proposed order by Adam Dean Fox (Attachments: # 1 Proposed Document Reply Brief) (Gibbons, Christopher) Modified text on 1/11/2022 (pjw). (Entered: 01/10/2022)
01/10/2022	441	REPLY TO RESPONSE to motion by Adam Dean Fox re MOTION in limine regarding <i>admission of out-of-court statements with Memorandum in Support and certificate of compliance</i> 383 (pjw) (Entered: 02/03/2022)
01/11/2022	399	SUPPLEMENT to MOTION to dismiss 379 with certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text and document link on 1/12/2022 (pjw) (Entered: 01/11/2022)
01/12/2022	400	NOTICE to attorney Scott Graham regarding recent filing 399 (pjw) (Entered: 01/12/2022)
01/12/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta: The hearing set for 1/18/2022 at 10:00 a.m. before Chief Judge Robert J. Jonker will be inperson and open to the public, subject to seating capacitylimits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 4029753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED.LGenR 4.1(c)(i) and (ii). (Chief Judge Robert J. Jonker, ymc) (Entered: 01/12/2022)
01/12/2022	401	RENEWED MOTION to compel discovery with certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/13/2022 (pjw) (Entered: 01/12/2022)
01/14/2022	402	EX PARTE PROPOSED STAGE 1 BUDGET as to Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Blanchard, Joshua) (Entered: 01/14/2022)
01/14/2022	403	NOTICE <i>Defendant's Expert Disclosure</i> by Kaleb James Franks (Attachments: # 1 Attachment CV-Spierer) (Graham, Scott) (Entered: 01/14/2022)
01/14/2022	404	MOTION to exclude <i>Evidence Offered Under FRE 801(d)(2)(E) and Memorandum in Support</i> with certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw) (Entered: 01/14/2022)
01/14/2022	405	MOTION for Additional Peremptory Challenges and Memorandum in Support with certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw) (Entered: 01/14/2022)
01/14/2022	406	MOTION to compel <i>Production of Jail-Call Recordings and Memorandum in Support</i> and certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw). (Entered: 01/14/2022)
01/14/2022	407	MOTION to compel <i>Defendant's Motion to Allow Presentation of Evidence Demonstrating Government's "Consciousness-Of-Guilt" with Regard to its Use of</i>

		<i>Entrapment and Memorandum in Support</i> and certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw). (Entered: 01/14/2022)
01/14/2022	408	MOTION to exclude <i>Inaccurate Transcripts and Memorandum in Support</i> by Kaleb James Franks (Graham, Scott) (Entered: 01/14/2022)
01/14/2022	409	MOTION to exclude <i>Defendant's Motion to Bar Evidence Under Bruton and Crawford and Memorandum in Support</i> with certificate of compliance by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw). (Entered: 01/14/2022)
01/14/2022	410	MOTION to exclude <i>Statements and Memorandum in Support</i> and certificate of compliance by Kaleb James Franks (Graham, Scott) (Entered: 01/14/2022)
01/14/2022	411	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION to exclude <i>Defendant's Motion to Bar Evidence Under Bruton and Crawford and Memorandum in Support</i> 409 , MOTION to exclude <i>Inaccurate Transcripts and Memorandum in Support</i> 408 , MOTION to compel <i>Production of Jail-Call Recordings and Memorandum in Support</i> 406 , MOTION to exclude <i>Statements and Memorandum in Support</i> 410 , MOTION to exclude <i>Evidence Offered Under FRE 801(d)(2)(E) and Memorandum in Support</i> 404 , MOTION to compel <i>Defendant's Motion to Allow Presentation of Evidence Demonstrating Government's "Consciousness-Of-Guilt" with Regard to its Use of Entrapment and Memorandum in Support</i> 407 , MOTION to compel <i>Motion for Additional Peremptory Challenges and Memorandum in Support</i> 405 (Graham, Scott) (Entered: 01/14/2022)
01/14/2022	412	MOTION to compel <i>government to obtain order granting use immunity</i> by Kaleb James Franks (Graham, Scott) (Entered: 01/14/2022)
01/14/2022	413	CERTIFICATE regarding compliance with LCrimR 12.4 by Kaleb James Franks re MOTION to compel <i>government to obtain order granting use immunity</i> 412 (Graham, Scott) (Entered: 01/14/2022)
01/17/2022	414	RESPONSE in opposition by USA (titled MOTION to strike pleadings) as to Kaleb James Franks re MOTION to exclude <i>Defendant's Motion to Bar Evidence Under Bruton and Crawford and Memorandum in Support</i> 409 , MOTION to exclude <i>Inaccurate Transcripts and Memorandum in Support</i> 408 , MOTION to compel <i>Renewal of Motion to Compel Discovery</i> 401 , MOTION to exclude <i>Statements and Memorandum in Support</i> 410 , MOTION to exclude <i>Evidence Offered Under FRE 801(d)(2)(E) and Memorandum in Support</i> 404 (Kessler, Nils) Modified text on 1/18/2022 (pjw) (Entered: 01/17/2022)
01/17/2022	415	MOTION for leave to file reply (titled RESPONSE to government's Motion to strike pleadings) by Kaleb James Franks (Graham, Scott) Modified text on 1/18/2022 (pjw) (Entered: 01/17/2022)
01/17/2022		MOTION to strike <i>pleadings (as taken from</i> 414 <i>)</i> by USA as to Kaleb James Franks (pjw) (Entered: 01/20/2022)
01/18/2022	416	MINUTES of motion hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr., Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re 368 MOTION in limine <i>To Preclude Defendants' Attempt To Admit Hearsay Statements</i> filed by USA, 370 MOTION in limine <i>to Admit Other Acts Evidence Under Rule 404(b)</i> . filed by USA, 383 MOTION in limine <i>regarding admission of out-of-court statements with Memorandum in Support and certificate of compliance</i> filed by Barry Gordon Croft, Jr., Brandon Michael-Ray Caserta, Kaleb James Franks, Adam Dean Fox, Daniel Joseph Harris, 369 MOTION in limine <i>To Exclude Evidence And Preclude Improper Impeachment</i> , filed by USA held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 01/18/2022)

01/20/2022	417	ORDER denying motion to compel 401 as to Kaleb James Franks (4); denying motion to exclude 404 as to Kaleb James Franks (4); denying without prejudice motion to exclude 408 as to Kaleb James Franks (4); denying without prejudice motion to exclude 409 as to Kaleb James Franks (4); denying motion to exclude 410 as to Kaleb James Franks (4); dismissing as moot motion for leave to file 415 as to Kaleb James Franks (4); dismissing as moot government's motion to strike; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 01/20/2022)
01/21/2022	418	RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION to dismiss 379 , SUPPLEMENT to Motion to dismiss 399 (Kessler, Nils) Modified text on 1/25/2022 (pjw). (Entered: 01/21/2022)
01/24/2022	419	RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to compel <i>government to obtain order granting use immunity</i> 412 (Kessler, Nils) (Entered: 01/24/2022)
01/25/2022	420	CORRECTED RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION to dismiss 379 , SUPPLEMENT to Motion to dismiss 399 ; this entry replaces 418 (Kessler, Nils) Modified text on 1/25/2022 (pjw) (Entered: 01/25/2022)
01/25/2022	421	OPINION AND ORDER denying motion to dismiss 379 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6) signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 01/25/2022)
01/25/2022	422	RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to compel <i>Defendant's Motion to Allow Presentation of Evidence Demonstrating Government's "Consciousness-Of-Guilt" with Regard to its Use of Entrapment and Memorandum in Support</i> 407 (Kessler, Nils) (Entered: 01/25/2022)
01/25/2022	423	MOTION for psychiatric exam by USA as to Kaleb James Franks (Roth, Jonathan) (Entered: 01/25/2022)
01/25/2022	424	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Kaleb James Franks re MOTION for psychiatric exam 423 (Roth, Jonathan) (Entered: 01/25/2022)
01/25/2022	425	ORDER regarding response to Motion for Psychiatric Exam 423 : responses due by 1/28/22; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 01/25/2022)
01/26/2022	426	ORDER denying motion to compel 407 as to Kaleb James Franks (4); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, pdb) (Entered: 01/26/2022)
01/26/2022	427	(RESTRICTED ACCESS) RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to compel <i>Production of Jail-Call Recordings and Memorandum in Support</i> 406 [Access to this document is available to the Court and to attorney(s) for defendant Kaleb James Franks only] (Roth, Jonathan) Modified text and access on 1/27/2022 per Order 431 (pjw) (Entered: 01/26/2022)
01/26/2022	428	ORDER denying motion to compel 412 as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 01/26/2022)
01/26/2022	429	MOTION to strike and remove pleading from CM/ECF re Doc 427 by USA as to Kaleb James Franks (Roth, Jonathan) Modified text on 1/26/2022 (pjw) (Entered: 01/26/2022)
01/26/2022	430	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Kaleb James Franks re MOTION to strike and remove pleading 427 from CM/ECF 429 (Roth,

		Jonathan) Modified text on 1/26/2022 (pjw) (Entered: 01/26/2022)
01/26/2022	431	ORDER entered re motion to strike 429 as to Kaleb James Franks (4); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 01/26/2022)
01/27/2022	432	(CORRECTED) RESPONSE in opposition by USA as to Kaleb James Franks re MOTION to compel <i>Production of Jail-Call Recordings and Memorandum in Support 406</i> ; this entry replaces 427 (Roth, Jonathan) Modified text on 1/28/2022 (pjw). (Entered: 01/27/2022)
01/28/2022	433	RESPONSE to motion by Kaleb James Franks re MOTION for psychiatric exam 423 (Graham, Scott) (Entered: 01/28/2022)
02/01/2022	434	(DISREGARD) ORDER denying motion to compel 406 as to Kaleb James Franks (4) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc); replaced by 436 ; Modified text on 2/2/2022 (pjw). (Entered: 02/01/2022)
02/01/2022	435	ORDER granting motion for psychiatric exam 423 as to Kaleb James Franks (4); Defendant Franks and the government to complete and to disclose their examinations and reports by the final pre-trial conference 2/18/2022 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/01/2022)
02/01/2022		(NON-DOCUMENT) NOTICE that Order on Motion to Compe l 434 was filed in error (no signature) as to Kaleb James Franks and should be disregarded. A corrected order will be filed. (Chief Judge Robert J. Jonker, ymc) (Entered: 02/01/2022)
02/01/2022	436	ORDER denying motion to compel 406 as to Kaleb James Franks (4) (replaces 434) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/01/2022)
02/01/2022	437	JOINT EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Exhibit A - Proposed Document) (Blanchard, Joshua) Modified text on 2/2/2022 (pjw) (Entered: 02/01/2022)
02/02/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta 437 to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1) (A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/02/2022)
02/02/2022	438	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta 437 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/02/2022)
02/02/2022	439	ORDER granting motion in limine 368 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); granting motion in limine 369 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); granting motion in limine 370 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); granting to the extent the Defense Seeks to admit the statements of FBI Agents and CHSs (but only when acting as a conduit for an agents' words) under Rule 801(d)(2) and denying in all other respects motion in limine 383 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Kaleb James Franks (4), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6); granting motion for leave to file 398 as to Adam Dean Fox (1); granting

		motion for leave to file 397 as to Kaleb James Franks (4); [397-1] and [398-1] are deemed as filed instanter ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/02/2022)
02/04/2022	442	NOTICE re Expert Testimony by Adam Dean Fox (Attachments: # 1 Attachment Curriculum Vitea for each expert disclosed) (Gibbons, Christopher) Modified text on 2/4/2022 (pjw) (Entered: 02/04/2022)
02/04/2022	443	NOTICE <i>Regarding Expert Testimony</i> by Brandon Michael-Ray Caserta (Attachments: # 1 Attachment Curriculum Vitae of Glenn Bard) (Hills, Michael) (Entered: 02/04/2022)
02/04/2022	444	NOTICE <i>Regarding Expert Testimony</i> by Daniel Joseph Harris (Attachments: # 1 Attachment Curriculum Vitae) (Kelly, Julia) (Entered: 02/04/2022)
02/07/2022	445	PLEA AGREEMENT as to Kaleb James Franks (Kessler, Nils) (Entered: 02/07/2022)
02/07/2022	446	NOTICE as to Kaleb James Franks: change of plea hearing is set for 2/9/2022 at 09:15 AM at 499 Federal Building, Grand Rapids, MI before Magistrate Judge Phillip J. Green (ald) (Entered: 02/07/2022)
02/08/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Kaleb James Franks: Public audio access (listen only) for the 2/9/2022 hearing beginning at 9:15 AM will be available by phone at (877)336-1839 with Access Code: 8929521; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii) (ald) (Entered: 02/08/2022)
02/09/2022	447	MINUTES held before Magistrate Judge Phillip J. Green of CHANGE OF PLEA as to defendant Kaleb James Franks; Defendant pleaded guilty to Count 1 of the Superseding Indictment; Defendant detained (Proceedings Digitally Recorded) (ald) (Entered: 02/09/2022)
02/09/2022	448	CONSENT between defendant Kaleb James Franks and counsel allowing Magistrate Judge to preside over guilty plea hearing (ald) (Entered: 02/09/2022)
02/09/2022	449	NOTICE of <i>STIPULATION OF THE PARTIES</i> by Kaleb James Franks (ald) (Entered: 02/09/2022)
02/09/2022	450	REPORT AND RECOMMENDATION that the guilty plea of Kaleb James Franks as to Count 1 of the Superseding Indictment be accepted; objections to R&R due within 5 days; signed by Magistrate Judge Phillip J. Green (ald) (Entered: 02/09/2022)
02/09/2022	451	NOTICE as to defendant Kaleb James Franks: sentencing set for 6/8/2022 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Chief Judge Robert J. Jonker, sdb) (Entered: 02/09/2022)
02/09/2022	452	EX PARTE MOTION filed by Adam Dean Fox (Attachments: # 1 Proposed Order, # 2 Proposed Document, # 3 Exhibit) (Gibbons, Christopher) (Entered: 02/09/2022)
02/09/2022	453	EX PARTE MOTION filed by Adam Dean Fox (Attachments: # 1 Proposed Order, # 2 Proposed Document) (Gibbons, Christopher) (Entered: 02/09/2022)
02/10/2022	454	JOINT EX PARTE MOTION filed by Daniel Joseph Harris and Brandon Caserta (Attachments: # 1 Attachment 1, # 2 Attachment 2) (Kelly, Julia) Modified text on 2/10/2022 (pjw) (Entered: 02/10/2022)
02/10/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox 452 , EX PARTE MOTION filed by Adam Dean Fox 453 , JOINT EX PARTE MOTION filed by Daniel Joseph Harris and Brandon Michael-Ray Caserta 454 referred

		to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/10/2022)
02/11/2022	455	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox re EX PARTE MOTION filed by Adam Dean Fox 452 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/11/2022)
02/11/2022	456	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox re EX PARTE MOTION filed by Adam Dean Fox 453 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/11/2022)
02/11/2022	457	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT EX PARTE MOTION filed by Daniel Joseph Harris 454 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/11/2022)
02/11/2022	458	EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9) (Hills, Michael) Modified text on 2/14/2022 (pjw) (Entered: 02/11/2022)
02/11/2022	459	EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9, # 10 Attachment 10, # 11 Attachment 11, # 12 Attachment 12, # 13 Attachment 13, # 14 Attachment 14, # 15 Attachment 15, # 16 Attachment 16, # 17 Attachment 17, # 18 Attachment 18, # 19 Attachment 19, # 20 Attachment 20, # 21 Attachment 21, # 22 Attachment 22, # 23 Attachment 23, # 24 Attachment 24, # 25 Attachment 25, # 26 Attachment 26, # 27 Attachment 27, # 28 Attachment 28, # 29 Attachment 29, # 30 Attachment 30, # 31 Attachment 31, # 32 Attachment 32, # 33 Attachment 33, # 34 Attachment 34, # 35 Attachment 35, # 36 Attachment 36, # 37 Attachment 37, # 38 Attachment 38, # 39 Attachment 39, # 40 Attachment 40, # 41 Attachment 41, # 42 Attachment 42, # 43 Attachment 43, # 44 Attachment 44, # 45 Attachment 45, # 46 Attachment 46, # 47 Attachment 47, # 48 Attachment 48, # 49 Attachment 49, # 50 Attachment 50, # 51 Attachment 51) (Hills, Michael) Modified text on 2/14/2022 (pjw). (Entered: 02/11/2022)
02/11/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 458 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/11/2022)
02/11/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 459 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/11/2022)
02/14/2022	460	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 459 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/14/2022)

02/14/2022	461	TRANSCRIPT of Plea Hearing as to defendant Kaleb James Franks held 02/09/2022 before Magistrate Phillip J. Green ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 5/16/2022 ; redaction request due 3/7/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 02/14/2022)
02/14/2022	462	EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document) (Hills, Michael) (Entered: 02/14/2022)
02/14/2022	463	MOTION for leave to file <i>Late Notice Regarding Expert Testimony</i> by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Document Proposed Document and Attachment) (Hills, Michael) (Entered: 02/14/2022)
02/14/2022	464	AMENDED EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9) (Hills, Michael) (Entered: 02/14/2022)
02/15/2022		(NON-DOCUMENT) ORDER REFERRING AMENDED EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 464 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/15/2022)
02/15/2022	465	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re AMENDED EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 464 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/15/2022)
02/15/2022	466	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re AMENDED EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 464 (AMENDED) ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 02/15/2022)
02/15/2022	467	ORDER ADOPTING REPORT AND RECOMMENDATION 450 as to Kaleb James Franks ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/15/2022)
02/16/2022	468	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Barry Gordon Croft, Jr ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Barry Gordon Croft, Jr only] (Chief Judge Robert J. Jonker, ymc) (Entered: 02/16/2022)
02/17/2022	469	TRIAL BRIEF by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 02/17/2022)
02/17/2022	470	PROPOSED VOIR DIRE by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 02/17/2022)

02/17/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta: The final pretrial conference set for 2/18/2022 at 10:00 a.m. before Chief Judge Robert J. Jonker will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (Chief Judge Robert J. Jonker, ymc) (Entered: 02/17/2022)
02/17/2022	471	PROPOSED VOIR DIRE by Adam Dean Fox as to Adam Dean Fox, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Gibbons, Christopher) (Entered: 02/17/2022)
02/17/2022	472	PROPOSED JURY INSTRUCTIONS by Adam Dean Fox (Gibbons, Christopher) (Entered: 02/17/2022)
02/17/2022	473	EXHIBIT LIST by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) (Entered: 02/17/2022)
02/17/2022	474	PROPOSED PRELIMINARY JURY INSTRUCTION by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta <i>preliminary instruction</i> (Roth, Jonathan) Modified text on 2/18/2022 (pjw) (Entered: 02/17/2022)
02/17/2022	475	PROPOSED JURY INSTRUCTIONS by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) (Entered: 02/17/2022)
02/17/2022	476	PROPOSED VERDICT FORMS by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) Modified text on 2/18/2022 (pjw). (Entered: 02/17/2022)
02/17/2022	477	PROPOSED VOIR DIRE by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) (Entered: 02/17/2022)
02/17/2022	478	REQUEST and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit firearm to enter the courthouse and to be stored pending conclusion of trial (Attachments: # 1 Proposed Order) (Roth, Jonathan) (Entered: 02/17/2022)
02/17/2022	479	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re REQUEST and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit firearm to enter the courthouse and to be stored pending conclusion of trial 478 (Roth, Jonathan) (Entered: 02/17/2022)
02/17/2022	480	TRIAL BRIEF by Adam Dean Fox (Gibbons, Christopher) (Entered: 02/17/2022)
02/17/2022	481	PROPOSED JURY INSTRUCTIONS by for Counts Two and Three Daniel Joseph Harris (Kelly, Julia) Modified text on 2/18/2022 (pjw). (Entered: 02/17/2022)
02/17/2022	482	PROPOSED JURY INSTRUCTIONS by Barry Gordon Croft, Jr <i>in response to ECF No. 475.</i> (Blanchard, Joshua) (Entered: 02/17/2022)
02/18/2022	483	ORDER granting request to permit firearm to enter the courthouse 478 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/18/2022)
02/18/2022	484	ORDER denying motion for leave to file 463 as to Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/18/2022)

02/18/2022	485	MINUTES of final pretrial conference as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 02/18/2022)
02/18/2022	486	ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta; Briefing and/or motions on issues discussed at the final pretrial conference are due no later than 2/25/2022 ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/18/2022)
02/21/2022	487	TRANSCRIPT of Motions as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 01/18/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 5/23/2022 ; redaction request due 3/14/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 02/21/2022)
02/22/2022	488	TRIAL BRIEF by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 02/22/2022)
02/24/2022	489	BRIEF <i>regarding identities of undercover agents</i> by USA as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 02/24/2022)
02/24/2022	490	JOINT EX PARTE MOTION <i>for Witness Subpoenas, Production of Records and Payment of Witness Fees and Brief in Support</i> filed by Daniel Joseph Harris (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4) (Kelly, Julia) (Entered: 02/24/2022)
02/24/2022	491	MOTION in limine <i>to Exclude Statements as Irrelevant and Unfairly Prejudicial</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 02/24/2022)
02/24/2022	492	BRIEF in support by Brandon Michael-Ray Caserta re MOTION in limine <i>to Exclude Statements as Irrelevant and Unfairly Prejudicial</i> 491 (Hills, Michael) (Entered: 02/24/2022)
02/24/2022		(NON-DOCUMENT) ORDER REFERRING JOINT EX PARTE MOTION <i>for Witness Subpoenas, Production of Records and Payment of Witness Fees and Brief in Support</i> 490 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/24/2022)
02/24/2022	493	MOTION in limine <i>for Order for Production of Information Regarding Confidential Human Sources</i> by Adam Dean Fox (Attachments: # 1 Exhibit Kessler Letter) (Gibbons, Christopher) (Entered: 02/24/2022)
02/25/2022	494	EX PARTE PROPOSED STAGE 3 BUDGET as to Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Blanchard, Joshua) (Entered: 02/25/2022)
02/25/2022	495	BRIEF <i>in response to government request to testify under false names</i> by Barry Gordon Croft, Jr re 489 (Blanchard, Joshua) (Entered: 02/25/2022)

02/25/2022		(NON-DOCUMENT) ATTORNEY APPEARANCE of Karen M. Boer for defendant Adam Dean Fox as Co-Counsel with Christopher Gibbons [Attorney Karen M. Boer added to party Adam Dean Fox(pty:dft)] (Boer, Karen) (Entered: 02/25/2022)
02/25/2022	496	MOTION for joinder ECF 488 <i>Objection to FBI Agents Testifying using False Names</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 02/25/2022)
02/25/2022	497	TRIAL BRIEF by Daniel Joseph Harris (Kelly, Julia) (Entered: 02/25/2022)
02/25/2022	498	MOTION for joinder ECF 488 <i>Objection to FBI Agents Testifying Using False Names</i> by Daniel Joseph Harris (Kelly, Julia) (Entered: 02/25/2022)
02/26/2022	499	MOTION for joinder ECF 497 <i>Re: Invited Response</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 02/26/2022)
02/28/2022		(NON-DOCUMENT) ORDER REFERRING MOTION in limine for <i>Order for Production of Information Regarding Confidential Human Sources</i> 493 as to defendant Adam Dean Fox to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/28/2022)
02/28/2022	500	MOTION for joinder to ECF 488 <i>Objection to FBI Agents Testifying Using False Names</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 02/28/2022)
02/28/2022	501	MOTION for joinder ECF 497 <i>Re: Invited Response</i> by Brandon Michael-Ray Caserta (Hills, Michael) (Entered: 02/28/2022)
02/28/2022	502	MOTION for joinder in ECF No. 493 (re: CHS information) and ECF No 497 (re: invited response) by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 02/28/2022)
02/28/2022	503	EX PARTE PROPOSED STAGE 3 BUDGET as to Daniel Joseph Harris (Attachments: # 1 Exhibit A) (Kelly, Julia) (Entered: 02/28/2022)
02/28/2022	504	RESPONSE in opposition by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION in limine for <i>Order for Production of Information Regarding Confidential Human Sources</i> 493 (Kessler, Nils) (Entered: 02/28/2022)
02/28/2022	505	ORDER OF PROOFS REGARDING POTENTIAL ENTRAPMENT DEFENSE as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/28/2022)
02/28/2022	506	EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Attachments: # 1 Attachment 1, # 2 Attachment 2) (Hills, Michael) (Entered: 02/28/2022)
02/28/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 506 and MOTION for joinder in ECF No. 493 (re: CHS information) 502 as to Barry Gordon Croft, Jr, to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 02/28/2022)
02/28/2022	507	ORDER denying motion in limine 491 as to Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 02/28/2022)

03/01/2022	508	NOTICE OF HEARING ON MOTION as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, and Brandon Michael-Ray Caserta regarding Defendant Fox's Motion in Limine for Order for Production of Information Regarding Confidential Human Sources 493 , and Defendant Croft's Motion for Joinder in 493 502 : motion hearing is set for 3/4/2022 at 01:30 PM at 650 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; Public audio access (listen only) for the hearing will be available by phone at (888) 3634734 with Access Code 6957754#; RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED LGenR 4.1(c)(i) and (ii). (jln) (Entered: 03/01/2022)
03/01/2022	509	NOTICE rescheduling hearing on motion as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta regarding Defendant Fox's Motion in Limine for Order for Production of Information Regarding Confidential Human Sources 493 , and Defendant Croft's Motion for Joinder in 493 502 that was previously set for the same date and time; motion hearing is set for 3/4/2022 at 01:30 PM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Sally J. Berens; Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (jln) (Entered: 03/01/2022)
03/01/2022	510	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-R 506 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/01/2022)
03/01/2022	511	MOTION for disclosure <i>guidance concerning news media access to admitted trial exhibits</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order) (Kessler, Nils) (Entered: 03/01/2022)
03/01/2022	512	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re MOTION for disclosure <i>guidance concerning news media access to admitted trial exhibits</i> 511 (Kessler, Nils) (Entered: 03/01/2022)
03/02/2022	513	EX PARTE MOTION with Brief in Support filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Attachments: # 1 Proposed Order, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4) (Hills, Michael) (Entered: 03/02/2022)
03/02/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta 513 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/02/2022)
03/02/2022	514	RESPONSE in opposition by Adam Dean Fox re MOTION for disclosure <i>guidance concerning news media access to admitted trial exhibits</i> 511 (Gibbons, Christopher)

		(Entered: 03/02/2022)
03/02/2022	515	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT EX PARTE MOTION for Witness Subpoenas, Production of Records and Payment of Witness Fees and Brief in Support filed by Daniel Joseph Harris 490 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/02/2022)
03/02/2022	516	RESPONSE in opposition by Barry Gordon Croft, Jr re MOTION for disclosure guidance concerning news media access to admitted trial exhibits 511 (Blanchard, Joshua) (Entered: 03/02/2022)
03/02/2022	517	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-R 513 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/02/2022)
03/02/2022	518	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Brandon Michael-Ray Caserta only] (Chief Judge Robert J. Jonker, ymc) (Entered: 03/02/2022)
03/02/2022	519	EX PARTE PROPOSED STAGE 1,3 BUDGET by Adam Dean Fox [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Proposed Document, # 2 Proposed Document) (Gibbons, Christopher) Modified text and filers on 3/3/2022 (pjw) (Entered: 03/02/2022)
03/02/2022		(NON-DOCUMENT) ORDER REFERRING MOTION for disclosure guidance concerning news media access to admitted trial exhibits 511 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/02/2022)
03/02/2022	520	FIRST DAY (RESTRICTED ACCESS) JUROR QUESTIONNAIRES Note: This document contains questionnaires available at the time of filing. Any additional questionnaires collected will be provided to attorneys of record (in paper form) at the time of jury selection. [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (kvt) Modified text on 3/2/2022 (kvt) Modified to revoke attorney access on 3/9/2022 (kvt). (Entered: 03/02/2022)
03/02/2022	521	MOTION for leave to file reply to government's response to ECF No. 493 (Motion regarding CHS information) with Proposed Order by Barry Gordon Croft, Jr (Attachments: # 1 Proposed Document Proposed Reply Brief) (Blanchard, Joshua) Modified text on 3/3/2022 (pjw). (Entered: 03/02/2022)
03/02/2022	522	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re MOTION for leave to file reply to government's response to ECF No. 493 (Motion regarding CHS information) 521 (Blanchard, Joshua) (Entered: 03/02/2022)
03/03/2022		(NON-DOCUMENT) ORDER REFERRING MOTION for leave to file reply to government's response to ECF No. 493 (Motion regarding CHS information) 521 as to defendant Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/03/2022)

03/03/2022	523	JOINT EX PARTE MOTION for Approval of Expenses filed by Daniel Joseph Harris as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta [Access to this document is available to the Court and attorney(s) for Daniel Joseph Harris only] (Kelly, Julia) (Entered: 03/03/2022)
03/03/2022	524	ORDER granting Defendant Croft's motion for leave to file reply regarding CHS information 521 ; Defendant's Reply [521-1] accepted for filing; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/03/2022)
03/03/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta The trial set to begin 3/8/2022 at 8:30 a.m. before Chief Judge Robert J. Jonker will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the trial will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (Chief Judge Robert J. Jonker, ymc) (Entered: 03/03/2022)
03/03/2022	525	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (<i>Ex Parte</i>) ; signed by Chief Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for defendants only] (Chief Judge Robert J. Jonker, sdb); Modified text on 3/4/2022 (pjw) (Entered: 03/03/2022)
03/03/2022	526	ORDER denying the the government's request to permit two of its agent witnesses to testify using pseudonyms 469 489 ; granting motion for joinder 496 as to Adam Dean Fox (1); granting motion for joinder 498 as to Daniel Joseph Harris (5); granting motion for joinder 500 as to Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/03/2022)
03/03/2022	527	SECOND DAY (RESTRICTED ACCESS) JUROR QUESTIONNAIRES Note: This document contains questionnaires available at the time of filing. Any additional questionnaires collected will be provided to attorneys of record (in paper form) at the time of jury selection. [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (kvt) Modified text on 3/3/2022 (kvt) Modified to revoke attorney access on 3/9/2022 (kvt). (Entered: 03/03/2022)
03/04/2022	528	MINUTES of motion hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, and Brandon Michael-Ray Caserta re Defendant Fox's Motion in Limine for Order for Production of Information Regarding Confidential Human Sources 493 , and Defendant Croft's Motion for Joinder in 493 502 held before Magistrate Judge Sally J. Berens; order to issue (Court Reporter: Paul Brandell) (jln) Modified to reflect court reporter on 4/7/2023 (jln). (Entered: 03/04/2022)
03/04/2022	529	ORDER denying without prejudice in part and denying in part as moot Defendant Fox's Motion in Limine for Order for Production of Information Regarding Confidential Human Sources 493 , and granting Defendant Croft's Motion for Joinder in ECF No. 493 502 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/04/2022)
03/07/2022	530	ORDER granting in part and denying in part Government's Motion for an Order Concerning News Media Access to Admitted Trial Exhibits 511 as to Adam Dean Fox, Barry Gordon Croft Jr., Daniel Joseph Harris, Brandon Michael-Ray Caserta; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 03/07/2022)
03/08/2022	531	REVISED PROPOSED EXHIBIT LIST by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) Modified

		text on 3/8/2022 (pjw). (Entered: 03/08/2022)
03/08/2022	532	SECOND MOTION and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit firearm to enter the courthouse and to be stored pending conclusion of trial (Attachments: # 1 Proposed Order) (Roth, Jonathan) Modified text on 3/8/2022 (pjw). (Entered: 03/08/2022)
03/08/2022	533	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re SECOND MOTION and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit firearm to enter the courthouse and to be stored pending conclusion of trial 532 (Roth, Jonathan) Modified text on 3/8/2022 (pjw). (Entered: 03/08/2022)
03/08/2022	534	ORDER granting request to permit firearm to enter the courthouse 532 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/08/2022)
03/08/2022	535	TRANSCRIPT of Change of Plea as to defendant Ty Gerard Garbin held 01/27/2021 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/6/2022 ; redaction request due 3/29/2022 (Court Reporter: Trexler, Glenda (517) 819-0396) (Entered: 03/08/2022)
03/08/2022	536	JOINT EX PARTE MOTION <i>for Witness Subpoena and Brief in Support</i> filed by Daniel Joseph Harris (Attachments: # 1 Attachment 1, # 2 Attachment 2) (Kelly, Julia) (Entered: 03/08/2022)
03/08/2022	537	MINUTES of JURY TRIAL, day 1, as to defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/09/2022)
03/09/2022		(NON-DOCUMENT) ORDER REFERRING JOINT EX PARTE MOTION <i>for Witness Subpoena and Brief in Support</i> filed by Daniel Joseph Harris 536 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/09/2022)
03/09/2022	538	MINUTES of JURY TRIAL, day 2, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witness: Special Agent Todd Reinick (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/10/2022)
03/10/2022	539	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re JOINT EX PARTE MOTION <i>for Witness Subpoena and Brief in Support</i> filed by Daniel Joseph Harris 536 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 03/10/2022)
03/10/2022	540	MINUTES of JURY TRIAL, day 3, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J.

		Jonker. Witnesses: Special Agent Reineck, Special Agent Leslie Larsen, Special Agent Christopher Long (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/10/2022)
03/11/2022	541	TRANSCRIPT of Excerpt of Jury Trial - Opening Statements as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/09/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/9/2022 ; redaction request due 4/1/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/11/2022)
03/11/2022	542	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris ; signed by Chief Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Chief Judge Robert J. Jonker, ymc) (Entered: 03/11/2022)
03/13/2022	543	ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Jonker, Robert) (Entered: 03/13/2022)
03/13/2022	544	SEALED MOTION filed by Daniel Joseph Harris (Kelly, Julia) Modified text on 3/15/2022 per Order 547 (pjw). (Entered: 03/13/2022)
03/13/2022	545	PROPOSED SEALED DOCUMENT filed by Daniel Joseph Harris re PROPOSED SEALED MOTION filed by Daniel Joseph Harris 544 (Kelly, Julia) (Entered: 03/13/2022)
03/13/2022	546	MOTION to SEAL DOCUMENT 544 by Daniel Joseph Harris (Kelly, Julia) (Entered: 03/13/2022)
03/14/2022		Copy of Order 543 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta distributed to USM-via email (pjw) (Entered: 03/14/2022)
03/14/2022	547	ORDER granting motion to SEAL DOCUMENT 546 as to Daniel Joseph Harris (5); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/14/2022)
03/14/2022		Federal Public Defender recommends that Thomas Smith be appointed to represent material witness Material Witness in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/14/2022)
03/14/2022	548	MINUTES of Rule 17.1 conference as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/14/2022)
03/14/2022		CJA 20 APPOINTMENT of Thomas Smith to represent as to Material Witness ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/14/2022)
03/15/2022	549	TRANSCRIPT of Jury Trial - Volume III as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/10/2022 before

		Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/13/2022 ; redaction request due 4/5/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/15/2022)
03/15/2022	551	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 03/15/2022)
03/16/2022	552	ORDER: jury trial shall resume on 3/17/2022 at 08:30 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Chief Judge Robert J. Jonker, ymc) (Entered: 03/16/2022)
03/17/2022	553	(RESTRICTED ACCESS) STAGE 1, 3 BUDGET as to Adam Dean Fox ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Chief Judge Robert J. Jonker, ymc) (Entered: 03/17/2022)
03/17/2022	554	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Barry Gordon Croft, Jr ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Barry Gordon Croft, Jr only] (Chief Judge Robert J. Jonker, ymc) (Entered: 03/17/2022)
03/17/2022	555	(RESTRICTED ACCESS) STAGE 3 BUDGET as to Daniel Joseph Harris ; signed by Chief Judge Robert J. Jonker and Judge Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Daniel Joseph Harris only] (Chief Judge Robert J. Jonker, ymc) (Entered: 03/17/2022)
03/17/2022	556	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/17/2022)
03/17/2022	557	MINUTES of JURY TRIAL, day 4, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Kaleb James Franks, Daniel Joseph Harris held before Chief Judge Robert J. Jonker. Witnesses: Special Agent Long, Special Agent Schweers (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/17/2022)
03/18/2022		Federal Public Defender recommends that Lawrence J. Phelan be appointed to represent material witness Material Witness in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/18/2022)
03/18/2022		CJA 20 APPOINTMENT of Lawrence J. Phelan to represent as to Material Witness (2) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/18/2022)
03/18/2022	558	MINUTES of JURY TRIAL, day 5, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Special Agent Schweers, Dan Chappel (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/18/2022)
03/19/2022	559	THIRD REQUEST and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit

		firearm to enter the courthouse and to be stored pending conclusion of trial (Attachments: # 1 Proposed Order) (Roth, Jonathan) (Entered: 03/19/2022)
03/19/2022	560	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta re THIRD REQUEST and PROPOSED ORDER by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta seeking to permit firearm to enter the courthouse and to be stored pending conclusion of trial 559 (Roth, Jonathan) (Entered: 03/19/2022)
03/21/2022	561	ORDER granting request to permit firearm to enter the courthouse 559 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2), Daniel Joseph Harris (5), Brandon Michael-Ray Caserta (6) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/21/2022)
03/21/2022	562	JOINT EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order, # 2 Proposed Document) (Hills, Michael) Modified text on 3/21/2022 (pjw). (Entered: 03/21/2022)
03/21/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Brandon Michael-Ray Caserta 562 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/21/2022)
03/21/2022	563	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re EX PARTE MOTION filed by Brandon Michael-Ray Caserta 562 ; signed by Magistrate Judge Sally J. Berens [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (jln) (Entered: 03/21/2022)
03/21/2022	564	MINUTES of JURY TRIAL, day 6, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witness: Dan Chappel (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/21/2022)
03/22/2022	565	MINUTES of JURY TRIAL, day 7, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witness: Dan Chappel (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/22/2022)
03/23/2022	566	JOINT MOTION to compel testimony of material witness Stephen Robeson <i>over Fifth Amendment objection</i> with certificate of compliance by Adam Dean Fox, Barry Gordon Croft, Jr (Blanchard, Joshua) Modified text on 3/23/2022 (pjw) (Entered: 03/23/2022)
03/23/2022	567	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox, Barry Gordon Croft, Jr re MOTION to compel testimony of material witness Stephen Robeson <i>over Fifth Amendment objection</i> 566 (Blanchard, Joshua) (Entered: 03/23/2022)
03/23/2022	568	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Magistrate Judge Sally J. Berens [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (jln) (Entered: 03/23/2022)
03/23/2022	569	MINUTES of JURY TRIAL, day 8, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J.

		Jonker. Witnesses: Matthew Keepers and Ty Garbin (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/23/2022)
03/24/2022	570	MINUTES of JURY TRIAL, day 9, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Ty Garbin and Kaleb Franks (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/24/2022)
03/25/2022	571	RESPONSE to motion by USA as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION to compel testimony of material witness Stephen Robeson <i>over Fifth Amendment objection</i> 566 (Kessler, Nils) (Entered: 03/25/2022)
03/25/2022	575	MINUTES of JURY TRIAL, day 10, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Kaleb Franks, Special Agent Brian Clark, Joshua Miller (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/28/2022)
03/27/2022	572	RESPONSE in opposition by Adam Dean Fox, Barry Gordon Croft, Jr re MOTION to compel testimony of material witness Stephen Robeson <i>over Fifth Amendment objection</i> 566 (Phelan, Lawrence) (Entered: 03/27/2022)
03/27/2022	573	OBJECTION to <i>Governments Proposed Exhibit 422</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 03/27/2022)
03/28/2022	574	ORDER objection 573 is overruled as to Adam Dean Fox (1) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/28/2022)
03/28/2022	576	MINUTES of JURY TRIAL, day 11, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Brandie Bowman, Agent Bates, Agent Eli Bowers, Agent Rebecca Huizinga, Michael Yauk, Adam Yariss, Jeremy Jaskulski (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/28/2022)
03/28/2022	577	EX PARTE MOTION filed by Brandon Michael-Ray Caserta (Attachments: # 1 Proposed Order) (Hills, Michael) (Entered: 03/28/2022)
03/28/2022	583	(RESTRICTED ACCESS) DOCUMENT (Chief Judge Robert J. Jonker, sdb) (Entered: 03/29/2022)
03/28/2022	610	AMENDED MINUTES of Jury Trial, Day 11 576 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Exhibit 407 taken off as admitted exhibit) (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb); NOTE: this entry replaces 576 Modified text on 4/7/2022 (pjw). (Entered: 04/07/2022)
03/29/2022	578	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Chasity Knight; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/29/2022)
03/29/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Brandon Michael-Ray Caserta 577 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr., Daniel Joseph Harris, Brandon Michael-Ray Caserta to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 03/29/2022)
03/29/2022	579	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Casey Mayan re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/29/2022)

03/29/2022	580	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Gary Landgraff re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/29/2022)
03/29/2022	581	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta <i>re Ex Parte Motion 577</i> ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 03/29/2022)
03/29/2022		Federal Public Defender recommends that John M. Karafa be appointed to represent material witness Chastity Knight in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/29/2022)
03/29/2022		Federal Public Defender recommends that Daniel R. Fagan be appointed to represent material witness Casey Mayan in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/29/2022)
03/29/2022	582	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta; signed by Chief Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Chief Judge Robert J. Jonker, ymc) (Court only attachment added on 3/29/2022: # 1 Attachment) (krv) (Entered: 03/29/2022)
03/29/2022		Federal Public Defender recommends that Nicholas Voss Dondzila be appointed to represent material witness Gary Landgraff in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/29/2022)
03/29/2022	584	MINUTES of JURY TRIAL, day 12, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Agent Adam Ayriss, Agent Thomas Szymanski, Joel Kelso, Christopher Carter, Anthony Resendez, Devin Phelps, Adam Cowan, Chelsea Williams, Greg Mrozek. Potential witnesses Casey Mayan, Max Wyckoff and Chastity Knight appear with counsel (Court Reporter: Paul Brandell) (Attachments: # 1 Exhibits Admitted) (Chief Judge Robert J. Jonker, sdb) (Entered: 03/29/2022)
03/29/2022	585	(RESTRICTED ACCESS) DOCUMENT [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Chief Judge Robert J. Jonker, sdb) (Entered: 03/29/2022)
03/30/2022	586	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Solomon Clark re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022	587	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Alex Davidson re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		CJA 20 APPOINTMENT of Daniel R. Fagan to represent material witness Casey Mayan ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)

03/30/2022		CJA 20 APPOINTMENT of John M. Karafa to represent material witness Chastity Knight ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		CJA 20 APPOINTMENT of Nicholas Voss Dondzila to represent material witness Gary Landgraff ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		Federal Public Defender recommends that LaRissa Dione Hollingsworth be appointed to represent material witness Solomon Clark in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/30/2022)
03/30/2022	588	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Taya Plummer re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022	589	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Jeremy Deeters re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022	590	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness Thomas Leager re trial of defendants Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		Federal Public Defender recommends that Geoffrey Upshaw be appointed to represent material witness Alex Davidson in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/30/2022)
03/30/2022		CJA 20 APPOINTMENT of Geoffrey Upshaw to represent material witness Alex Davidson ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		CJA 20 APPOINTMENT of LaRissa Dione Hollingsworth to represent material witness Solomon Clark ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/30/2022)
03/30/2022		Federal Public Defender recommends that Deno P. Fotie be appointed to represent material witness Taya Plummer in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/30/2022)
03/30/2022		Federal Public Defender recommends that Lucas Xavier Dillon, Sr be appointed to represent material witness Jeremy Deeters in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/30/2022)
03/30/2022		Federal Public Defender recommends that Patrick William O'Keefe, II be appointed to represent material witness Thomas Leager in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Federal Public Defender,) (Entered: 03/30/2022)
03/30/2022	591	TRANSCRIPT of Excerpt of Jury Trial - Dan Chappel Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta

		held 03-18-2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/28/2022 ; redaction request due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)
03/30/2022	592	TRANSCRIPT of Jury Trial - Volume VI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/21/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/28/2022 ; redaction request due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)
03/30/2022	593	TRANSCRIPT of Excerpt of Jury Trial - Dan Chappel Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/22/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/28/2022 ; redaction request due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)
03/30/2022	594	TRANSCRIPT of Excerpt of Jury Trial - Ty Garbin Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/23/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/28/2022 ; redaction request due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)
03/30/2022	595	TRANSCRIPT of Excerpt of Jury Trial - Ty Garbin & Kaleb Franks Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/24/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/28/2022 ; redaction request due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)

		due 4/20/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/30/2022)
03/30/2022	596	PROPOSED JURY INSTRUCTIONS with Memorandum in Support and Exhibit A by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) Modified text on 3/31/2022 (pjw). (Entered: 03/30/2022)
03/30/2022	609	MINUTES of JURY TRIAL; day 13 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Agent Katherine Martinez, Chastity Knight, Agent Timothy Hunt, Robert Gillette, Agent Kelly Van Arsdale, Colleen Kuester, Lindsay Cowan, Megan Cooley (Court Reporter: Paul Brandell) (Attachments: # 1 Exhibits Admitted) (Chief Judge Robert J. Jonker, sdb) Modified text on 4/7/2022 (pjw). (Entered: 04/07/2022)
03/31/2022	597	PROPOSED JURY INSTRUCTIONS by Adam Dean Fox (Gibbons, Christopher) (Entered: 03/31/2022)
03/31/2022		CJA 20 APPOINTMENT of Lucas Xavier Dillon, Sr to represent material witness Jeremy Deeters ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/31/2022)
03/31/2022	598	EXHIBIT B to PROPOSED JURY INSTRUCTIONS 596 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) Modified text on 4/1/2022 (pjw) (Entered: 03/31/2022)
03/31/2022		CJA 20 APPOINTMENT of Patrick William O'Keefe, II to represent material witness Thomas Leager ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/31/2022)
03/31/2022		CJA 20 APPOINTMENT of Deno P. Fotieo to represent material witness Taya Plummer; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 03/31/2022)
03/31/2022	599	PROPOSED JURY INSTRUCTIONS by Barry Gordon Croft, Jr <i>regarding citizen's arrest</i> (Blanchard, Joshua) (Entered: 03/31/2022)
03/31/2022	600	TRANSCRIPT of Excerpt of Jury Trial - Kaleb Franks Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/25/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 6/29/2022 ; redaction request due 4/21/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 03/31/2022)
03/31/2022	606	MINUTES of JURY TRIAL, day 14, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. Witnesses: Daniel Harris and Jason Chambers (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/05/2022)
04/01/2022	601	FINAL EXHIBIT LIST by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) Modified text on 4/1/2022 (pjw). (Entered: 04/01/2022)

04/01/2022	602	ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; extending term of jury service for seated jurors and alternates until 10/2/2022; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 04/01/2022)
04/01/2022	605	MINUTES of JURY TRIAL, day 15, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/05/2022)
04/04/2022	603	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Chief Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Attachments: # 1 Exhibit A)(Chief Judge Robert J. Jonker, ymc) (Entered: 04/04/2022)
04/04/2022	604	MINUTES of JURY TRIAL, day 16, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/05/2022)
04/05/2022	607	MINUTES of JURY TRIAL, day 17, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/05/2022)
04/06/2022	608	MINUTES of JURY TRIAL, day 18, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/06/2022)
04/07/2022	611	MINUTES of JURY TRIAL, day 19, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/08/2022)
04/08/2022	612	JUDGMENT OF ACQUITTAL as to defendant Daniel Joseph Harris; Defendant is acquitted, discharged, and any bond exonerated. ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 04/08/2022)
04/08/2022	613	JUDGMENT OF ACQUITTAL as to defendant Brandon Michael-Ray Caserta; Defendant is acquitted, discharged, and any bond exonerated ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 04/08/2022)
04/08/2022	614	ORDER re filing of verdict forms and jury notes as to defendant Adam Dean Fox; signed by Chief Judge Robert J. Jonker (Attachments: # 1 Exhibit B) (krv) (Additional attachment(s) added on 4/8/2022: # 2 Exhibit A (Restricted Access)) (krv) Modified text on 4/8/2022 (krv) (Entered: 04/08/2022)
04/08/2022	615	ORDER re filing of verdict forms and jury notes as to defendant Barry Gordon Croft, Jr.; signed by Chief Judge Robert J. Jonker (Attachments: # 1 Exhibit B) (krv) (Additional attachment(s) added on 4/8/2022: # 2 Exhibit A (Restricted Access)) (krv) (Additional attachment(s) added on 4/15/2022: # 3 Exhibit C) (ns). (Entered: 04/08/2022)
04/08/2022	616	ORDER re filing of verdict forms and jury notes as to defendant Daniel Joseph Harris; signed by Chief Judge Robert J. Jonker (Attachments: # 1 Exhibit B) (krv) (Additional attachment(s) added on 4/8/2022: # 2 Exhibit A (Restricted Access)) (krv) (Entered: 04/08/2022)

04/08/2022	617	ORDER re filing of verdict forms and jury notes as to defendant Brandon Michael-Ray Caserta; signed by Chief Judge Robert J. Jonker (Attachments: # 1 Exhibit B) (krv) (Additional attachment(s) added on 4/8/2022: # 2 Exhibit A (Restricted Access)) (krv) (Entered: 04/08/2022)
04/08/2022	618	MINUTES of JURY TRIAL, day 20, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held before Chief Judge Robert J. Jonker. (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 04/11/2022)
04/12/2022	619	NOTICE OF INTENT to request redaction of transcript of 03-18-22, 03-21-22, 03-23-22, 03-24-22 Excerpt of Trial Testimony proceeding ; filed by USA as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Kessler, Nils) (Entered: 04/12/2022)
04/12/2022	620	(RESTRICTED ACCESS) DOCUMENT <i>Redaction Request</i> re USA [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta only] (Kessler, Nils) (Entered: 04/12/2022)
04/12/2022	621	CERTIFICATE OF SERVICE by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta re Restricted Access Document, 620 , Notice of Intent to Request Redaction - Transcript, 619 (Kessler, Nils) (Entered: 04/12/2022)
04/12/2022	622	DECLARATION OF MISTRIAL as to defendant Adam Dean Fox, Barry Gordon Croft, Jr; the Court declares a mistrial as to Counts 1 and 2, with respect to Defendant Fox, and as to Counts 1, 2, and 3, with respect to Defendant Croft ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 04/12/2022)
04/12/2022	623	REDACTED TRANSCRIPT of Excerpt of Trial - Dan Chappel Testimony held 03/18/2022 before Honorable Robert J. Jonker as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts this transcript will be made available via PACER after the expiration of the transcript restriction re 591 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/12/2022)
04/12/2022	624	REDACTED TRANSCRIPT of Jury Trial - Volume VI held 03/21/2022 before Honorable Robert J. Jonker as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts this transcript will be made available via PACER after the expiration of the transcript restriction re 592 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/12/2022)
04/12/2022	625	REDACTED TRANSCRIPT of Excerpt of Jury Trial Ty Garbin Testimony held 03/23/2022 before Honorable Robert J. Jonker as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts this transcript will be made available via PACER after the expiration of the transcript restriction re 594 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/12/2022)

04/12/2022	626	REDACTED TRANSCRIPT of Excerpt of Jury Trial - Ty Garbin & Kaleb Franks Testimony held 03/24/2022 before Honorable Robert J. Jonker as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts this transcript will be made available via PACER after the expiration of the transcript restriction re 595 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/12/2022)
04/19/2022	627	NOTICE of <i>Withdrawal of Appearance</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta (Roth, Jonathan) (Entered: 04/19/2022)
04/20/2022		(NON-DOCUMENT) ATTORNEY APPEARANCE of Christopher M. O'Connor for USA [Attorney Christopher M. O'Connor added to party USA(pty:pla)] (O'Connor, Christopher) (Entered: 04/20/2022)
04/20/2022	628	(RESTRICTED ACCESS) INITIAL PRESENTENCE REPORT as to Kaleb James Franks ; an objection meeting, if necessary, is scheduled for May 9, 2022, at 9:00 a.m., via telephone with this U.S. Probation Officer [Access to this document is available to the Court and attorney(s) for USA, Kaleb James Franks only], USPO Pakiela, Anna) (Entered: 04/20/2022)
04/22/2022	629	MOTION for acquittal <i>pursuant to Fed. R. Crim. P. 29(c)</i> with certificate of compliance by Barry Gordon Croft, Jr (Blanchard, Joshua) Modified text on 4/25/2022 (pjw) (Entered: 04/22/2022)
04/22/2022	630	MOTION for acquittal by Adam Dean Fox (Gibbons, Christopher) (Entered: 04/22/2022)
05/02/2022	631	TRANSCRIPT of Excerpt of Jury Trial - Jury Question as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/04/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 8/1/2022 ; redaction request due 5/23/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 05/02/2022)
05/02/2022	632	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 628 by defendant [Access to this document is available to the Court and attorney(s) for USA, Kaleb James Franks only] (Graham, Scott) (Entered: 05/02/2022)
05/03/2022	633	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 628 by USA (Kessler, Nils) (Entered: 05/03/2022)
05/03/2022	634	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 628 by USA [Access to this document is available to the Court and attorney(s) for USA, Kaleb James Franks only] (Kessler, Nils) (Entered: 05/03/2022)
05/09/2022	635	(WITHDRAWN) MOTION to adjourn <i>sentencing</i> by USA as to Kaleb James Franks (Kessler, Nils) Modified text on 5/10/2022 per 639 (ns). (Entered: 05/09/2022)
05/09/2022	636	(WITHDRAWN) CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Kaleb James Franks re MOTION to adjourn <i>sentencing</i> 635 (Kessler, Nils) Modified text

		on 5/10/2022 per 639 (ns). (Entered: 05/09/2022)
05/09/2022	637	AMENDED MOTION to adjourn <i>sentencing</i> by USA as to Kaleb James Franks (Kessler, Nils) (Entered: 05/09/2022)
05/09/2022	638	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Kaleb James Franks re AMENDED MOTION to adjourn <i>sentencing</i> 637 (Kessler, Nils) (Entered: 05/09/2022)
05/09/2022	639	MOTION to withdraw document Certificate Regarding Motion Concurrence 636 , MOTION to adjourn <i>sentencing</i> 635 by USA as to Kaleb James Franks (Kessler, Nils) (Entered: 05/09/2022)
05/11/2022	640	ORDER granting motion to adjourn sentencing date 637 as to Kaleb James Franks (4). Sentencing is adjourned without date ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 05/11/2022)
05/13/2022	641	TRANSCRIPT of Excerpt of Jury Trial - Closing Statements as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/01/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 8/11/2022 ; redaction request due 6/3/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 05/13/2022)
05/19/2022	642	RESPONSE to motion and certificate of compliance by USA as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION for acquittal 630 , MOTION for acquittal <i>pursuant to Fed. R. Crim. P.</i> 29(c) 629 (Kessler, Nils) Modified text on 5/20/2022 (pjw) (Entered: 05/19/2022)
05/20/2022	643	NOTICE OF HEARING ON MOTION as to defendant Adam Dean Fox, Barry Gordon Croft, Jr regarding document number(s) 630 , 629 Motions for acquittal: motion hearing is set for 6/14/2022 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 05/20/2022)
05/24/2022	644	TRANSCRIPT of Excerpt of Jury Trial - Devin Phelps Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/29/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 8/22/2022 ; redaction request due 6/14/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 05/24/2022)
05/25/2022	645	NOTICE rescheduling hearing on motion as to defendant Adam Dean Fox, Barry Gordon Croft, Jr regarding document number(s) 630 , 629 that was previously set for 6/14/22; motion hearing is set for 6/30/2022 at 02:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; (Chief Judge Robert J. Jonker, sdb) (Entered: 05/25/2022)

06/28/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr: The hearing set for 6/30/22 at 2:00 PM before Chief Judge Robert J. Jonker will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii); signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 06/28/2022)
06/30/2022	649	MINUTES of motion hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr re 630 MOTION for acquittal filed by Adam Dean Fox, 629 MOTION for acquittal <i>pursuant to Fed. R. Crim. P. 29(c)</i> filed by Barry Gordon Croft, Jr. held before Chief Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Chief Judge Robert J. Jonker, sdb) (Entered: 07/01/2022)
07/01/2022	646	TRANSCRIPT of Excerpt of Jury Trial - Todd Reineck Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/09/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	647	TRANSCRIPT of Excerpt of Jury Trial - Kristopher Long and Mark Schweers Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/17/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	648	TRANSCRIPT of Excerpt of Jury Trial - Mark Schweers Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/18/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	650	TRANSCRIPT of Excerpt of Jury Trial - Matt Keepers Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/23/22 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed

		at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	651	TRANSCRIPT of Excerpt of Jury Trial - Brian Clark and Joshua Miller Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/25/22 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	652	TRANSCRIPT of Jury Trial - Volume XI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/28/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 9/29/2022 ; redaction request due 7/22/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/01/2022)
07/01/2022	653	ORDER denying motion for acquittal 630 as to Adam Dean Fox (1); denying motion for acquittal 629 as to Barry Gordon Croft Jr. (2) ; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, ymc) (Entered: 07/01/2022)
07/01/2022	654	ORDER SETTING PRETRIAL AND JURY TRIAL as to defendants Adam Dean Fox, Barry Gordon Croft, Jr: jury trial set for 8/9/2022 at 08:30 AM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; final pretrial conference set for 7/26/2022 at 02:00 PM at 699 Federal Building, Grand Rapids, MI before Chief Judge Robert J. Jonker; signed by Chief Judge Robert J. Jonker (Chief Judge Robert J. Jonker, sdb) (Entered: 07/01/2022)
07/05/2022	655	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Adam Ayriss, Thomas Szymanski, Chris Carter, Anthony Resendez, Devin Phelps, Adam Cowan, Chelsae Williams and Greg Mrozek as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/29/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 10/3/2022 ;

		redaction request due 7/26/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/05/2022)
07/08/2022	656	MOTION to disqualify United States Attorney's Office with certificate of compliance with LCrR 47.2(b)(ii) by Adam Dean Fox, Barry Gordon Croft, Jr (Blanchard, Joshua) Modified text on 7/8/2022 (pjw) (Entered: 07/08/2022)
07/08/2022	657	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox, Barry Gordon Croft, Jr re MOTION to disqualify United States Attorney's Office 656 (Blanchard, Joshua) Modified text on 7/8/2022 (pjw) (Entered: 07/08/2022)
07/08/2022	658	MOTION in limine <i>to exclude evidence of prior jury verdict</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr (Kessler, Nils) (Entered: 07/08/2022)
07/08/2022	659	CERTIFICATE regarding compliance with LCrimR 12.4 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION in limine <i>to exclude evidence of prior jury verdict</i> 658 (Kessler, Nils) (Entered: 07/08/2022)
07/11/2022	660	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Daniel Harris and Jayson Chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/31/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 10/11/2022 ; redaction request due 8/1/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/11/2022)
07/11/2022	661	ORDER regarding response to Motion to Disqualify Counsel 656 ; responses due by 7/13/2022; signed by Chief Judge Robert J. Jonker (elam) (Entered: 07/11/2022)
07/12/2022	662	MOTION in limine to Modify Court's Pretrial Order Re: Exeintel by Adam Dean Fox (Gibbons, Christopher) Modified text on 7/13/2022 (pjw). (Entered: 07/12/2022)
07/12/2022	663	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Katherine Martinez, Chasity Knight, Timothy John Hunt, Robert Gillette, Kelly Van Arsdale, Colleen Kuester, Lindsay Cowan and Megan Cooley as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/30/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 10/11/2022 ; redaction request due 8/2/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 07/12/2022)
07/12/2022	664	BRIEF in support by Adam Dean Fox re MOTION in limine <i>Motion to Modify Court's Pretrial Order Re: Exeintel</i> 662 (Attachments: # 1 Exhibit A-Text Messages, # 2 Exhibit Articles of Organization) (Gibbons, Christopher) Modified text on 7/13/2022 (pjw) (Entered: 07/12/2022)
07/12/2022	665	MOTION in limine <i>to allow admission of CHS Dan's Text Messages to SA Chambers</i> by Adam Dean Fox (Gibbons, Christopher) (Entered: 07/12/2022)

07/12/2022	666	BRIEF in support by Adam Dean Fox re MOTION in limine to allow admission of CHS Dan's Text Messages to SA Chambers 665 (Attachments: # 1 Exhibit A Text Messages, # 2 Exhibit B Text Messages, # 3 Exhibit C Text Messages, # 4 Exhibit D Text Messages, # 5 Exhibit E Text Messages, # 6 Exhibit F Text Messages) (Gibbons, Christopher) Modified text on 7/13/2022 (pjw) (Entered: 07/12/2022)
07/12/2022	667	MOTION in limine to allow CHS Dan's out-of-court statements by Adam Dean Fox (Gibbons, Christopher) (Entered: 07/12/2022)
07/12/2022	668	BRIEF in support by Adam Dean Fox re MOTION in limine to allow CHS Dan's out-of-court statements 667 (Attachments: # 1 Exhibit A Text Messages, # 2 Exhibit B Text Messages, # 3 Exhibit C Text Messages, # 4 Exhibit D Text Messages, # 5 Exhibit E Text Messages, # 6 Exhibit F Text Messages) (Gibbons, Christopher) Modified text on 7/13/2022 (pjw) (Entered: 07/12/2022)
07/12/2022	669	CERTIFICATE regarding compliance with LCrimR 12.4 by Adam Dean Fox re MOTION in limine to allow CHS Dan's out-of-court statements 667 , MOTION in limine to allow admission of CHS Dan's Text Messages to SA Chambers 665 , MOTION in limine to Modify Court's Pretrial Order Re: Exeintel 662 (Gibbons, Christopher) Modified text on 7/13/2022 (pjw). (Entered: 07/12/2022)
07/12/2022	670	MOTION for joinder in Mr. Fox's motion relating to Exeintel, LLC (ECF No. 662), motion relating to CHS Dan's text messages (ECF No. 665) and motion relating to CHS Dan's out of court statements (ECF No. 667) by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 07/12/2022)
07/13/2022	671	RESPONSE in opposition by USA as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION to disqualify counsel from the United States Attorney's Office 656 (Kessler, Nils) (Entered: 07/13/2022)
07/15/2022	672	RESPONSE in opposition by USA as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION in limine to allow CHS Dan's out-of-court statements 667 , MOTION for joinder in Mr. Fox's motion relating to Exeintel, LLC (ECF No. 662), motion relating to CHS Dan's text messages (ECF No. 665) and motion relating to CHS Dan's out of court statements (ECF No. 667) 670 , MOTION in limine to allow admission of CHS Dan's Text Messages to SA Chambers 665 , MOTION in limine Motion to Modify Court's Pretrial Order Re: Exeintel 662 (Kessler, Nils) (Entered: 07/15/2022)
07/15/2022	673	ORDER denying motion to disqualify counsel 656 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2); signed by Chief Judge Robert J. Jonker (elam) (Entered: 07/15/2022)
07/18/2022	674	EX PARTE MOTION for Issuance of Trial Subpoenas filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Proposed Order, # 2 Proposed Subpoena, # 3 Proposed Subpoena, # 4 Proposed Subpoena, # 5 Proposed Subpoena, # 6 Proposed Subpoena, # 7 Proposed Subpoena, # 8 Proposed Subpoena, # 9 Proposed Subpoena, # 10 Proposed Subpoena, # 11 Proposed Subpoena, # 12 Proposed Subpoena, # 13 Proposed Subpoena, # 14 Proposed Subpoena, # 15 Proposed Subpoena, # 16 Proposed Subpoena, # 17 Proposed Subpoena, # 18 Proposed Subpoena, # 19 Proposed Subpoena, # 20 Proposed Subpoena, # 21 Proposed Subpoena, # 22 Proposed Subpoena, # 23 Proposed Subpoena) (Gibbons, Christopher) Modified text on 7/19/2022 (pjw) (Entered: 07/18/2022)
07/19/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr: A final pretrial is scheduled for 7/26/2022 at 02:00 PM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker. The hearing will be in-person

		and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (elam) (Entered: 07/19/2022)
07/19/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION <i>for Issuance of Trial Subpoenas</i> filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] 674 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/19/2022)
07/20/2022	675	EX PARTE MOTION filed by Adam Dean Fox as to Adam Dean Fox and Barry Gordon Croft, Jr. (Attachments: # 1 Proposed Order for Issuance of Trial Subpoenas, # 2 Proposed Subpoena, # 3 Proposed Subpoena, # 4 Proposed Subpoena, # 5 Proposed Subpoena, # 6 Proposed Subpoena, # 7 Proposed Subpoena, # 8 Proposed Subpoena, # 9 Proposed Subpoena, # 10 Proposed Subpoena, # 11 Proposed Subpoena, # 12 Proposed Subpoena, # 13 Proposed Subpoena, # 14 Proposed Subpoena, # 15 Proposed Subpoena) (Gibbons, Christopher) Modified text on 7/20/2022 (pjw) (Entered: 07/20/2022)
07/20/2022	676	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re EX PARTE MOTION <i>for Issuance of Trial Subpoenas</i> filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] 674 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 07/20/2022)
07/20/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION 675 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr to Magistrate Judge Berens under 28 U.S.C. 636(b)(1)(A); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/20/2022)
07/20/2022	677	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re EX PARTE MOTION filed by Adam Dean Fox 675 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 07/20/2022)
07/20/2022	678	RESPONSE in opposition by Barry Gordon Croft, Jr re MOTION in limine <i>to exclude evidence of prior jury verdict</i> 658 with certificate of compliance (Blanchard, Joshua) Modified text on 7/21/2022 (pjw). (Entered: 07/20/2022)
07/20/2022	679	MOTION to join Mr. Croft's Response 678 by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr (Gibbons, Christopher) Modified text on 7/21/2022 (pjw) (Entered: 07/20/2022)
07/24/2022	680	NOTICE as to defendant Kaleb James Franks: sentencing set for 9/22/2022 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Judge Robert J. Jonker, sdb) (Entered: 07/24/2022)
07/25/2022	681	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential witness Chastity Knight; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/25/2022)
07/25/2022		Federal Public Defender recommends that John M. Karafa be appointed to represent material witness Chastity Knight in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 07/25/2022)
07/25/2022	682	PROPOSED VOIR DIRE by Adam Dean Fox as to Adam Dean Fox (Gibbons, Christopher) Modified text on 7/25/2022 (pjw). (Entered: 07/25/2022)

07/25/2022	683	PROPOSED JURY INSTRUCTIONS by Adam Dean Fox as to Adam Dean Fox (Gibbons, Christopher) Modified text on 7/25/2022 (pjw). (Entered: 07/25/2022)
07/25/2022	684	PROPOSED VOIR DIRE by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 07/25/2022)
07/25/2022		CJA 20 APPOINTMENT of John M. Karafa to represent material witness Chastity Knight; signed by Judge Robert J. Jonker (elam) (Entered: 07/25/2022)
07/25/2022	685	PROPOSED JURY INSTRUCTIONS by USA as to Adam Dean Fox, Barry Gordon Croft, Jr (Kessler, Nils) (Entered: 07/25/2022)
07/26/2022	686	NOTICE rescheduling hearing as to Kaleb James Franks that was previously set for 9/22/22; sentencing set for 10/6/2022 at 04:00 PM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; defense counsel should review the <u>obligations</u> section of the WDMI website (Judge Robert J. Jonker, sdb) (Entered: 07/26/2022)
07/26/2022	687	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential witness Jennifer Plunk; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/26/2022)
07/26/2022	688	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential witness, Stephen Robeson; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/26/2022)
07/26/2022	689	MINUTES of final pretrial conference as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker (Court Reporter: Jean Ann Hamlin) (Judge Robert J. Jonker, sdb) (Entered: 07/26/2022)
07/27/2022		Federal Public Defender recommends that Lawrence J. Phelan be appointed to represent material witness Stephen Robeson in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 07/27/2022)
07/27/2022	690	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential witness Daniel Joseph Harris; signed by Judge Robert J. Jonker (elam) (Entered: 07/27/2022)
07/27/2022	691	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential witness Brandon Michael-Ray Caserta; signed by Judge Robert J. Jonker (elam) (Entered: 07/27/2022)
07/27/2022		CJA 20 APPOINTMENT of Lawrence J. Phelan to represent material witness Stephen Robeson; signed by Judge Robert J. Jonker (elam) (Entered: 07/27/2022)
07/28/2022		Federal Public Defender recommends that Roland Lindh be appointed to represent material witness Jennifer Plunk in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 07/28/2022)
07/28/2022		Federal Public Defender recommends that Julia Anne Kelly be appointed to represent material witness Daniel Joseph Harris in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 07/28/2022)
07/28/2022	692	ORDER denying motion in limine 662 as to Adam Dean Fox (1); denying motion in limine 665 as to Adam Dean Fox (1); denying motion in limine 667 as to Adam Dean Fox (1); granting motion for joinder 679 ; granting motion in limine to the extent specified on the record 658 ; granting in part and denying in part motion for joinder 670 as to Barry Gordon Croft Jr. (2); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 07/28/2022)
07/28/2022		Federal Public Defender recommends that Michael Darragh Hills be appointed to represent material witness Brandon Michael-Ray Caserta in case as to defendant Adam

		Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 07/28/2022)
07/28/2022		CJA 20 APPOINTMENT of Julia Anne Kelly to represent material witness Daniel Joseph Harris; signed by Judge Robert J. Jonker (elam) (Entered: 07/28/2022)
07/28/2022		CJA 20 APPOINTMENT of Roland Lindh to represent material witness Jennifer Plunk; signed by Judge Robert J. Jonker (elam) (Entered: 07/28/2022)
07/28/2022		CJA 20 APPOINTMENT of Michael Darragh Hills to represent material witness Brandon Michael-Ray Caserta; signed by Judge Robert J. Jonker (elam) (Entered: 07/28/2022)
08/01/2022	693	EX PARTE MOTION <i>for issuance of subpoenas</i> filed by Adam Dean Fox, Barry Gordon Croft, Jr (Attachments: # 1 Proposed Document, # 2 Proposed Document, # 3 Proposed Document, # 4 Proposed Order) (Blanchard, Joshua) (Entered: 08/01/2022)
08/02/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION <i>for issuance of subpoenas</i> filed by Adam Dean Fox, Barry Gordon Croft, Jr 693 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/02/2022)
08/02/2022	694	EX PARTE PROPOSED STAGE 2 BUDGET as to Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order, # 2 Proposed Document Budget Worksheet) (Blanchard, Joshua) (Entered: 08/02/2022)
08/02/2022	695	EX PARTE PROPOSED STAGE 2,3 BUDGET as to Adam Dean Fox[Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Gibbons, Christopher) Modified text on 8/24/2022 (pjw). (Entered: 08/02/2022)
08/03/2022	696	TRANSCRIPT of Final Pretrial Conference as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held July 26, 2022 before The Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 11/1/2022 ; redaction request due 8/24/2022 (Court Reporter-Transcriptionist: Hamlin, Genevieve, (517) 881-9582) (Entered: 08/03/2022)
08/03/2022	697	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re EX PARTE MOTION <i>for issuance of subpoenas</i> filed by Adam Dean Fox, Barry Gordon Croft, Jr 693 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 08/03/2022)
08/03/2022	698	FIRST DAY (RESTRICTED ACCESS) JUROR QUESTIONNAIRES Note: This document contains questionnaires available at the time of filing. Any additional questionnaires collected will be provided to attorneys of record (in paper form) at the time of jury selection. [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (kvt) Modified text on 8/3/2022 (kvt) Modified to revoke attorney access on 8/10/2022 (kvt). (Entered: 08/03/2022)
08/04/2022	699	SECOND DAY (RESTRICTED ACCESS) JUROR QUESTIONNAIRES Note: This document contains questionnaires available at the time of filing. Any additional questionnaires collected will be provided to attorneys of record (in paper form) at the time of jury selection. [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (kvt)

		Modified text on 8/4/2022 (kvt). Modified to revoke attorney access on 8/10/2022 (kvt). (Entered: 08/04/2022)
08/07/2022		(NON-DOCUMENT) NOTICE from chambers as to defendants Adam Dean Fox, Barry Gordon Croft, Jr: Jury trial is scheduled to begin on 8/9/22 at 8:30 AM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker. The hearing will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii). (Judge Robert J. Jonker, sdb) (Entered: 08/07/2022)
08/07/2022	700	SUPPLEMENTAL SECOND DAY (RESTRICTED ACCESS) JUROR QUESTIONNAIRES Note: This document contains questionnaires available at the time of filing. Any additional questionnaires collected will be provided to attorneys of record (in paper form) at the time of jury selection. [Access to this document is available to the Court and temporarily available to attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (kvt) Modified text on 8/7/2022 (kvt) Modified to revoke attorney access on 8/10/2022 (kvt). (Entered: 08/07/2022)
08/07/2022	701	(RESTRICTED ACCESS) JOINT EX PARTE MOTION by defendant [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr only] (Attachments: # 1 Proposed Order, # 2 Proposed Document, # 3 Proposed Document) (Gibbons, Christopher) Modified text on 8/8/2022 (pjw). (Entered: 08/07/2022)
08/08/2022		(NON-DOCUMENT) ORDER REFERRING (RESTRICTED ACCESS) MOTION by defendant <i>Ex Parte Motion</i> 701 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b)(1)(A); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/08/2022)
08/08/2022	702	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re (RESTRICTED ACCESS) MOTION by defendant <i>Ex Parte Motion</i> [Access to this document is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr only] 701 ; signed by Magistrate Judge Sally J. Berens (jal) (Entered: 08/08/2022)
08/08/2022	703	PROPOSED JURY INSTRUCTIONS (Memorandum re Proposed Entrapment Instruction) 685 by USA as to Adam Dean Fox, Barry Gordon Croft, Jr (Attachments: # 1 Exhibit-Proposed Jury Instruction) (O'Connor, Christopher) Modified text on 8/9/2022 (pjw) (Entered: 08/08/2022)
08/09/2022	704	MINUTES of JURY TRIAL, day 1, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/09/2022)
08/10/2022	710	MINUTES of JURY TRIAL, day 2, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/12/2022)
08/11/2022	706	EX PARTE MOTION filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Proposed Order, # 2 Proposed Document) (Gibbons, Christopher) (Entered: 08/11/2022)
08/11/2022	707	BRIEF by Barry Gordon Croft, Jr (Blanchard, Joshua) Modified text and access per chambers on 8/12/2022 (kvt) Modified text and access on 8/23/2022 per Order 729 (krv) (Entered: 08/11/2022)

08/11/2022	708	BRIEF regarding potential evidentiary relating to Gov't proposed Ex. 132 and Offer of Proof regarding Gov't Exhibit 479 by Barry Gordon Croft, Jr (Attachments: # 1 Exhibit A) (Blanchard, Joshua) (Entered: 08/11/2022)
08/11/2022	756	MINUTES of JURY TRIAL, day 3, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker. Witnesses: SA Reineck and Christopher Long (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 09/09/2022)
08/12/2022	709	ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re: brief 707 signed by Judge Robert J. Jonker (kvt) Modified text and access per chambers on 8/12/2022 (kvt); Modified text and access on 8/16/2022 and 8/17/2022 (pjw). (Entered: 08/12/2022)
08/12/2022	753	MINUTES of JURY TRIAL, day 4, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker. Witnesses: SA Christopher Long and SA Mark Schweers (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 09/09/2022)
08/14/2022	711	ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (Jonker, Robert) Modified text and access on 8/23/2022 per Order 729 (krv) (Entered: 08/14/2022)
08/14/2022	712	CORRECTED ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr (corrected to include access for government counsel, as well as defense counsel); signed by Judge Robert J. Jonker; this entry replaces 711 (Jonker, Robert) Modified text on 8/15/2022 (pjw) Modified text and access on 8/23/2022 per Order 729 (krv) (Entered: 08/14/2022)
08/15/2022		(NON-DOCUMENT) ORDER REFERRING EX PARTE MOTION filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] 706 as to defendant Adam Dean Fox, Barry Gordon Croft, Jr to Magistrate Judge Sally J. Berens under 28 U.S.C. 636(b) (1)(A); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/15/2022)
08/15/2022	713	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr re EX PARTE MOTION filed by Adam Dean Fox as to Adam Dean Fox, Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] 706 ; signed by Magistrate Judge Sally J. Berens (jln) (Entered: 08/15/2022)
08/15/2022	714	ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential material witness, Megan Cooley; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/15/2022)
08/15/2022	715	AMENDED ORDER APPOINTING FEDERAL PUBLIC DEFENDER for potential material witness, Megan Cooley; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb); this entry replaces 714 Modified text on 8/15/2022 (pjw). (Entered: 08/15/2022)
08/15/2022	716	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as counsel for potential witness James Kawasaki; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/15/2022)
08/15/2022	723	MINUTES of JURY TRIAL, day 5, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker. Witnesses SA Mark Schweers, Daniel Chappel, Chastity Knight (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/19/2022)
08/16/2022	717	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr ; signed by Judge Robert J. Jonker [Access to this document is available to the Court and

		attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (Judge Robert J. Jonker, sdb) (Entered: 08/16/2022)
08/16/2022		Federal Public Defender recommends that Pavol Fabian be appointed to represent material witness James Kawasaki in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 08/16/2022)
08/16/2022	719	MINUTES of JURY TRIAL, day 6, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker. Witnesses: Dan Chappel, Matthew Keepers, James Scott Robertson, Ty Garbin (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/17/2022)
08/17/2022		Federal Public Defender recommends that Roman J. Kosiorek be appointed to represent material witness Megan Cooley in case as to defendant Adam Dean Fox, Barry Gordon Croft, Jr (Federal Public Defender,) (Entered: 08/17/2022)
08/17/2022	718	DECLARATION of Stephan Robeson by Stephen Robeson as to defendant Adam Dean Fox, Barry Gordon Croft, Jr 704 Jury Trial (Phelan, Lawrence) (Entered: 08/17/2022)
08/17/2022		CJA 20 APPOINTMENT of Roman J. Kosiorek to represent material witness Megan Cooley; signed by Judge Robert J. Jonker (elam) (Entered: 08/17/2022)
08/17/2022		CJA 20 APPOINTMENT of Pavol Fabian to represent James Kawasaki; signed by Judge Robert J. Jonker (elam) (Entered: 08/17/2022)
08/17/2022	720	MINUTES of JURY TRIAL, day 7, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker. Witnesses: Ty Garbin, SA Katherine Martinez, SA Brian Clark, Kaleb Franks (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/17/2022)
08/18/2022	721	ORDER re press note as to defendant Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/18/2022)
08/18/2022	722	(RESTRICTED ACCESS) DOCUMENT (<i>Exhibit A to ECF No. 721</i>) [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (Judge Robert J. Jonker, sdb) Modified text on 8/18/2022 (krv) (Entered: 08/18/2022)
08/18/2022	754	MINUTES of JURY TRIAL, day 8, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr. held before Judge Robert J. Jonker; Witnesses: SA Timothy Bates, Kelly Van Arnsdale, Michael Yauk, Jeremy Jaskulski, Mailin Chuy-han, Thomas Szymanski, Chelsea Williams, Margaret Anderson, Colleen Kuester (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 09/09/2022)
08/19/2022	755	MINUTES of JURY TRIAL, day 9, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker; Witnesses: Lauren Hastings, Megan Cooley (prior testimony read into record), Jon Penrod, Corey Baumgartner, William Moorian (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 09/09/2022)
08/22/2022	724	MINUTES of JURY TRIAL, day 10, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/22/2022)
08/23/2022	725	ORDER extending jury service; as to defendant Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (elam) (Entered: 08/23/2022)
08/23/2022	726	ORDER regarding verdict forms and notes as to Adam Dean Fox; signed by Judge Robert J. Jonker [Access to Exhibit A is available to the Court and attorney(s) for USA, Adam Dean Fox only] (Attachments: # 1 Restricted Access Exhibit A, # 2 Exhibit B)(Judge

		Robert J. Jonker, sdb) Modified text and document restrictions on 8/23/2022 (krv) (Entered: 08/23/2022)
08/23/2022	727	ORDER regarding verdict forms and notes as to Barry Gordon Croft, Jr.; signed by Judge Robert J. Jonker [Access to Exhibit A is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only] (Attachments: # 1 Restricted Access Exhibit A, # 2 Exhibit B)(Judge Robert J. Jonker, sdb) Modified text and document restrictions on 8/23/2022 (krv) (Entered: 08/23/2022)
08/23/2022	728	MINUTES of JURY TRIAL, day 11, as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 08/23/2022)
08/23/2022	729	ORDER to unseal documents 707, 711, 712, as to Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (elam) (Entered: 08/23/2022)
08/23/2022		JURY VERDICT as to Adam Dean Fox (1); Guilty on Counts 1s and 2s (as taken from 726) (pjw) Modified text on 8/24/2022 (pjw) (Entered: 08/24/2022)
08/23/2022		JURY VERDICT as to Barry Gordon Croft Jr. (2); Guilty on Counts 1s, 2s and 3s (as taken from 727) (pjw) Modified text on 8/24/2022 (pjw). (Entered: 08/24/2022)
08/24/2022	730	NOTICE as to defendant Adam Dean Fox: sentencing set for 12/12/2022 at 02:00 PM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Judge Robert J. Jonker, sdb) (Entered: 08/24/2022)
08/24/2022	731	NOTICE as to defendant Barry Gordon Croft, Jr: sentencing set for 12/28/2022 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Judge Robert J. Jonker, sdb) (Entered: 08/24/2022)
08/24/2022	732	MOTION for downward departure under Rule 35(b) with Memorandum in Support by USA as to Ty Gerard Garbin (Kessler, Nils) Modified text on 8/24/2022 (pjw). (Entered: 08/24/2022)
08/25/2022	733	ORDER regarding response to motion for sentence reduction 732 ; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 08/25/2022)
08/26/2022	734	(RESTRICTED ACCESS) DOCUMENT [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (Judge Robert J. Jonker, sdb) (Entered: 08/26/2022)
08/26/2022	735	ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (Attachments: # 1 Exhibit A) (Judge Robert J. Jonker, sdb) (Entered: 08/26/2022)
08/30/2022	736	MOTION for extension of time to file <i>post-trial motions</i> by Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Blanchard, Joshua) (Entered: 08/30/2022)
08/30/2022	737	CERTIFICATE regarding compliance with LCrimR 12.4 by Barry Gordon Croft, Jr re MOTION for extension of time to file <i>post-trial motions</i> 736 (Blanchard, Joshua) (Entered: 08/30/2022)
08/31/2022	738	ORDER regarding response to Motion for Extension of Time to File 736 , Government shall file a response to the defense motion by NOON on 9/2/2022; signed by Judge Robert J. Jonker (elam) (Entered: 08/31/2022)
09/01/2022	739	RESPONSE in opposition by USA as to Barry Gordon Croft, Jr re MOTION for extension of time to file <i>post-trial motions</i> 736 (Kessler, Nils) (Entered: 09/01/2022)

09/02/2022	740	ORDER denying motion for extension of time to file 736 as to Adam Dean Fox and Barry Gordon Croft Jr. (2); signed by Judge Robert J. Jonker (elam) (Entered: 09/02/2022)
09/02/2022	741	TRANSCRIPT of Excerpt of Jury Trial - Dan Chappel Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/15/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/1/2022 ; redaction request due 9/23/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/02/2022)
09/02/2022	742	TRANSCRIPT of Excerpt of Jury Trial - Dan Chappel Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/16/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/1/2022 ; redaction request due 9/23/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/02/2022)
09/02/2022	743	TRANSCRIPT of Excerpt of Jury Trial - Ty Garbin Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/16/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/1/2022 ; redaction request due 9/23/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/02/2022)
09/02/2022	744	TRANSCRIPT of Excerpt of Jury Trial - Ty Garbin & Kaleb Franks Testimony as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/17/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/1/2022 ; redaction request due 9/23/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/02/2022)
09/06/2022	745	(RESTRICTED ACCESS) MOTION for new trial <i>pursuant to Fed. R. Crim. P. 33 and request for Remmer hearing</i> by Adam Dean Fox, Barry Gordon Croft, Jr (Attachments: # 1 Exhibit A - Declaration of Gary Gaudard) (Blanchard, Joshua) [Access to this document

		is available to the Court and attorney(s) for Adam Dean Fox, Barry Gordon Croft, Jr. and USA only] Modified text and access on 9/6/2022 (krv) (Entered: 09/06/2022)
09/06/2022	746	CERTIFICATE regarding compliance with LCrImR 12.4 by Barry Gordon Croft, Jr as to Adam Dean Fox, Barry Gordon Croft, Jr re MOTION for new trial <i>pursuant to Fed. R. Crim. P. 33 and request for Remmer hearing</i> 745 (Blanchard, Joshua) (Entered: 09/06/2022)
09/06/2022	747	MOTION for leave to file excess pages <i>regarding ECF No. 745</i> by Adam Dean Fox, Barry Gordon Croft, Jr (Attachments: # 1 Proposed Order) (Blanchard, Joshua) (Entered: 09/06/2022)
09/07/2022	748	ORDER granting motion for leave to file excess pages 747 as to Adam Dean Fox (1) and Barry Gordon Croft Jr. (2); signed by Judge Robert J. Jonker (elam) (Entered: 09/07/2022)
09/08/2022	749	ORDER re: redacted motion for a new trial as to defendant Adam Dean Fox, Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (Attachments: # 1 Exhibit A) (elam) (Entered: 09/08/2022)
09/08/2022	750	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Mark Schweers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/12/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/7/2022 ; redaction request due 9/29/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/08/2022)
09/08/2022	751	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Mark Schweers as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/15/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 12/7/2022 ; redaction request due 9/29/2022 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 09/08/2022)
09/09/2022	752	RESPONSE to motion by Ty Gerard Garbin re MOTION for downward departure under Rule 35(b) 732 (Satawa, Mark) (Entered: 09/09/2022)
09/16/2022	757	ORDER granting motion for downward departure under Rule 35(b) 732 as to Ty Gerard Garbin (3); signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 09/16/2022)
09/19/2022	758	(RESTRICTED ACCESS) DOCUMENT <i>Response to Defendants' Motion for New Trial</i> with certificate of complaince by USA [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox, Barry Gordon Croft, Jr only] (Kessler, Nils) Modified text on 9/20/2022 (pjw). (Entered: 09/19/2022)
09/21/2022	759	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Barry Gordon Croft, Jr ; signed by Judge Robert J. Jonker and Judge Jeffrey S. Sutton, Sixth Circuit Court of Appeals

		[Access to this document is available to the Court and attorney(s) for Barry Gordon Croft, Jr only] (Attachments: # 1 Exhibit A)(elam) (Entered: 09/21/2022)
09/21/2022	760	(DISREGARD) ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr re 749 Order; signed by Judge Robert J. Jonker (Attachments: # 1 Exhibit A) (elam) Modified text on 9/22/2022 per Chambers (ns). (Entered: 09/21/2022)
09/22/2022	761	ORDER as to defendant Adam Dean Fox, Barry Gordon Croft, Jr re 749 Order; Amended due to illegible header on Exhibit A; signed by Judge Robert J. Jonker (Attachments: # 1 Exhibit A); this entry replaces 760 (elam) Modified text on 9/23/2022 (pjw) (Entered: 09/22/2022)
09/27/2022	762	(RESTRICTED ACCESS) FINAL PRESENTENCE REPORT as to Kaleb James Franks [Access to this document is available to the Court and attorney(s) for USA, Kaleb James Franks only], USPO Pakiela, Anna) (Entered: 09/27/2022)
09/28/2022	763	(RESTRICTED ACCESS) STAGE 2 BUDGET as to Adam Dean Fox ; signed by Judge Robert J. Jonker and Judge Jeffrey S. Sutton, Sixth Circuit Court of Appeals [Access to this document is available to the Court and attorney(s) for Adam Dean Fox only] (Attachments: # 1 Exhibit A)(elam) (Entered: 09/28/2022)
09/29/2022	764	SENTENCING MEMORANDUM by USA as to Kaleb James Franks (Kessler, Nils) (Entered: 09/29/2022)
09/29/2022	765	MOTION for downward departure under 5K1.1 <i>and memorandum in support</i> by USA as to Kaleb James Franks (Kessler, Nils) (Entered: 09/29/2022)
09/29/2022	766	SENTENCING MEMORANDUM by Kaleb James Franks <i>and Memorandum in Support of Downward Variance</i> (Graham, Scott) (Entered: 09/29/2022)
10/03/2022	767	CORRECTED MOTION for downward departure under 5K1.1 and memorandum in support by USA as to Kaleb James Franks (Kessler, Nils) Modified text on 10/4/2022; this entry replaces 765 (mlc). (Entered: 10/03/2022)
10/05/2022	768	NOTICE rescheduling hearing as to Kaleb James Franks that was previously set for 04:00 PM on 10/6/22; sentencing set for 10/6/2022 at 03:00 PM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; defense counsel should review the obligations section of the WDMI website (Judge Robert J. Jonker, sdb) (Entered: 10/05/2022)
10/05/2022		(NON-DOCUMENT) NOTICE from chambers as to defendant Kaleb James Franks: The sentencing as to Kaleb James Franks set for October 6, 2022 at 3:00 p.m. before Judge Robert J. Jonker will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the sentencing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii) (Judge Robert J. Jonker, sdb) (Entered: 10/05/2022)
10/06/2022	769	MINUTES of SENTENCING for Kaleb James Franks (4), Count(s) 1, dismissed; Count(s) 1s, 48 months custody, 3 years supervised release, fine of \$2,500.00, and \$100.00 special assessment; defendant advised of right to appeal ; held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 10/06/2022)
10/07/2022	770	JUDGMENT as to defendant Kaleb James Franks; signed by Judge Robert J. Jonker (elam) (Entered: 10/07/2022)
10/07/2022	771	(RESTRICTED ACCESS) STATEMENT OF REASONS re 770 as to Kaleb James Franks [Access to this document is available to the Court and attorney(s) for USA, Kaleb James Franks only] (elam) (Entered: 10/07/2022)

10/31/2022	772	(RESTRICTED ACCESS) INITIAL PRESENTENCE REPORT as to Adam Dean Fox ; an objection meeting, if necessary, is scheduled for November 22, 2022, at 10:30 a.m., via telephone with this U.S. Probation Officer [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only], USPO Pakiela, Anna) (Entered: 10/31/2022)
11/10/2022	773	(RESTRICTED ACCESS) INITIAL PRESENTENCE REPORT as to Barry Gordon Croft, Jr ; an objection meeting, if necessary, is scheduled for November 29, 2022, at 9:00 a.m., via telephone with this U.S. Probation Officer [Access to this document is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only], USPO Pakiela, Anna) (Entered: 11/10/2022)
11/10/2022	774	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 772 by USA [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only] (Kessler, Nils) (Entered: 11/10/2022)
11/17/2022	775	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report 772 by defendant [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only] (Boer, Karen) Modified access and text on 11/18/2022 (pjw) (Entered: 11/17/2022)
11/22/2022	776	STIPULATION for <i>Preliminary Order of Forfeiture</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr (Kessler, Nils) (Entered: 11/22/2022)
11/23/2022	777	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 773 by USA [Access to this document is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only] (Kessler, Nils) (Entered: 11/23/2022)
11/25/2022	778	(RESTRICTED ACCESS) OBJECTION/RESPONSE to Presentence Report, 773 by defendant [Access to this document is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only] (Blanchard, Joshua) (Entered: 11/25/2022)
11/25/2022	779	ORDER denying motion for new trial 745 as to Adam Dean Fox (1), Barry Gordon Croft Jr. (2) ; signed by Judge Robert J. Jonker (Jonker, Robert) (Entered: 11/25/2022)
12/01/2022	780	(RESTRICTED ACCESS) FINAL PRESENTENCE REPORT as to Adam Dean Fox [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only], USPO Pakiela, Anna) (Entered: 12/01/2022)
12/05/2022	781	SENTENCING MEMORANDUM by USA as to Adam Dean Fox (Kessler, Nils) (Entered: 12/05/2022)
12/07/2022	782	(DISREGARD) ORDER RESCHEDULING SENTENCING as to defendant Adam Dean Fox sentencing set for 12/27/2022 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker; the Court ADJOURNS the December 12, 2022 sentencing date; defense counsel should review the obligations section of the WDMI website; signed by Judge Robert J. Jonker (elam) Modified text per chambers on 12/7/2022; to re-file an amended order (pjw) (Entered: 12/07/2022)
12/07/2022	783	AMENDED ORDER rescheduling sentencing as to defendant Adam Dean Fox; signed by Judge Robert J. Jonker (Judge Robert J. Jonker, sdb) (Entered: 12/07/2022)
12/07/2022		Copy of Order 783 as to defendant Adam Dean Fox distributed to USM via email (pjw) (Entered: 12/07/2022)
12/09/2022	784	SENTENCING MEMORANDUM by Adam Dean Fox (Attachments: # 1 Exhibit A) (Gibbons, Christopher) Modified text on 12/12/2022 (pjw) (Entered: 12/09/2022)

12/09/2022	785	MOTION for downward departure by Adam Dean Fox (Gibbons, Christopher) (Entered: 12/09/2022)
12/12/2022	786	(RESTRICTED ACCESS) FINAL PRESENTENCE REPORT <i>AMENDED</i> as to Adam Dean Fox [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only], USPO Pakiela, Anna) (Entered: 12/12/2022)
12/12/2022	787	(RESTRICTED ACCESS) FINAL PRESENTENCE REPORT as to Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only], USPO Pakiela, Anna) (Entered: 12/12/2022)
12/15/2022	788	PROPOSED ORDER <i>for Preliminary Order of Forfeiture</i> by USA as to Adam Dean Fox, Barry Gordon Croft, Jr [Attorney Joel Scott Fauson added to party USA(pty:pla)] (Fauson, Joel) (Entered: 12/15/2022)
12/15/2022	789	SENTENCING MEMORANDUM by USA as to Barry Gordon Croft, Jr (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8) (Kessler, Nils) Modified text on 12/16/2022 (pjw) (Entered: 12/15/2022)
12/15/2022	790	ORDER granting proposed order 788 as to Adam Dean Fox (1) and Barry Gordon Croft Jr. (2); signed by Judge Robert J. Jonker (elam) (Entered: 12/15/2022)
12/15/2022	791	MOTION for variance under 18 U.S.C. 3553(a) by Barry Gordon Croft, Jr (Blanchard, Joshua) (Entered: 12/15/2022)
12/15/2022	792	SENTENCING MEMORANDUM by Barry Gordon Croft, Jr (Attachments: # 1 Exhibit A - Jail Report, # 2 Exhibit B - Hospital Records) (Blanchard, Joshua) (Entered: 12/15/2022)
12/15/2022	793	AUDIO EXHIBIT re 789 <i>Attachments 1-8</i> submitted as an USB drive by plaintiff USA; paper case file created and placed on a shelf. (ns) Modified text on 12/16/2022 (ns) (Entered: 12/16/2022)
12/16/2022	794	MOTION for Final Order of Forfeiture by USA as to Ty Gerard Garbin (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Proposed Order) (Fauson, Joel) Modified text on 12/16/2022 (pjw). (Entered: 12/16/2022)
12/16/2022	795	ORDER granting motion for forfeiture of property 794 as to Ty Gerard Garbin (3); signed by Judge Robert J. Jonker (elam) (Entered: 12/16/2022)
12/19/2022		NOTICE from chambers as to defendants Adam Dean Fox, Barry Gordon Croft, Jr: Sentencing as to Adam Dean Fox is set for 12/27/22 at 10:00 AM and sentencing as to Barry Gordon Croft, Jr. is set for 12/28/22 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Judge Robert J. Jonker. The hearings will be in-person and open to the public, subject to seating capacity limits. Public audio access (listen only) for the hearing will be available, subject to capacity limits, by phone at (877) 402-9753 with Access Code 8731455#. RECORDING OR BROADCASTING OF THIS PROCEEDING IS PROHIBITED. LGenR 4.1(c)(i) and (ii) (Judge Robert J. Jonker, sdb) (Entered: 12/19/2022)
12/21/2022	796	SUPPLEMENTAL SENTENCING MEMORANDUM re 781 by USA as to Adam Dean Fox (Kessler, Nils) Modified text on 12/22/2022 (pjw). (Entered: 12/21/2022)
12/21/2022	797	RESPONSE <i>to Sentencing Memorandum</i> by USA as to defendant Barry Gordon Croft, Jr re 792 (Kessler, Nils) (Entered: 12/21/2022)
12/22/2022	798	CHARACTER REFERENCE LETTER(S) re Adam Dean Fox (Attachments: # 1 Exhibit Letter of Christine Badgero, # 2 Exhibit Letter of Gabrielle Badgero, # 3 Exhibit Letter of

		Cheryl Waggoner) (Boer, Karen) (Entered: 12/22/2022)
12/27/2022	799	(DISREGARD) NOTICE to attorney Karen Boer regarding recent filing 798 <Attachments> (pjw) Modified text on 12/27/2022; incorrectly entered (pjw) (Entered: 12/27/2022)
12/27/2022	800	MINUTES of SENTENCING for Adam Dean Fox (1), Count(s) 1, dismissed; Count(s) 1s, 192 months custody, 5 years supervised release, fine of \$1,250.00, and \$100.00 special assessment; Count(s) 2s, 192 months custody, concurrent with Count 1s, 5 years supervised release, concurrent with Count 1s, fine of \$1,250.00, and \$100.00 special assessment; defendant advised of right to appeal ; held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 12/27/2022)
12/27/2022	801	JUDGMENT as to defendant Adam Dean Fox; signed by Judge Robert J. Jonker (Attachments: # 1 Attachment A) (Judge Robert J. Jonker, sdb) (Entered: 12/27/2022)
12/27/2022	802	(RESTRICTED ACCESS) STATEMENT OF REASONS re 801 as to Adam Dean Fox [Access to this document is available to the Court and attorney(s) for USA, Adam Dean Fox only] (Judge Robert J. Jonker, sdb) (Entered: 12/27/2022)
12/28/2022	803	MINUTES of SENTENCING for Barry Gordon Croft, Jr. (2), Count(s) 1, dismissed; Count(s) 1s, 235 months custody, 5 years supervised release, fine of \$1,250.00, and \$100.00 special assessment; Count(s) 2s, 235 months custody, 5 years supervised release, fine of \$1,250.00 and \$100.00 special assessment; Count(s) 3s, 120 months custody, 3 years supervised release, fine of \$1,000.00, and \$100.00 special assessment; All counts to be served concurrently; defendant advised of right to appeal ; held before Judge Robert J. Jonker (Court Reporter: Paul Brandell) (Judge Robert J. Jonker, sdb) (Entered: 12/28/2022)
12/28/2022	804	JUDGMENT as to defendant Barry Gordon Croft, Jr; signed by Judge Robert J. Jonker (Attachments: # 1 Attachment A) (elam) Modified file date on 12/29/2022 (pjw) (Entered: 12/29/2022)
12/28/2022	805	(RESTRICTED ACCESS) STATEMENT OF REASONS re 804 as to Barry Gordon Croft, Jr [Access to this document is available to the Court and attorney(s) for USA, Barry Gordon Croft, Jr only] (elam) Modified file date on 12/29/2022 (pjw). (Entered: 12/29/2022)
12/29/2022	806	NOTICE OF APPEAL by Adam Dean Fox re Judgment 801 (Boer, Karen) (Entered: 12/29/2022)
01/05/2023	807	LETTER FROM CCA regarding appeal 806 as to defendant Adam Dean Fox indicating case number 23-1014 has been assigned to the appeal (pjw) (Entered: 01/06/2023)
01/05/2023		CASE NUMBER 23-1014 assigned by the Sixth Circuit to appeal 806 as to defendant Adam Dean Fox (mkc) (Entered: 02/14/2023)
01/07/2023	808	NOTICE OF APPEAL by Barry Gordon Croft, Jr re Judgment 804 (Blanchard, Joshua) (Entered: 01/07/2023)
01/10/2023	809	LETTER FROM CCA regarding appeal 808 as to defendant Barry Gordon Croft, Jr indicating case number 23-1029 has been assigned to the appeal (pjw) (Entered: 01/10/2023)
01/10/2023		CASE NUMBER 23-1029 assigned by the Sixth Circuit to appeal 808 as to defendant Barry Gordon Croft, Jr (mkc) (Entered: 02/15/2023)
01/12/2023	811	ORDER of USCA (certified copy) as to Barry Gordon Croft, Jr re Notice of Appeal - Final Judgment 808 granting attorney Joshua Blanchard's motion to withdraw as counsel

		<i>for the appellant; the court will appoint new counsel to represent the appellant under the Criminal Justice Act (pjw) (Entered: 01/24/2023)</i>
01/13/2023	810	ORDER of USCA (certified copy) as to Adam Dean Fox re Notice of Appeal - Final Judgment 806 <i>granting the motion of Christopher Gibbons to withdraw as counsel for the appellant; the court will appoint new counsel to represent the appellant under the Criminal Justice Act (pjw) (Entered: 01/17/2023)</i>
01/24/2023	812	CCA NOTICE of appointment of attorney Timothy F. Sweeney for Barry Gordon Croft, Jr on appeal ; attorney Joshua Adam Blanchard and Melissa Corinne Freeman are granted leave to withdraw from the appellate proceedings (pjw) Modified text on 2/28/2023 (pjw). (Entered: 01/24/2023)
01/26/2023	813	CCA NOTICE of appointment of attorney Steven S. Nolder for Adam Dean Fox on appeal ; attorney Christopher M. Gibbons is granted leave to withdraw from the appellate proceedings (pjw) (Entered: 01/26/2023)
01/26/2023		CHANGE OF ADDRESS for attorney Steven S. Nolder, counsel for defendant Adam Dean Fox, to Scott & Nolder 65 E. State St., Ste. 200 Columbus, OH 43215 as taken from 813 (pjw) (Entered: 01/26/2023)
02/24/2023	814	(RESTRICTED ACCESS) ORDER as to Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta ; signed by Judge Robert J. Jonker [Access to this document is available to the Court and attorney(s) for James Kawasaki, Megan Cooley, Brandon Michael-Ray Caserta, Daniel Joseph Harris, Stephen Robeson, Jennifer Plunk, Thomas Leager, Jeremy Deeters, Taya Plummer, Alex Davidson, Solomon Clark, Gary Landgraff, Casey Mayan, Chastity Knight, Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks only] (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(elam) (Entered: 02/24/2023)
03/10/2023	815	(RESTRICTED ACCESS) DOCUMENT re defendant [Access to this document is available to the Court and attorney(s) for James Kawasaki, Megan Cooley, Brandon Michael-Ray Caserta, Daniel Joseph Harris, Stephen Robeson, Jennifer Plunk, Thomas Leager, Jeremy Deeters, Taya Plummer, Alex Davidson, Solomon Clark, Gary Landgraff, Casey Mayan, Chastity Knight, Material Witness (2), Material Witness, Kaleb James Franks only] (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (Kelly, Julia) (Entered: 03/10/2023)
04/07/2023	816	APPEAL TRANSCRIPT of Final Pretrial Conference as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 02/18/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	817	APPEAL TRANSCRIPT of Jury Trial - Volume II as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/09/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through

		PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	818	APPEAL TRANSCRIPT of Jury Trial - Volume III as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/10/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	819	APPEAL TRANSCRIPT of Jury Trial - Volume IV as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/17/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	820	APPEAL TRANSCRIPT of Jury Trial - Volume V as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/18/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	821	APPEAL TRANSCRIPT of Jury Trial - Volume VI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/21/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request

		due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	822	APPEAL TRANSCRIPT of Jury Trial - Volume VII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/22/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	823	APPEAL TRANSCRIPT of Jury Trial - Volume VIII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/23/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	824	APPEAL TRANSCRIPT of Jury Trial - Volume IX as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/24/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	825	APPEAL TRANSCRIPT of Jury Trial - Volume X as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/25/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	826	APPEAL TRANSCRIPT of Jury Trial - XI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/28/2022

		<p>before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)</p>
04/07/2023	827	<p>APPEAL TRANSCRIPT of Jury Trial - Volume XII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/29/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)</p>
04/07/2023	828	<p>APPEAL TRANSCRIPT of Jury Trial - Volume XIII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/30/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)</p>
04/07/2023	829	<p>APPEAL TRANSCRIPT of Jury Trial - Volume XIV as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/31/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)</p>
04/07/2023	830	<p>APPEAL TRANSCRIPT of Jury Trial - Volume XV as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/01/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within</p>

		which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	831	APPEAL TRANSCRIPT of Jury Trial - Volume XVI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/04/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	832	APPEAL TRANSCRIPT of Jury Trial - Volume XVII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/05/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	833	APPEAL TRANSCRIPT of Jury Trial - Volume XVIII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/06/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	834	APPEAL TRANSCRIPT of Jury Trial - Volume XIX as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/07/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request

		due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	835	APPEAL TRANSCRIPT of Jury Trial - Volume XX as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 04/08/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	836	APPEAL TRANSCRIPT of Motion to Acquit as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 06/30/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	837	APPEAL TRANSCRIPT of Jury Trial - Volume I as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/09/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	838	APPEAL TRANSCRIPT of Jury Trial - Volume II as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 8/10/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) Modified text on 4/7/2023 (krv) (Entered: 04/07/2023)
04/07/2023	839	APPEAL TRANSCRIPT of Jury Trial - Volume III as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 8/11/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date;

		after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) Modified text on 4/7/2023 (krv) (Entered: 04/07/2023)
04/07/2023	840	APPEAL TRANSCRIPT of Jury Trial - Volume IV as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/12/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	841	APPEAL TRANSCRIPT of Jury Trial - Volume V as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/15/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	842	APPEAL TRANSCRIPT of Jury Trial - Volume VI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/16/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	843	APPEAL TRANSCRIPT of Jury Trial - Volume VII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/17/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)

04/07/2023	844	APPEAL TRANSCRIPT of Jury Trial - Volume VIII as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/18/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	845	APPEAL TRANSCRIPT of Jury Trial - Volume IX as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/19/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	846	APPEAL TRANSCRIPT of Jury Trial - Volume X as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/22/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	847	APPEAL TRANSCRIPT of Jury Trial - Volume XI as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/23/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	848	SEALED APPEAL TRANSCRIPT of In Chambers Hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/11/2022 before Honorable Robert J. Jonker re appeal 808 , 806 filed under seal pursuant to order 709 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	849	SEALED APPEAL TRANSCRIPT of In Chambers Hearing as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/12/2022 before Honorable Robert J. Jonker re appeal

		808 , 806 filed under seal pursuant to order 709 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	850	TRANSCRIPT of Sentence as to defendant Kaleb James Franks held 10/06/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	851	APPEAL TRANSCRIPT of Sentence as to defendant Adam Dean Fox held 12/27/2022 before Honorable Robert J. Jonker re appeal 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	852	APPEAL TRANSCRIPT of Sentence as to defendant Barry Gordon Croft, Jr held 12/28/2022 before Honorable Robert J. Jonker re appeal 808 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/07/2023	853	APPEAL TRANSCRIPT of Motions as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Daniel Joseph Harris, Brandon Michael-Ray Caserta held 03/04/2022 before Magistrate Sally J. Berens re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/6/2023 ; redaction request due 4/28/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/07/2023)
04/10/2023		Copy of portion of docket sheet containing information regarding transcript (#816-853) as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta mailed to Steven S. Nolder with transcript policy (pjw) Modified text on 4/10/2023 (pjw) (Entered: 04/10/2023)
04/10/2023	854	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Kelly Van Arsdale as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/18/2022 before Honorable Robert J.

		Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 7/10/2023 ; redaction request due 5/1/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 04/10/2023)
04/11/2023		Copy of portion of docket sheet containing information regarding transcript (854) as to defendant Adam Dean Fox, Barry Gordon Croft, Jr, Ty Gerard Garbin, Kaleb James Franks, Daniel Joseph Harris, Brandon Michael-Ray Caserta mailed to Steven S. Nolder with transcript policy (pjw) (Entered: 04/11/2023)
05/24/2023	855	TRANSCRIPT of Excerpt of Jury Trial - Testimony of Corey Baumgardner as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/19/2022 before Honorable Robert J. Jonker ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 8/22/2023 ; redaction request due 6/14/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 05/24/2023)
05/25/2023		Copy of portion of docket sheet containing information regarding transcript (855) as to defendant Adam Dean Fox, Barry Gordon Croft, Jr mailed to Steven S. Nolder, along with transcript policy (pjw) (Entered: 05/25/2023)
05/25/2023	856	APPEAL TRANSCRIPT of In Chambers Hearing PM as to defendant Adam Dean Fox, Barry Gordon Croft, Jr held 08/11/2022 before Honorable Robert J. Jonker re appeal 808 , 806 ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the Policy Regarding Transcripts the parties have 14 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 8/23/2023 ; redaction request due 6/15/2023 (Court Reporter-Transcriptionist: Brandell, Paul (517) 230-7507) (Entered: 05/25/2023)
05/25/2023		Copy of portion of docket sheet containing information regarding transcript (856) as to defendant Adam Dean Fox, Barry Gordon Croft, Jr mailed to Steven S. Nolder, along with transcript policy (pjw) (Entered: 05/25/2023)
07/20/2023	857	ORDER of USCA as to Barry Gordon Croft, Jr re Notice of Appeal - Final Judgment 808 granting leave to file an oversized brief; the principal brief is not to exceed 16,250 words (pjw) Modified text on 7/20/2023 (pjw) (Entered: 07/20/2023)

PACER Service Center

Transaction Receipt

08/13/2023 17:55:47

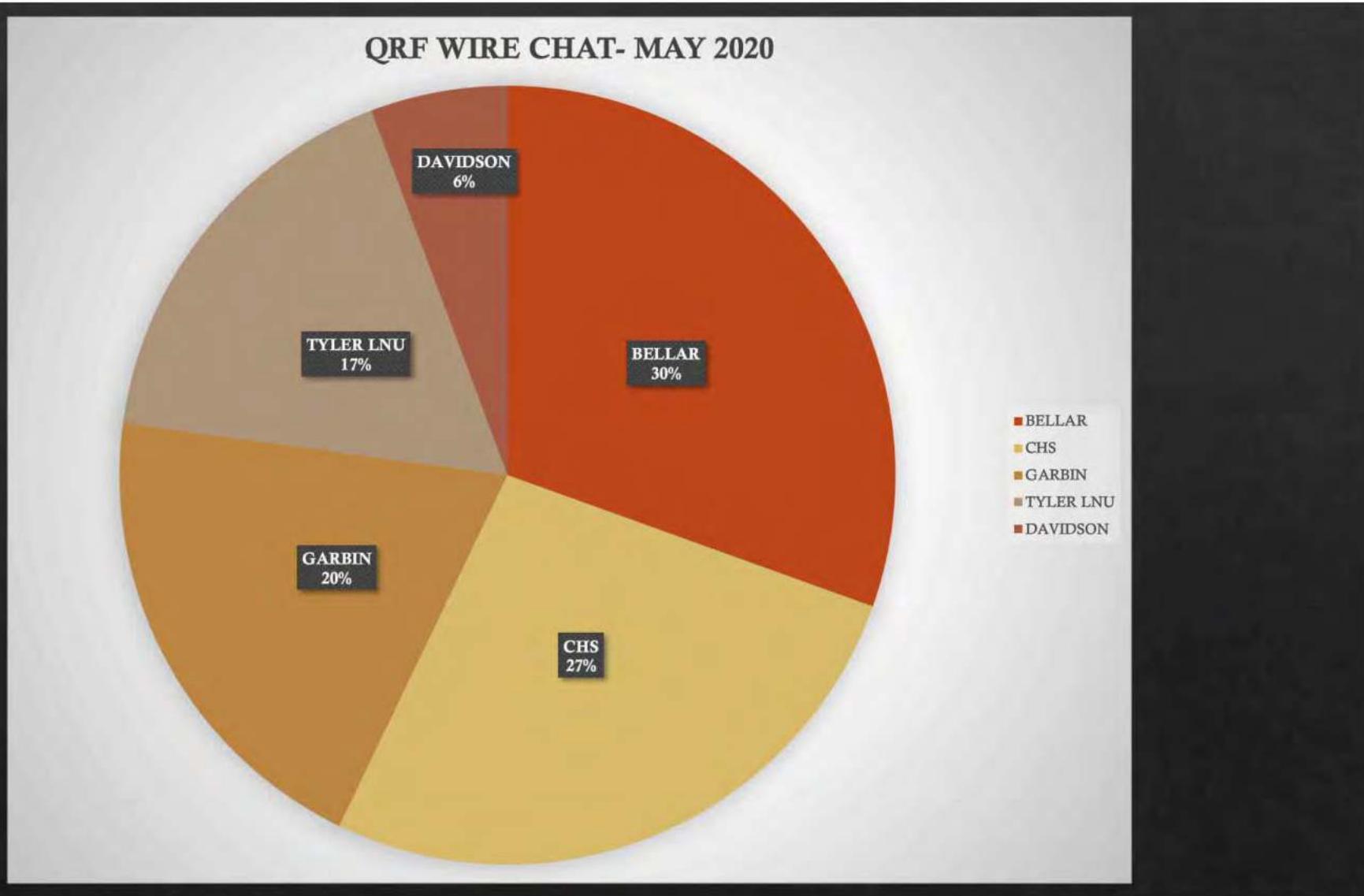
Appx0103

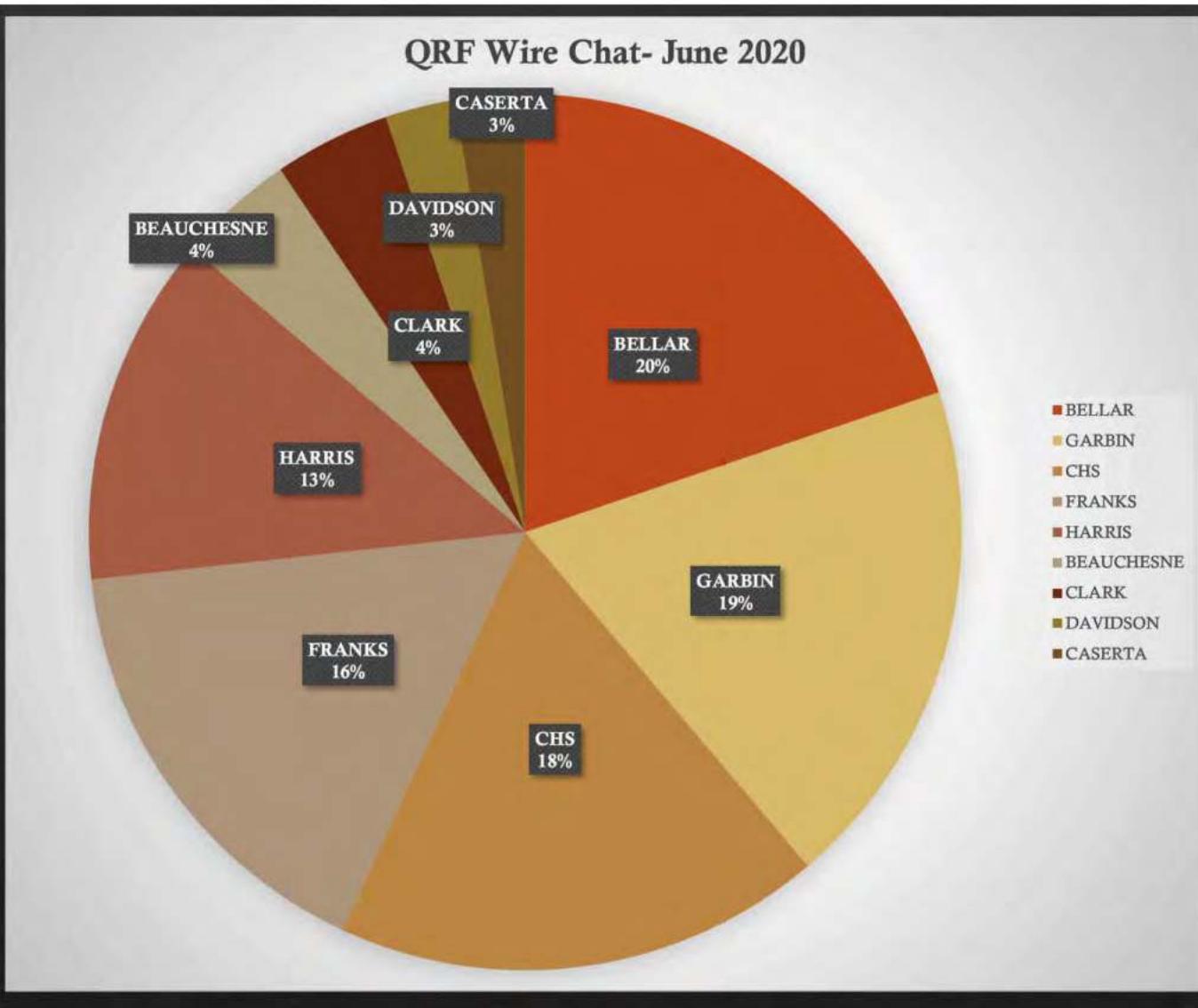
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Encrypted Group Chat Toll Records (Wire and Threema)

Appx0105

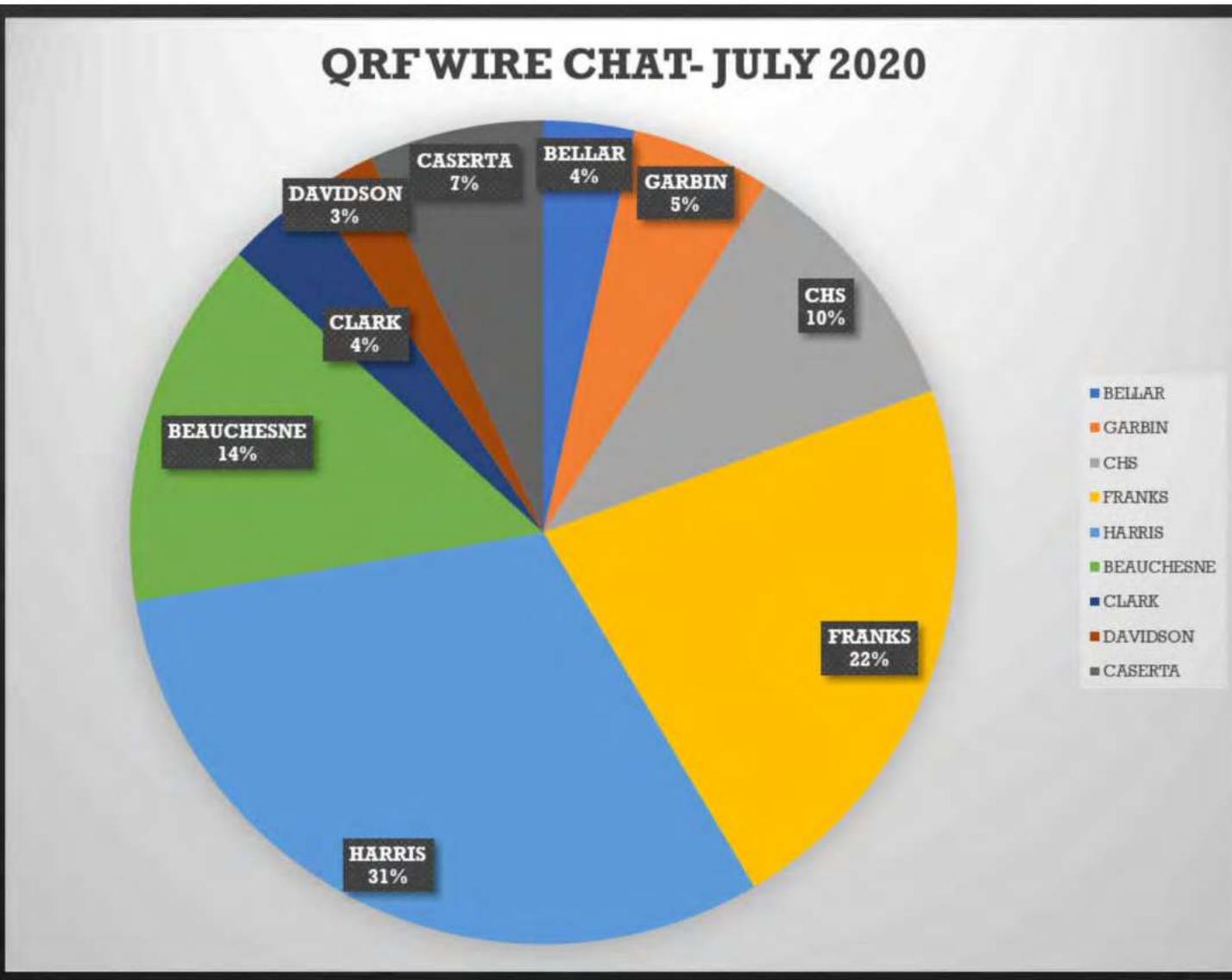


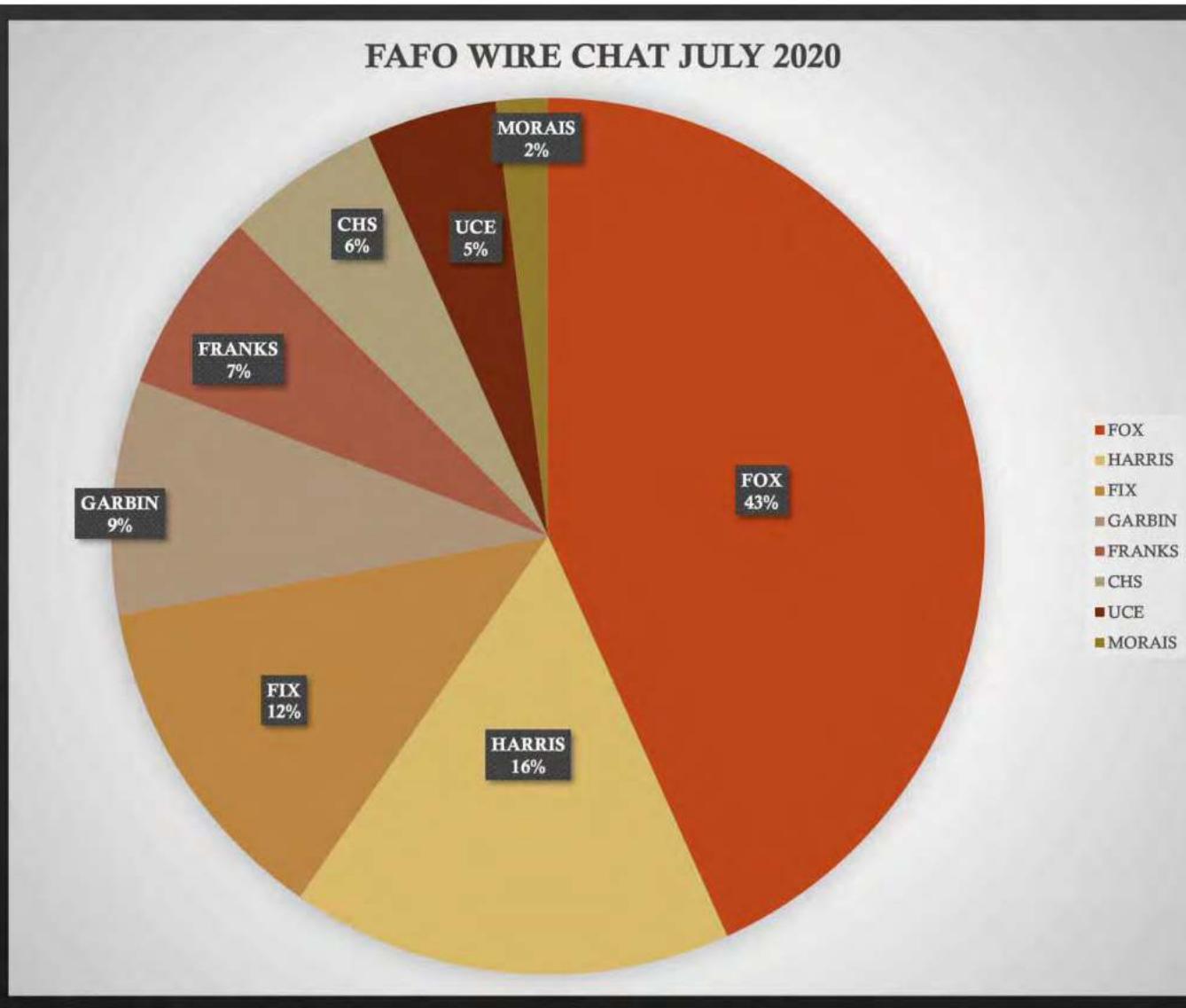


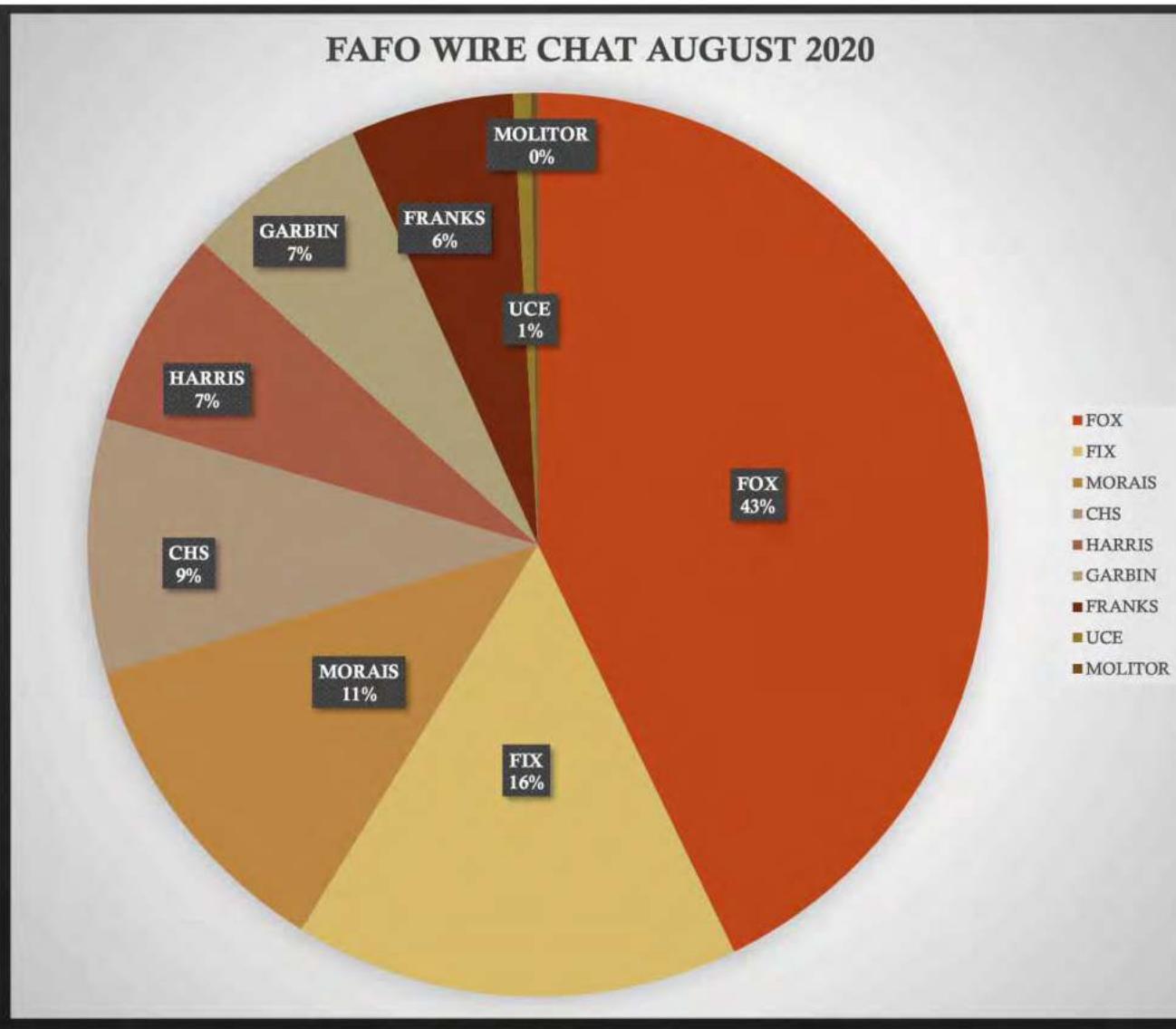


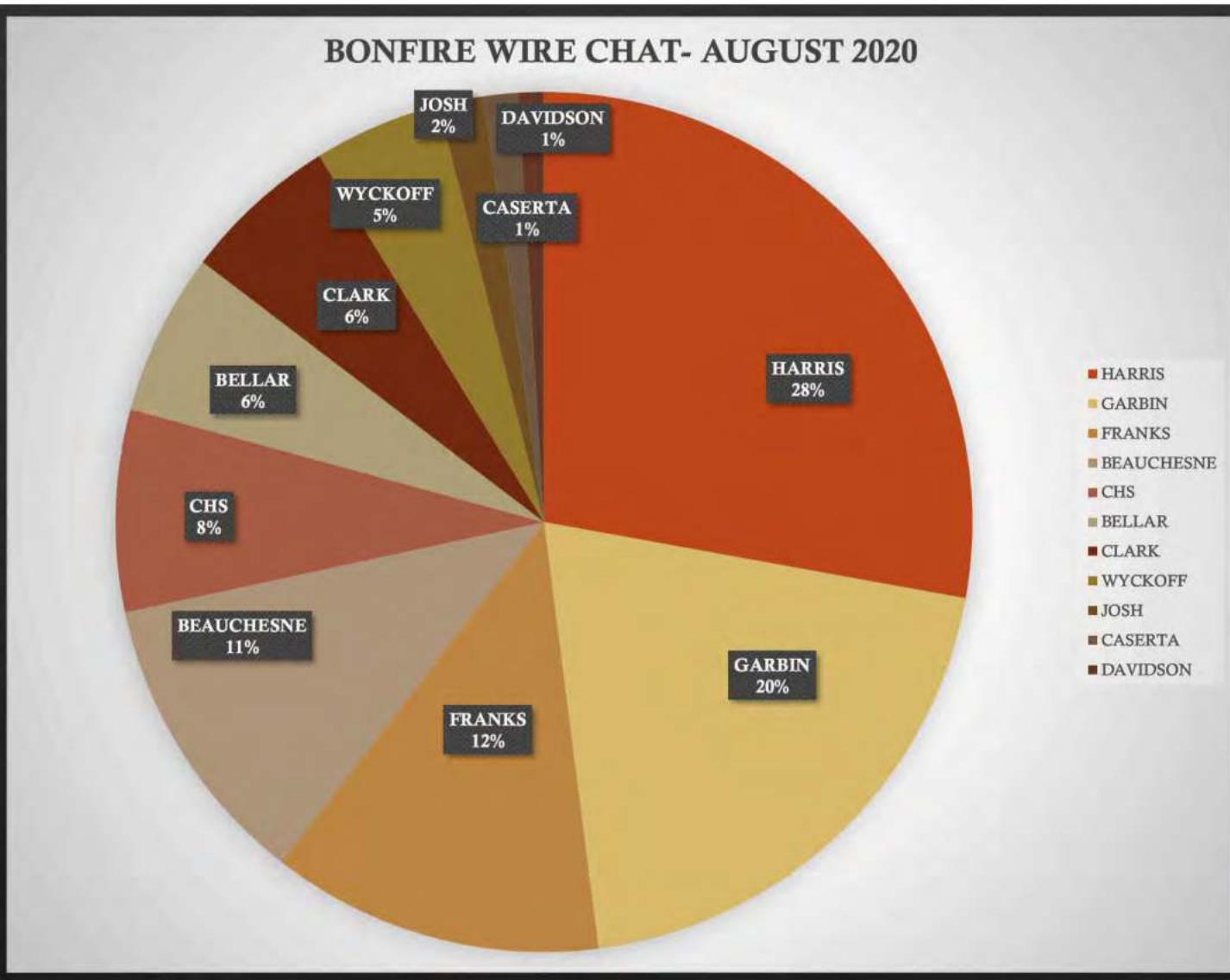
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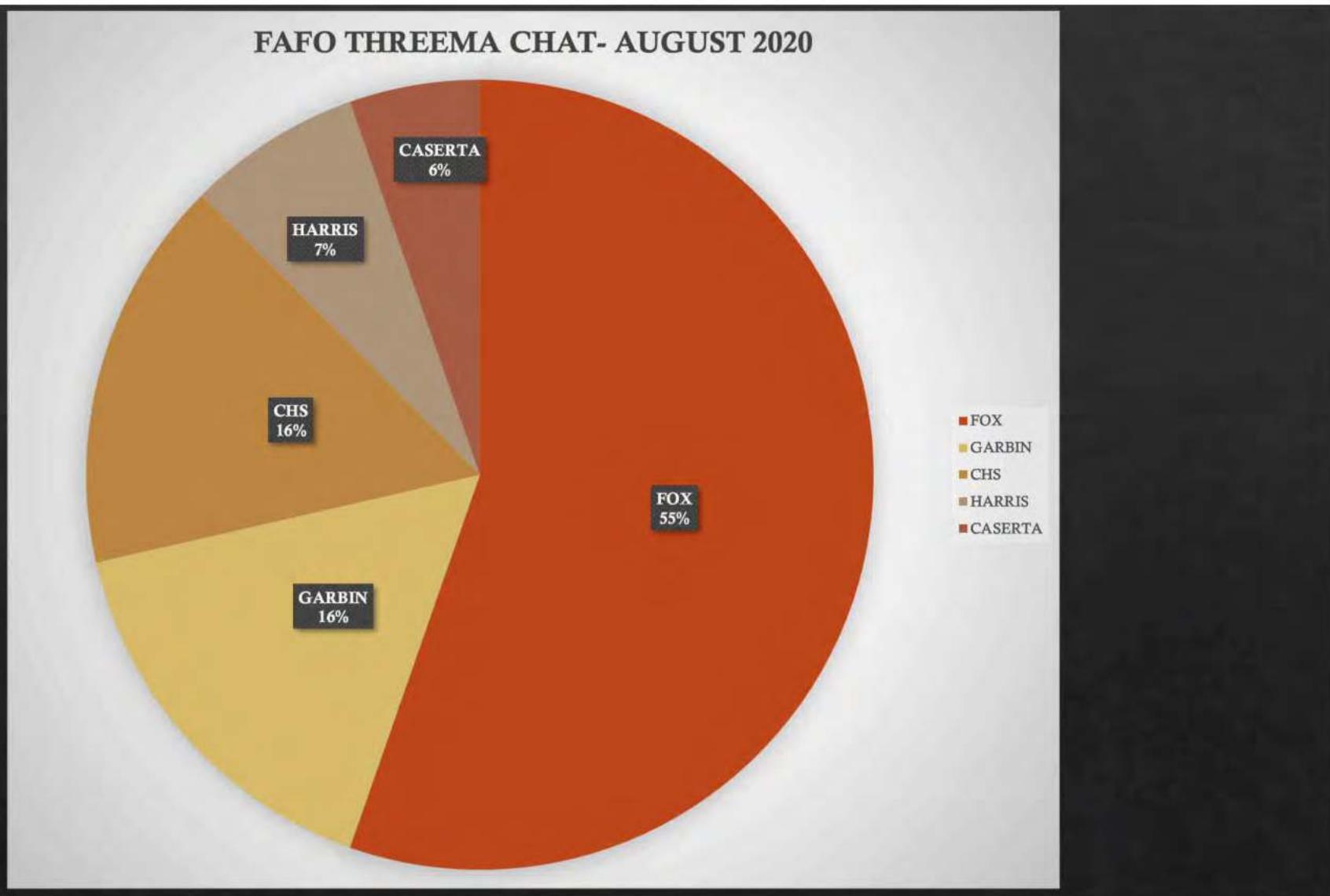
Gov. Ex. 422-003

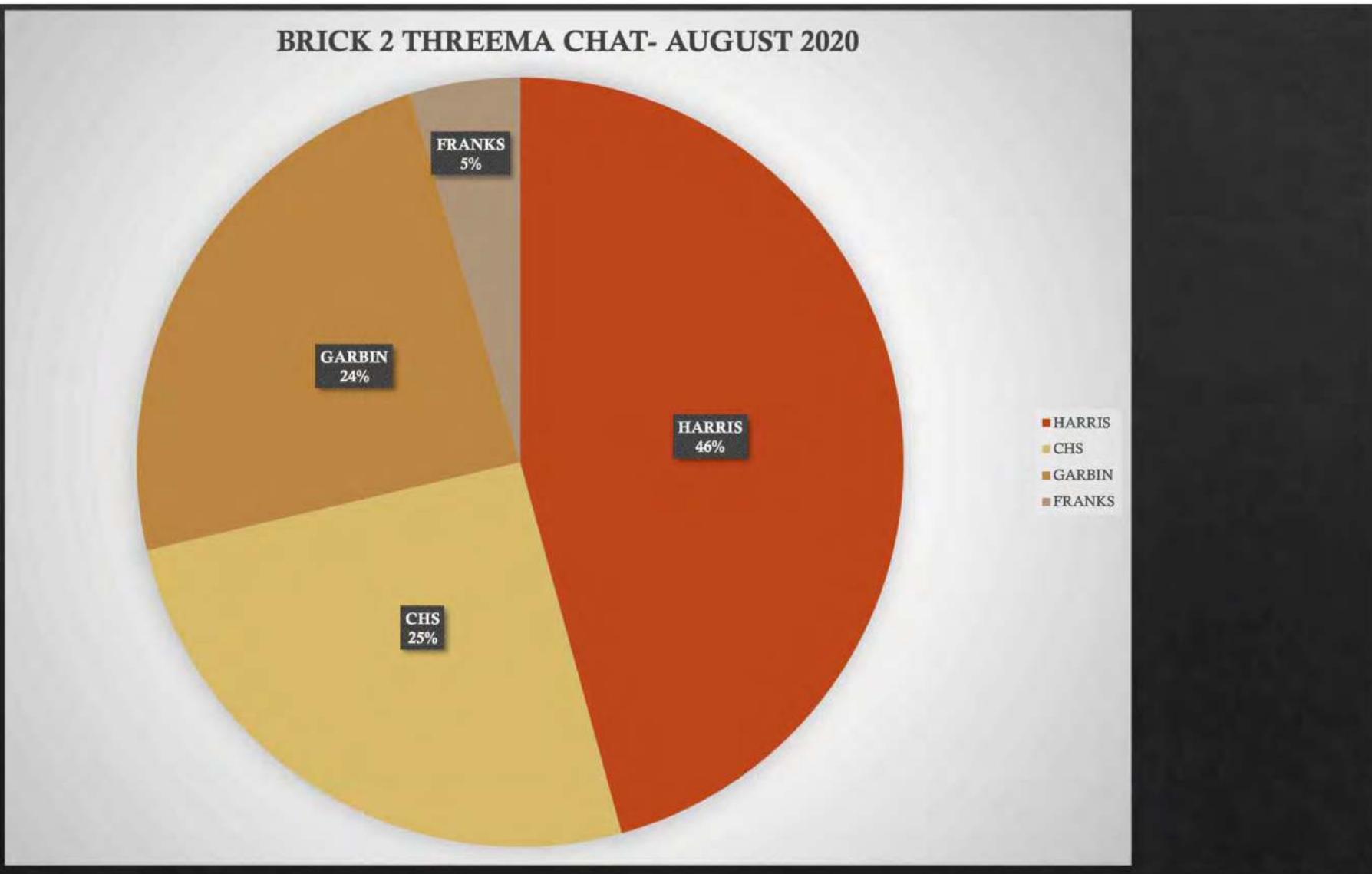






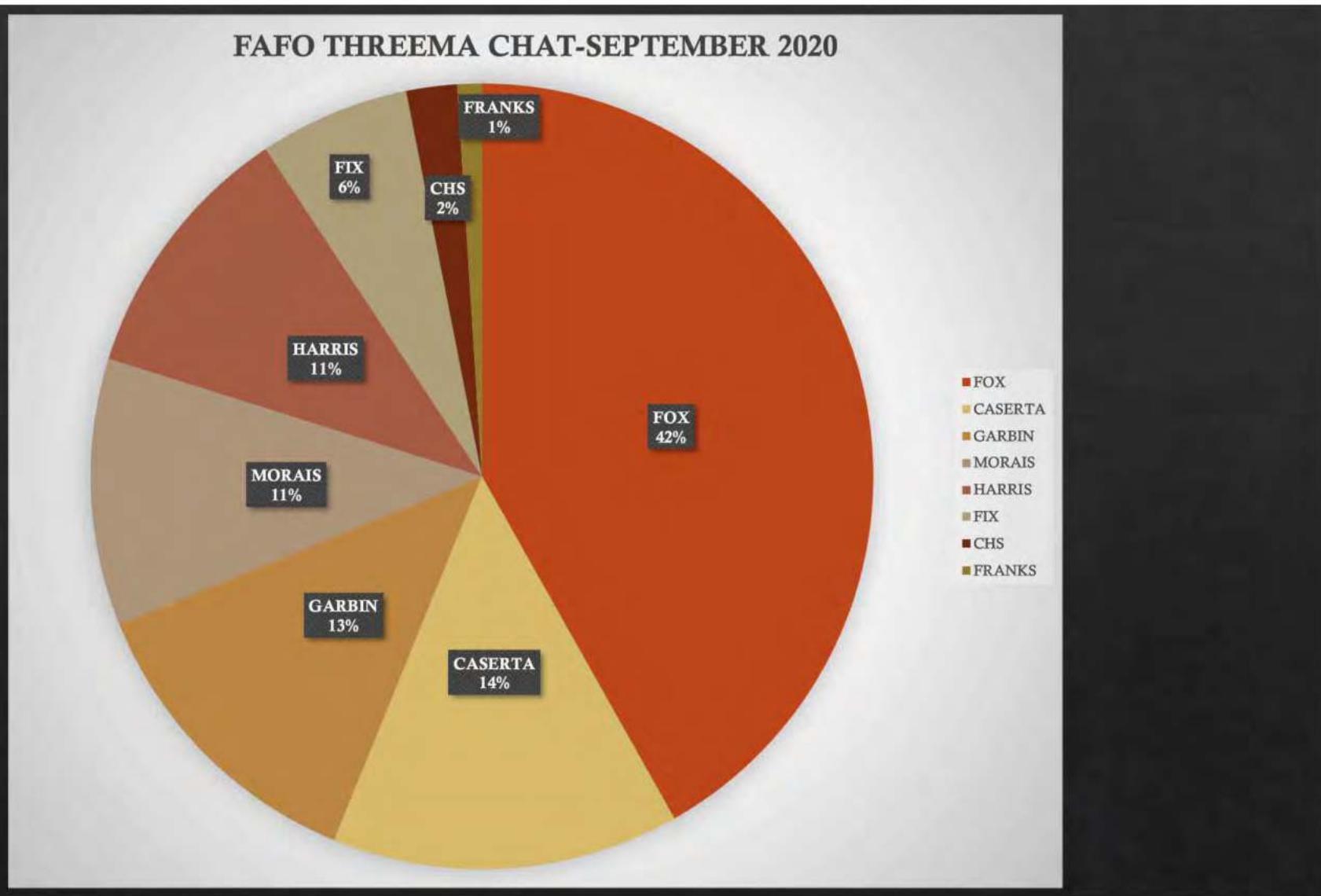


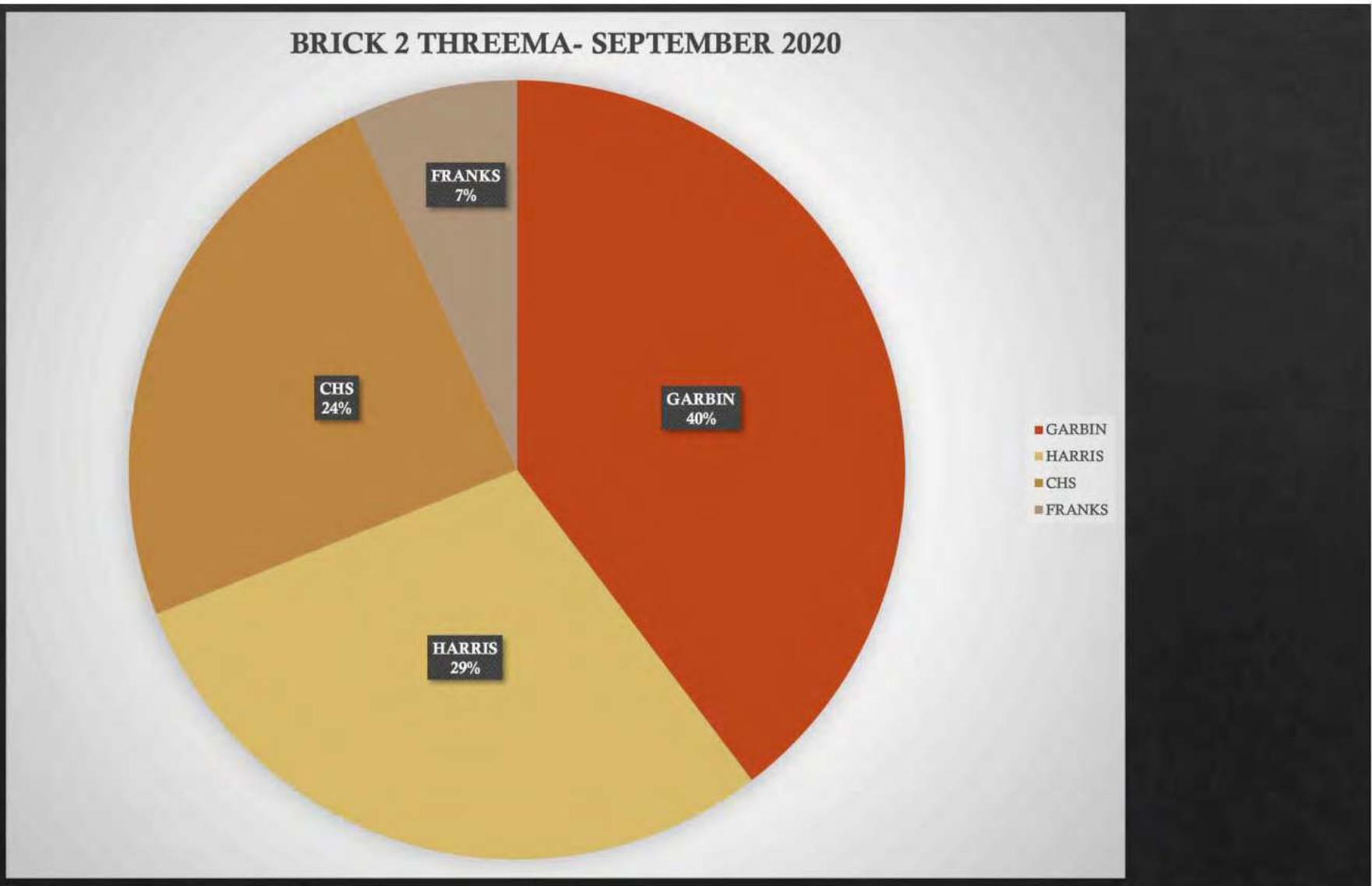




Appx0113

Gov. Ex. 422-009





Plz Share.... I saw a post a few days ago on FB where the Mi. governor is going to be this Saturday. Updated, I found the post & pictures!

The post stated that their having a graduation party at their small blue cottage in Transverse City. There is protest at Saturday at 1:00. I will update this post w/the address, when I find the pic's that was posted on another page. Isn't that nice, she opens up northern Michigan, how convenient for THEM!!!

Nothing, but LIES!!!

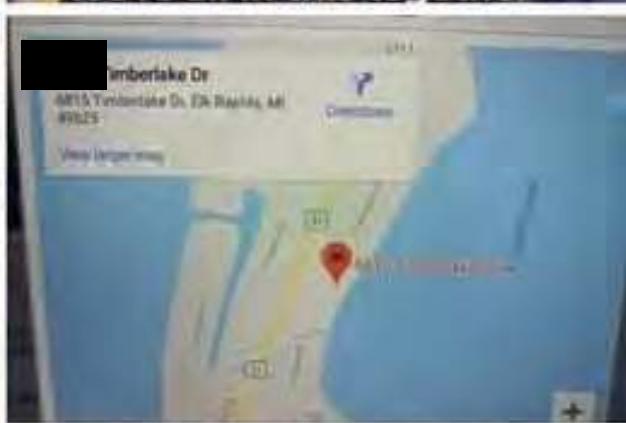


Search Results > Record Details

TIMBER LAKE DR ELK RAPIDS, MI 49628

I Number: 05-06-225-012-00

This screenshot shows a property search interface. It displays the address 'TIMBER LAKE DR ELK RAPIDS, MI 49628' and the I Number '05-06-225-012-00'. Below the address, there is a thumbnail image of a blue cabin. At the bottom of the screenshot, it says 'Item 1 of 10' and '9 Images / 1 Sketch'.



Property Owner: WHITMEN GRETCHEN

This screenshot shows a detailed view of a property record. It lists the property owner as 'WHITMEN GRETCHEN'. Below this, there is a thumbnail image of a blue cabin, a section for 'Property Description', and a 'Sketch' section. The sketch shows a simple outline of the property boundaries.



GOVERNMENT'S
EXHIBIT

091

Appx0117

1-20-CR-183-RJJ



GOVERNMENT'S
EXHIBIT
097
1-20-CR-183-RJJ

Appx0118

Mtg 18 July 2020

Sign In

Julie Sparks 937-503 [REDACTED]

Sparks

Bradley Beagisch 717-765-[REDACTED]

T Funkine 740-285-[REDACTED]

[REDACTED] Butler 804 832-[REDACTED]

Brian Lechner 937-386-[REDACTED]

Jenny Plant 731-610-[REDACTED]

Eli Robinson 937-587-[REDACTED]

Robby Steve 108-450-[REDACTED]

John Poland 824-510-[REDACTED]

GATOR 917 21-[REDACTED]

-Chris Phillips

KAWASAKI 304-780-[REDACTED]

Duncapark 513-442-[REDACTED]

Colin Park 248 59-[REDACTED]

Gunny 734-395-[REDACTED]

HARRIS 248-693-[REDACTED]

Don 810 422-[REDACTED]

BARRY CROFT
Adam Fox
Nellet
Shawn Fix

302 300
616 291
2169-214-
734-624-

Bryan Herman

Nichols

Oliver

269-806¹

937-587

287-

1937-



Appx0121

GOVERNMENT'S
EXHIBIT
135
1-20-CR-183-RJJ



Appx0122

GOVERNMENT'S
EXHIBIT
172
1-20-CR-183-RJJ



-AlphaFuckYou

Case: 23-1029

Document: 29

Filed: 08/16/2023

Page: 127



Yes

16:42

Should we have a meeting soon?

16:42

I'll send em

17:11

Sent pic's on wire only had a few

17:11

Yours look good?

17:11

Roger who you gonna hit up for the prints? Need any other ones done like the maps what kind you thinking

17:23



17:28



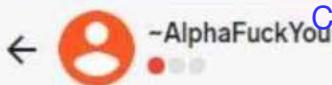
Appx0123

GOVERNMENT'S

EXHIBIT

175

1-20-CR-183-RJJ



17:31



01:40 | 17:31

Yea

18:39

Slow motion

18:39

One going down and one coming back

18:39

Did we have 2 videos

18:39

Nice

18:5

Appx0124

Gov. Ex. 175-002



-AlphaFuckYou

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Slow motion

18:39

One going down and one coming back

18:39

Nice

18:58

You push these to tex or gonna do group.?

18:58

Go ahead and push them

18:59

To the group and Tex

18:59

To fofo?

18:59

Copy

18:59

I can't load these for some reason. Gettin an error can you?

20:07

Copy

20:07

Add me to the group on here bro

20:42

Working to get you added been doin yard work sorry on that

21:28

Unread messages

Copy that

21:29

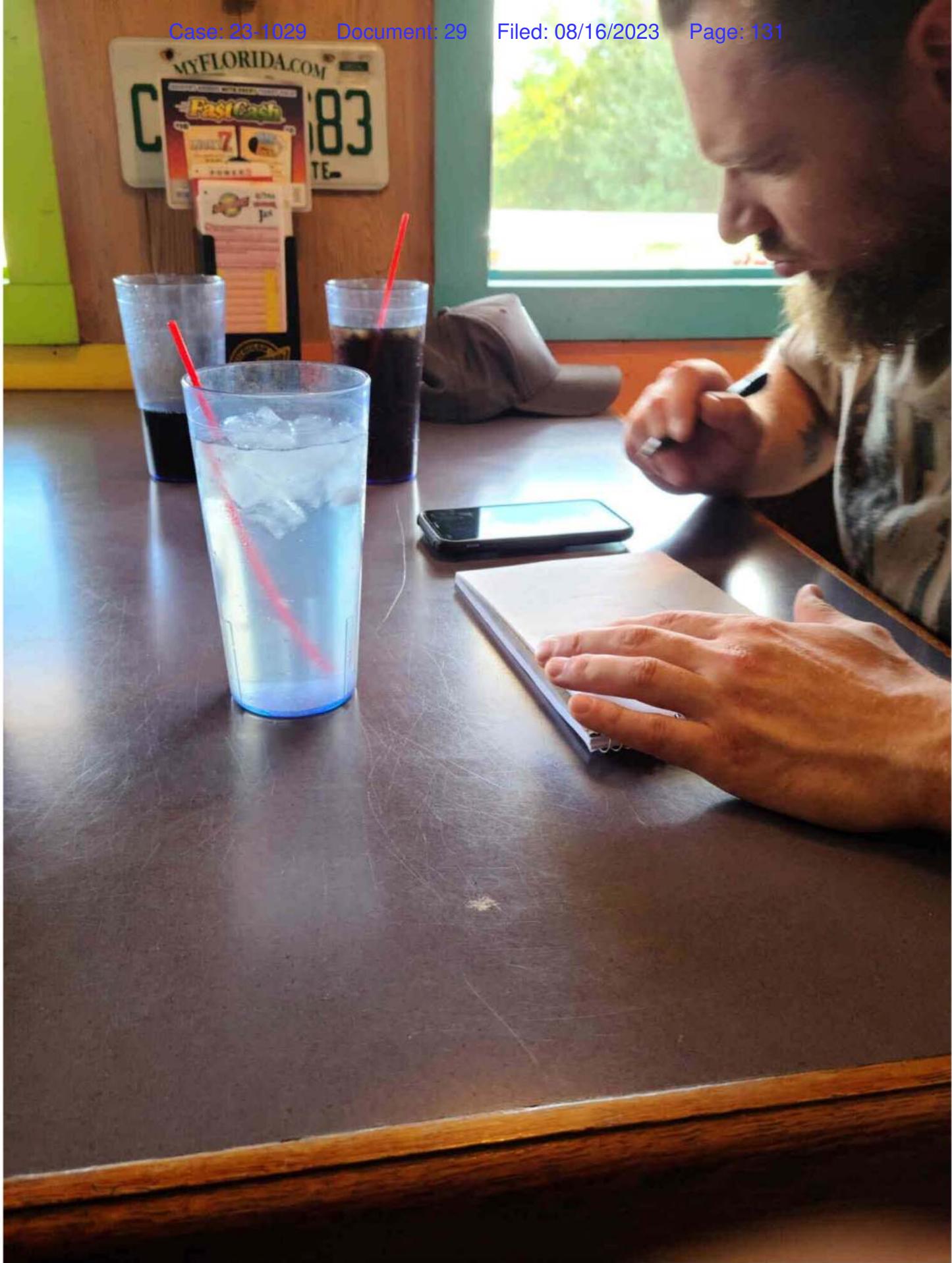
Appx0125

Gov. Ex. 175-003



Appx0126

GOVERNMENT'S
EXHIBIT
178
1-20-CR-183-RJJ



GOVERNMENT'S
EXHIBIT

187

Appx0127

1-20-CR-183-RJJ



Appx0128

GOVERNMENT'S
EXHIBIT
230
1-20-CR-183-RJJ



Appx0129

GOVERNMENT'S
EXHIBIT
232
1-20-CR-183-RJJ



Appx0130

GOVERNMENT'S
EXHIBIT
233
1-20-CR-183-RJJ



Appx0131

GOVERNMENT'S
EXHIBIT
332
1-20-CR-183-RJJ



FAFO

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~DebasedTyrant, ~DebasedTyrant, ~AlphaFuckYou, ~Beaker, Me, ~Gunny, ~Squatch, ~redhot, Kevin, ~TEXAS, Mark



~AlphaFuckYou

Well I'm alone in the city so should I just plan on flying solo?

Yesterday, 16:25



~Gunny

If shit starts burning, you're more than welcome to pack out up to my place

Yesterday, 16:33



~AlphaFuckYou

Roger and thank you brother

Yesterday, 16:39



~AlphaFuckYou

Pry be only place I could get to anyway, imagine N is only direction to go

Yesterday, 16:39



~AlphaFuckYou

I'm gonna get the basement of this store cleared and if anyone wants we can do a CQC training here clearing this big ass building upstairs and down

Yesterday, 16:40



~AlphaFuckYou

Work on acquiring an asset and detaining for extraction??

Yesterday, 16:40



~DebasedTyrant

That sounds pretty tight

Yesterday, 16:42



~AlphaFuckYou

Well we need all the reps we can get, have 6 weeks til election and one week is ftx so let's utilize these 5 weekend best we can

Yesterday, 16:44



~Gunny

Just find a beater truck with no electronics, and get run flats for it, and 4 run flat spares. Best boog mobile money can but



GOVERNMENT'S

EXHIBIT

443

1-20-CR-183-RJJ

Appx0132



Status
Mobile true
Id 1083565272005060

Posted 2020-03-18 17:17:05 UTC
Status
Mobile true
Id 1085153308512923

Posted 2020-03-18 17:17:39 UTC
Status
Mobile true
Id 1085153688512885

Posted 2020-03-19 14:36:20 UTC
Status
Mobile true
Id 1085817948446459

Posted 2020-03-15 02:58:08 UTC
Status
Mobile true
Id 1082498812111706

Posted 2020-03-15 20:13:15 UTC
Status
Mobile true
Id 1083035722058015

Posted 2020-03-19 14:30:53 UTC
Status
Mobile true
Id 1085814818446772

Posted 2020-03-18 17:14:07 UTC
Status I don't take orders from nobody but God! I'm gonna boog by my damn self, cuz I am a true mudda fuggin Patriot...and I ain't had a workout in 3 damn days...████████████████████ what good???

Mobile true
Id 1085151538513100

Comments User Fox Ad (Facebook: 100010547927636)

Text @100040706956770:2048:BG Croft Jr.] Me either...but I won't live like a caged rat

Time 2020-03-18 17:17:29 UTC

User BG Croft Jr. (Facebook: 100040706956770)

Text I wasn't trying to give orders, just to rally some semblance of life among my People!!!%

Time 2020-03-18 17:15:51 UTC

User Fox Ad (Facebook: 100010547927636)

Text @100040706956770:2048:BG Croft Jr.] Aye we good bro, my comment wasn't directed at you lol

Time 2020-03-18 17:16:23 UTC

User BG Croft Jr. (Facebook: 100040706956770)

Text @100010547927636:2048:Adam Dean Fox] Roger that brother, God speed, I can't explain it :(

Photo ID 2646592692227187

Thread (2695623857372659)

Current 2021-03-10 23:39:43 UTC

Participants [REDACTED] (Facebook: 100007752122675)
Fox Ad (Facebook: 100010547927636)

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-13 22:30:32 UTC

Body You are now connected on Messenger

Thread (1122543054773948)

Current 2021-03-10 23:39:43 UTC

Participants Gordon Croft (Facebook: 100050894377140)
Fox Ad (Facebook: 100010547927636)

Author Gordon Croft (Facebook: 100050894377140)

Sent 2020-05-07 00:42:08 UTC

Body Might I request a call good sir [REDACTED]

Thread (2792672250787097)

Current 2021-03-10 23:39:43 UTC

Participants [REDACTED] (Facebook: 207101950)
[REDACTED] (Facebook: 208703561)
[REDACTED] (Facebook: 1364203198)
[REDACTED] (Facebook: 1675853931)

Author

Fox Ad (Facebook: 100010547927636)

Sent 2020-05-16 02:51:51 UTC

Body Ok, if not we will just have bail on training

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-16 02:52:12 UTC

Body Yes sir

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-16 02:52:55 UTC

Body It will be a significant meet

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-16 02:55:01 UTC

Body Can't wait

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-16 22:34:38 UTC

Body The video chat ended.

Call Record

Missed false

Duration 227

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-17 14:46:46 UTC

Body Last missed your video chat.

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-17 14:46:53 UTC

Body Hit me on the cell

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-17 14:53:54 UTC

Body I left a vrm

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-17 14:54:03 UTC

Body Was in the bathroom

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-17 15:38:06 UTC

Body The video chat ended.

Call Record

Missed false

Duration 2539

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-18 01:13:54 UTC

Body You sent an attachment.

Share **Date Created** 2020-05-18 01:13:53 UTC

Title Status Update

Url https://www.facebook.com/TheGrinderLive/posts/1528429783983525

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-18 16:16:09 UTC

Body You missed a call from Last.

Author Fox Ad (Facebook: 100010547927636)

Appx0133

Sent
2020-05-18 16:32:56 UTC
Body The video chat ended.
Call Record **Missed** false
Duration 915

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-22 15:44:32 UTC
Body Last missed your video chat.

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-22 16:05:38 UTC
Body The video chat ended.

Call Record **Missed** false
Duration 1236

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-23 05:09:13 UTC
Body https://m.facebook.com/story.php?story_fbid=132464768328082&id=110458307195395

Share Date Created 2020-05-23 05:09:13 UTC

Title Status Update
Url https://www.facebook.com/permalink.php?story_fbid=132464768328082&id=110458307195395

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-25 16:00:52 UTC
Body I'm back up and running

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-25 16:01:11 UTC
Body Roger that brother

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-25 16:01:17 UTC
Body https://m.facebook.com/story.php?story_fbid=132464768328082&id=110458307195395

Share Date Created 2020-05-25 16:01:17 UTC

Title Status Update
Url https://www.facebook.com/permalink.php?story_fbid=132464768328082&id=110458307195395

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-25 16:01:20 UTC
Body Last post made is public so can be shared

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-25 16:01:44 UTC
Body They inspire me

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:07:19 UTC
Body Checking in, you good bro?

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:08:21 UTC
Body Last sent a voice message.

Attachments

audioclip-1590674901000-29025.mp4 (182480513069012)
Type audio/mpeg
Size 238102
URL https://intemcache-frc.fbsbx.com/v/t59.3654-21/99431943_182480516402345_2240260361842327552_n.mp4?audioclip=1590674901000-29025.mp4?ccb=1-3&nc_ssi=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&nc_ht=intemcache-frc.fbsbx.com&oh=c7d07b54e4795b064a2aba8764359ddf&oe=604B15E4&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:09:16 UTC
Body Yea I'm excited too bro

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:09:37 UTC
Body It's going to be electrifying

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:09:42 UTC
Body I'm ready get something done, be someone that actually makes a difference

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:09:58 UTC
Body It time to inspire and move people

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:10:01 UTC
Body I mean, just on the phone, we were there

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:10:43 UTC
Body Like pots with the steam, I'm ready to get it crack'n

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:10:52 UTC
Body Fuck yeah!!!!

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:11:06 UTC
Body I'm getting my cardio in, stepping things up on all levels

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:11:19 UTC
Body I'm gonna be prepared bro

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:11:36 UTC
Body I'm gonna be a fuckin Savage on that Battle field

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:11:49 UTC
Body Roger that, I have some good ideas that require the gift of physical

Author

Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:12:11 UTC
Body Oh I got your physical!!!!!!

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:12:22 UTC
Body I'm coming back with vengeance

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:12:47 UTC
Body Still having hard time eating as much as I need to but I'm putting on muscle and strength

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:12:57 UTC
Body Last sent a voice message.

Attachments audioclip-1590675177000-30047.mp4 (2903036513097977)

Type audio/mpeg

Size 246452

URL https://intemcache-frc.fbsbx.com/v/t59.3654-21/100744525_2903036519764643_3335489082590494720_n.mp4?audioclip=1590675177000-30047&ccb=1-3&nc_ssi=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&nc_ht=intemcache-frc.fbsbx.com&oh=4861bc0a6f6652cac049bd089d02fb59&oe=604AE4D2&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:13:43 UTC
Body Brother we gonna feed eachothers energy

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:13:52 UTC
Body We gonna start a movement

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:14:13 UTC
Body A real one

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:14:22 UTC
Body No fucking doubt

Author Last Croft (Facebook: 100051435001791)

Sent 2020-05-28 14:14:34 UTC
Body Our blood is our oath

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:14:35 UTC
Body We gonna set the fucking stage brother

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-05-28 14:14:42 UTC
Body Fucking right!!

Author Last Croft (Facebook: 100051435001791)

Appx0134

mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=a90c79edbaflaaa054817d4f34031100&oe=604AD3A0&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-30 22:02:18 UTC
Body lght bro holla back later

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-30 22:02:47 UTC
Body Last sent a voice message.

Attachments audioclip-1590876166000-22616.mp4 (539461580067757)
Type audio/mpeg
Size 185724
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/9901185_539461583401090_3034832524237864960_n.mp4/audioclip-1590876166000-22616.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=95fb564c215ddcf55a88f0efb8aaa446&oe=604AEE15&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-30 23:47:00 UTC
Body 10 4

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-30 23:47:12 UTC
Body Sorry just got home

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-30 23:47:50 UTC
Body Last sent a voice message.
Attachments audioclip-1590882470000-33205.mp4 (861738844236609)
Type audio/mpeg
Size 272246
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/100799121_861738847569942_6253736029543464960_n.mp4/audioclip-1590882470000-33205.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=84bbf362e379401e4a1ff49467a9d885&oe=604B2EDA&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-30 23:48:36 UTC
Body You: ☺

Attachments sticker (369239263222822)
Type image/png
Size
URL https://interncache-frc.fbcdn.net/v/t39.1997-6/9178562_1505197616293642_54113442810948

48512_n.png?ccb=1-3&_nc_sid=0572db&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc&oh=1f9b4f65a664914bdf8dec90274be817&oe=606EA50B



Photo ID 369239263222822

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-31 04:19:16 UTC
Body Damn bro

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-31 04:19:43 UTC
Body Aye I'm not gonna let anyone burn my shit down and loot my store

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-31 04:20:08 UTC
Body Don't defend yours

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-31 04:20:21 UTC
Body I'm just going check in bro, stores good, now just driving thru

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-31 04:20:28 UTC
Body Fuck anything else, hold yours to gather ours

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-05-31 04:20:45 UTC
Body For sure

Author Last Croft (Facebook: 100051435001791)
Sent 2020-05-31 04:21:18 UTC
Body Last sent a voice message.
Attachments audioclip-1590898878000-36734.mp4 (1635718089919004)

Type audio/mpeg
Size 301095
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101281144_1635718093252337_5815807347133513728_n.mp4/audioclip-1590898878000-36734.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=442f6ccb4ae2b41614d7b780146c0858&oe=604AD559&dl=1

Author Fox Ad (Facebook: 100010547927636)

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:41:41 UTC
Body I think he's setting us up for CIA destabilization tactics, sir

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:43:02 UTC
Body No shit

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:43:19 UTC
Body What you think is gonna happen

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:43:53 UTC
Body I dunno bro right now we just trying to keep our communities and small businesses from being looted and burnt to the ground

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:44:06 UTC
Body Shits moving fast brother

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:44:11 UTC
Body Last sent a voice message.

Attachments audioclip-1591058651000-33530.mp4 (257820441999626)
Type audio/mpeg
Size 274943
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101106739_257820445332959_2138127877789450240_n.mp4/audioclip-1591058651000-33530.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=8a5f2ebec4a12e364d5913c2039b7562&oe=604AFBE5&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:44:35 UTC
Body Just know that we are ready to move when called on

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:45:26 UTC
Body Last sent a voice message.
Attachments audioclip-1591058725000-35596.mp4 (2918532904926951)
Type audio/mpeg
Size 291816
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/99134738_2918532908260284_8727779218018009088_n.mp4/audioclip-1591058725000-35596.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawVvudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=d775e6540a2d6bca5bbb1f4995e39774&oe=604ACE71&dl=1

Sent 2020-06-02 00:46:08 UTC
Body Last sent a voice message.
Attachments audioclip-1591058767000-31347.mp4 (1022848748113142)
Type audio/mpeg
Size 257091
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101056741_1022848751446475_4788833091307175936_n.mp4/audioclip-1591058767000-31347.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=7fcdef1da2fdce8a1648840e9f7cf4a&oe=604AB729&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:47:13 UTC
Body Fuck yea brother
Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:47:19 UTC
Body Let's do it!!!!!!
Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:48:30 UTC
Body Last sent a voice message.
Attachments audioclip-1591058909000-44002.mp4 (725400444861441)
Type audio/mpeg
Size 360513
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101651933_725400448194774_7680117534950948864_n.mp4/audioclip-1591058909000-44002.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=ee780706cbf28ea8e110fdfa31e00a55&oe=604B264B&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:49:44 UTC
Body You sent a voice message.
Attachments audioclip-1591058983000-5991.mp4 (270696907314114)
Type audio/mpeg
Size 49876
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/1015865557_270696910647447_4997620277723529216_n.mp4/audioclip-1591058983000-5991.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=f7218167033bd399f2a291b6022339dc&oe=604AEF75&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-02 00:49:57 UTC

Body You sent a voice message.
Attachments audioclip-1591058996000-5480.mp4 (1208435979494845)
Type audio/mpeg
Size 45620
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/82788244_1208435982828178_1228478453313961984_n.mp4/audioclip-1591058996000-5480.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=df7d7873c9ee71bc30d4a0d09aa27d47&oe=604AFBC7&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:50:54 UTC
Body Last sent a voice message.
Attachments audioclip-1591059053000-33669.mp4 (963627844053688)
Type audio/mpeg
Size 276069
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101507428_963627847387021_3067711091594231808_n.mp4/audioclip-1591059053000-33669.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=f5c88c7f141442c83767accda4dad64&oe=604AC856&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:52:10 UTC
Body Last sent a voice message.
Attachments audioclip-1591059130000-27957.mp4 (345582383083627)
Type audio/mpeg
Size 229382
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/100749972_345582386416960_3228902816235913216_n.mp4/audioclip-1591059130000-27957.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=bb916183729403b377f15365173c9d1d&oe=604ABAЕ4&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-02 00:53:10 UTC
Body Last sent 3 photos.
Attachments image-273051744074389 (273051744074389)
Type image/jpeg
Size 51245
URL https://interncache-frc.fcdn.net/v/t1.15752-9/p843x403/83599568_172998074110859_8934338098091786240_n.jpg?ccb=1-3&_nc_sid=73a6a0&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9pbw9nZw46RFJTWVkaWFVdGiscy9&_nc_ht=interncache-frc.fbsbx.com&oh=146c78419c364256a968c0b9c10f5f2c&oe=604AD5C8&dl=1

Photo ID 200272287727119

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:30:06 UTC
Body Last missed your video chat.

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:30:29 UTC
Body You sent a voice message.
Attachments audioclip-1591302628000-14907.mp4 (2650688025159918)
Type audio/mpeg
Size 122723
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101715185_2650688028493251_4405691527121076224_n.mp4/audioclip-1591302628000-14907.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=e1a7d1d6906b4f278573a636ba276fc&oe=604B420E&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:31:08 UTC
Body You sent a voice message.
Attachments audioclip-1591302668000-34319.mp4 (273431920694041)
Type audio/mpeg
Size 281409
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101807041_273431924027374_6127608022769336320_n.mp4/audioclip-1591302668000-34319.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=2667c3bc015597042c361d6aa443c0a6&oe=604ACC2&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-04 20:36:21 UTC
Body Last sent a voice message.
Attachments audioclip-1591302980000-56982.mp4 (1495015493993149)
Type audio/mpeg
Size 466559
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/102908871_1495015497326482_3159666637754335232_n.mp4/audioclip-1591302980000-56982.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsawWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=146c78419c364256a968c0b9c10f5f2c&oe=604AD5C8&dl=1

Photo ID

200272287727119

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:30:06 UTC
Body Last missed your video chat.

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:30:29 UTC
Body You sent a voice message.

Attachments audioclip-1591302628000-14907.mp4 (2650688025159918)

Type audio/mpeg

Size 122723

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101715185_2650688028493251_4405691527121076224_n.mp4/audioclip-1591302628000-14907.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=e1a7d1d6906b4f278573a636ba276fc4&oe=604B420E&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-04 20:31:08 UTC
Body You sent a voice message.

Attachments audioclip-1591302668000-34319.mp4 (273431920694041)

Type audio/mpeg

Size 281409

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101807041_273431924027374_6127608022769336320_n.mp4/audioclip-1591302668000-34319.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=2667c3bc015597042c361d6aa443c0a6&oe=604ACCB2&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-04 20:36:21 UTC
Body Last sent a voice message.

Attachments audioclip-1591302980000-56982.mp4 (1495015493993149)

Type audio/mpeg

Size 466559

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/102908871_1495015497326482_315966637754335232_n.mp4/audioclip-1591302980000-56982.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=146c78419c364256a968c0b9c10f5f2c&oe=604AD5C8&dl=1

Author

Last Croft (Facebook: 100051435001791)

Sent 2020-06-04 20:37:22 UTC

Body Last sent a voice message.

Attachments audioclip-1591303042000-55055.mp4 (2714480575463725)

Type audio/mpeg

Size 450803

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/102694895_2714480578797058_5779699355212578816_n.mp4/audioclip-1591303042000-55055.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=d1755cee51f9366ebd4a16a9d68b90d8&oe=604ACA99&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-04 20:39:17 UTC

Body You sent a voice message.

Attachments audioclip-1591303156000-43468.mp4 (640308609899858)

Type audio/mpeg

Size 356095

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/82233087_640308613233191_7222585414916243456_n.mp4/audioclip-1591303156000-43468.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=1a8ff180016d5a26a9f457fd50a3eba1&oe=604AF2C6&dl=1

Author Last Croft (Facebook: 100051435001791)

Sent 2020-06-04 20:40:53 UTC

Body Last sent a voice message.

Attachments audioclip-1591303252000-41935.mp4 (255603432428810)

Type audio/mpeg

Size 343590

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101808010_255603435762143_4644882808500649984_n.mp4/audioclip-1591303252000-41935.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=e65993ba5b6ae02cccb25aa41be0d7cd&oe=604AD2A8&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-04 20:43:54 UTC

Body You sent a voice message.

Attachments audioclip-159130343000-42353.mp4 (253506095982235)

Type audio/mpeg

Size 346996

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101793928_253506099315568_5967260611388637184_n.mp4/audioclip-1591303434000-42353

Type

audio/mpeg

Size 67323

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/100392480_247578626662581_1773682121559244800_n.mp4/audioclip-1591307232000-8127.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=9f7daa79f1c19080a36bcd65be949ef&oe=604AB1BF&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-04 21:47:59 UTC

Body You sent a voice message.

Attachments audioclip-1591307278000-6989.mp4 (561035717936133)

Type audio/mpeg

Size 57983

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101713291_561035721269466_1388268356464803840_n.mp4/audioclip-1591307278000-6989.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=8625ac9d874cd5aaf5c46fb2d9636490&oe=604B0703&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-04 21:48:11 UTC

Body You sent a voice message.

Attachments audioclip-1591307290000-4110.mp4 (622429692005079)

Type audio/mpeg

Size 34485

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101715731_622429695338412_6657795974246694912_n.mp4/audioclip-1591307290000-4110.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOijwaHBfdXjsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=402269f003ebdd0dd07b466fb80428a&oe=604B24FC&dl=1

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-08 23:26:44 UTC

Body Last missed your video chat.

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-08 23:27:24 UTC

Body You sent a voice message.

Attachments audioclip-1591658843000-33692.mp4 (254120636002940)

Type audio/mpeg

Size 276188

URL https://interncache-frc.fbsbx.com/v/t59.3654-21/103241855_254120639336273_677132125423781851_n.mp4/audioclip-1591658843000-33692

.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbRpdHkvbWVzc2FnZv9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=94f5f57eb419e002cbec8c82e8199b99&oe=604ADBEE&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-09 00:31:57 UTC
Body Last sent a voice message.

Attachments audioclip-1591662716000-37013.mp4 (1623099237847104)

Type audio/mpeg
Size 303407
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/102303594_1623099241180437_3417095381294672639_n.mp4/audioclip-1591662716000-37013.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbRpdHkvbWVzc2FnZv9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=e0dbef2f259bbbe3bf7c084c4650c8f&oe=604AFE40&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-09 00:32:48 UTC
Body Last sent a voice message.

Attachments audioclip-1591662767000-43027.mp4 (1530391253807173)

Type audio/mpeg
Size 352651
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/101557183_1530391257140506_620527329484077437_n.mp4/audioclip-1591662767000-43027.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbRpdHkvbWVzc2FnZv9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=aba374ce386d4ee9a498da018e307c0&oe=604B1AO3&dl=1

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-09 00:34:37 UTC
Body You sent a voice message.

Attachments audioclip-1591662876000-14954.mp4 (284824496053643)

Type audio/mpeg
Size 123067
URL https://interncache-frc.fbsbx.com/v/t59.3654-21/103307723_284824499386976_4607445511372605010_n.mp4/audioclip-1591662876000-14954.mp4?ccb=1-3&_nc_sid=7272a8&efg=eyJlcmxnZW4iOjwaHBfdXjsZ2VuX2NsaWVudC9lbRpdHkvbWVzc2FnZv9hdWRpbj9&_nc_ht=interncache-frc.fbsbx.com&oh=65502d2b51825c4eb8d1292f8a099c6a&oe=604B063A&dl=1

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-09 02:06:32 UTC
Body Last sent a voice message.

Attachments audioclip-1591668391000-11192.mp4 (584858249097900)

Time 2020-06-09 09:47:20 UTC
Type Likes
Summary Last Croft reacted to this post from June. Their reaction was a wow. Content owned by [REDACTED] III (528732138)
Object Id S:_110051435001791:124522089272291:46

Time 2020-06-09 07:18:20 UTC
Type Comments
Summary Last Croft replied to a comment on a post from June 8.
`@[100003490027702:204:[REDACTED] all [REDACTED] fucked around and found out`
Object Id S:_110051435001791:1661943673971953:94

Time 2020-06-09 07:08:00 UTC
Type Comments
Summary Last Croft replied to a comment on a post from June 8.
`@[100003490027702:204:[REDACTED] [REDACTED] man] that's great`
Object Id S:_110051435001791:1661943673971953:93

Time 2020-06-09 05:44:01 UTC
Type Comments
Summary Last Croft replied to a comment on a post from June 8. `@[1830562657:204:[REDACTED] [REDACTED] the founding fathers were an "anti-government", and forged documents, and a nation, that are not reflective of our governing body today. I know that toastmasters, certificate issuers, licensed thieves, and otherwise colorful deceivers are among us, but we are not fooled by big words and bullshit. If you really mean it, say it in Latin lol`
Object Id S:_110051435001791:1661943673971953:92

Time 2020-06-09 04:44:45 UTC
Type Comments
Summary Last Croft replied to your comment on a post from June 7.
`@[10000518732789:2048:Pete Musico] I have no doubt very shortly @*[REDACTED] 100010547927636:2048:Adam Dean Fox] is working on the 2nd Continental, Michigan regiment. Constitutional defense being of the essence, wherever i am invited, I'll make haste :)`
Object Id S:_110051435001791:1661943673971953:91

Time 2020-06-09 04:39:33 UTC
Type Likes
Summary Last Croft liked this post from June. Content owned by [REDACTED] (100040939120156)
Object Id S:_110051435001791:124522089272291:35

Time 2020-06-09 04:36:23 UTC
Type Likes
Summary Last Croft liked this post from June. Content owned by [REDACTED] (100000567041644)
Object Id S:_110051435001791:124522089272291:33

Time 2020-06-09 03:08:38 UTC
Type Tagged by Others
Summary Pete Musico mentioned you in a comment. Content owned by Fox Ad (100010547927636)
Object Id S:_110051435001791:122765102781323:19

Time 2020-06-09 02:48:56 UTC
Type Tagged by Others

Photo ID 316266442732733

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 16:40:41 UTC
Body My brother!![REDACTED]

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 16:40:49 UTC
Body You doing good bro?

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-19 16:49:32 UTC
Body Fell last night, fucked up left leg, but still operational

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 16:50:59 UTC
Body How you fall bro?

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 16:51:12 UTC
Body I have a meeting tomorrow here at store between 4:15-4:30 will have reps from couple different groups here, are you gonna be near a landline?

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-19 16:51:53 UTC
Body Work, grease on catwalk

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 17:03:40 UTC
Body Ouch

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 17:03:56 UTC
Body Well hope you have a speedy recovery, we need you fam

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-19 18:00:53 UTC
Body I'm good

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 18:21:13 UTC
Body Ok, sooo bro I gotta tell you it not looking good as far as men

Author Fox Ad (Facebook: 100010547927636)
Sent 2020-06-19 18:21:37 UTC
Body I don't think we will have but maybe 50 out of this state that are willing step up

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-19 18:27:26 UTC
Body That's a great thing :)

Author Last Croft (Facebook: 100051435001791)
Sent 2020-06-19 18:27:55 UTC
Body Warriors are few

Author

Last Croft (Facebook: 100051435001791)

Sent 2020-06-19 18:27:59 UTC

Body :)

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-19 18:28:04 UTC

Body Well we will see, trying set that meeting up for tomorrow and only have one guy coming as of now from WW

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-19 18:28:27 UTC

Body Need you on a landline tomorrow about 4:30pm

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-19 18:28:30 UTC

Body Possible?

Author Last Croft (Facebook: 100051435001791)

Sent 2020-06-19 18:29:17 UTC

Body I leave for work in the early morning

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-19 18:29:49 UTC

Body Ok...maybe a secure chat? They use this wire app??

Author Last Croft (Facebook: 100051435001791)

Sent 2020-06-19 18:31:34 UTC

Body Possible, let me see about it. App and developer?

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:03 UTC

Body Aye had that meeting with few men today

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:03 UTC

Body So any word on possible shit going down in VA around 4th?

Author Last Croft (Facebook: 100051435001791)

Sent 2020-06-21 00:04:40 UTC

Body I hear Gettysburg is the Flashpoint

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:41 UTC

Body We gotta stay in the loop brother, getting people around here a little bit and we brainstorming ideas of action

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:52 UTC

Body My idea is a nightmare and a suicide mission and we have no where near the men

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:52 UTC

Body Oh yea?

Author Fox Ad (Facebook: 100010547927636)

Sent 2020-06-21 00:04:53 UTC

Body WhenM

Facebook Business Record

Page 803

Message

Barry FB wouldn't let you share my post about trying to disarm ppl

Time 2019-09-22 22:25:39 UTC

Message "People know I live trifling, I express it through writing, and if you can't feel that, I must express it by fighting"]][][%

Time 2019-09-22 23:20:00 UTC

Story BG Croft Jr. and Joe Melone are now friends.

Time 2019-09-23 01:04:39 UTC

Story BG Croft Jr. and Adam Dean Fox are now friends.

Time 2019-09-23 07:56:53 UTC

Message The FBI has the record for the most bodies in a mass shooting/burning #FACTS

Time 2019-09-23 07:59:54 UTC

Message The CIA is directly responsible for the deaths of millions, American and foreign #FACTS

Time 2019-09-23 08:09:35 UTC

Message I have an intolerance for evil, I'm truly sorry that you don't share my disdain]][][%

Time 2019-09-23 08:13:19 UTC

Message The best murderers America can muster, are more commonly known as "agent" #FACTS

Time 2019-09-23 08:19:46 UTC

Message We need a Service to the Constitution holiday, where we hang tyrants and burn their homes down!!!%

Time 2019-09-23 09:52:39 UTC

Message]][][% If you want it, you can get it for the rest of your life!!!%

Time 2019-09-23 10:20:22 UTC

Story BG Croft Jr. and [REDACTED] are now friends.

Time 2019-09-23 10:32:05 UTC

Message Hey LEO, acting in defiance of your state Constitution makes you null and void, hope you experience devastating losses!!!%

Time 2019-09-23 10:37:46 UTC

Message Most of the "blue line" is an unconstitutional standing army, I don't care if they go extinct]][][%

Time 2019-09-23 13:13:22 UTC

Story BG Croft Jr. and [REDACTED] are now friends.

Time 2019-09-23 13:13:28 UTC

Story BG Croft Jr. and [REDACTED] are now friends.

Time 2019-09-23 18:10:48 UTC

Story BG Croft Jr. was tagged.

Time 2019-09-23 22:10:21 UTC

Story BG Croft Jr. and [REDACTED] are now friends.

Time 2019-09-23 22:41:42 UTC

Message As an American, it's a matter of time before you are labeled "criminal", so why wait to

GOVERNMENT'S
EXHIBIT

496

1-20-CR-183-RJJ

Appx0140

Date: 2020-06-23 15:04:26, Tue

Internal Phone Number: +1 313-4[REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Got to get adam focused

Appx0141



Date: 2020-06-23 15:06:34, Tue

Internal Phone Number: +1 313-4 [REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Get him in a leadership chat

Appx0142



Date: 2020-08-18 20:33:41, Tue

Internal Phone Number: +1 313-[REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Might need to eventually start bugging people to find the locations for Sunday

Appx0143



Date: 2020-08-19 18:29:21, Wed

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 81042 [REDACTED]

Type of Message: OUTBOX

Body:

See if adam can make Saturday work

Appx0144



Date: 2020-08-25 14:29:15, Tue

Internal Phone Number: +1 313 [REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

If Adam is out of town this weekend, we should reschedule the north trip

DEFENDANT'S
EXHIBIT

1021

Appx0145

Date: 2020-08-27 15:32:33, Thu

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Try to get as many as possible to go with for Saturday

Appx0146



Date: 2020-08-27 15:33:20, Thu

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Also include a drive by of location 1 if possible

Appx0147



Date: 2020-08-27 21:47:22, Thu

Internal Phone Number: +1 313 [REDACTED]

From:

To: 81042 [REDACTED]

Type of Message: OUTBOX

Body:

Are we on Saturday or Sunday? And I default to getting as many other guys as possible, so whatever works to maximize attendance.

Appx0148



Date: 2020-08-28 11:11:37, Fri

Internal Phone Number: +1 313-[REDACTED]

From:

To: 8104-[REDACTED]

Type of Message: OUTBOX

Body:

I have a few goals for today

Appx0149

DEFENDANT'S
EXHIBIT

1025

Date: 2020-08-28 11:11:51, Fri

Internal Phone Number: +1 313-[REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Invite harris for tomorrow

Appx0150



Date: 2020-08-28 11:12:16, Fri

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

See if ty can swing by for recon

Appx0151



Date: 2020-08-28 11:12:42, Fri

Internal Phone Number: +1 313 [REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Discuss swinging by location 1 on the way back

Appx0152



Date: 2020-08-28 11:19:29, Fri

Internal Phone Number: +1 313 [REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Do you think caserta would be down for recon too?

Appx0153

DEFENDANT'S
EXHIBIT

1029

Date: 2020-08-30 23:06:19, Sun

Internal Phone Number: +1 313-[REDACTED]

From:

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Have him post his pictures

Appx0154



Date: 2020-09-03 15:44:08, Thu

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104-[REDACTED]

Type of Message: OUTBOX

Body:

Let's start talking details of the night op with Adam

Appx0155



Date: 2020-09-03 17:40:36, Thu

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104 [REDACTED]

Type of Message: OUTBOX

Body:

Is adam going to be telling people about the night recon ahead of time?

Appx0156

DEFENDANT'S
EXHIBIT

1032

Date: 2020-09-26 00:34:58, Sat

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 810-[REDACTED]

Type of Message: OUTBOX

Body:

We are good to start talking to Adam about the ruse for October 7

Appx0157



Date: 2020-09-29 21:34:52, Tue

Internal Phone Number: +1 313-[REDACTED]

From: [REDACTED]

To: 8104 [REDACTED]

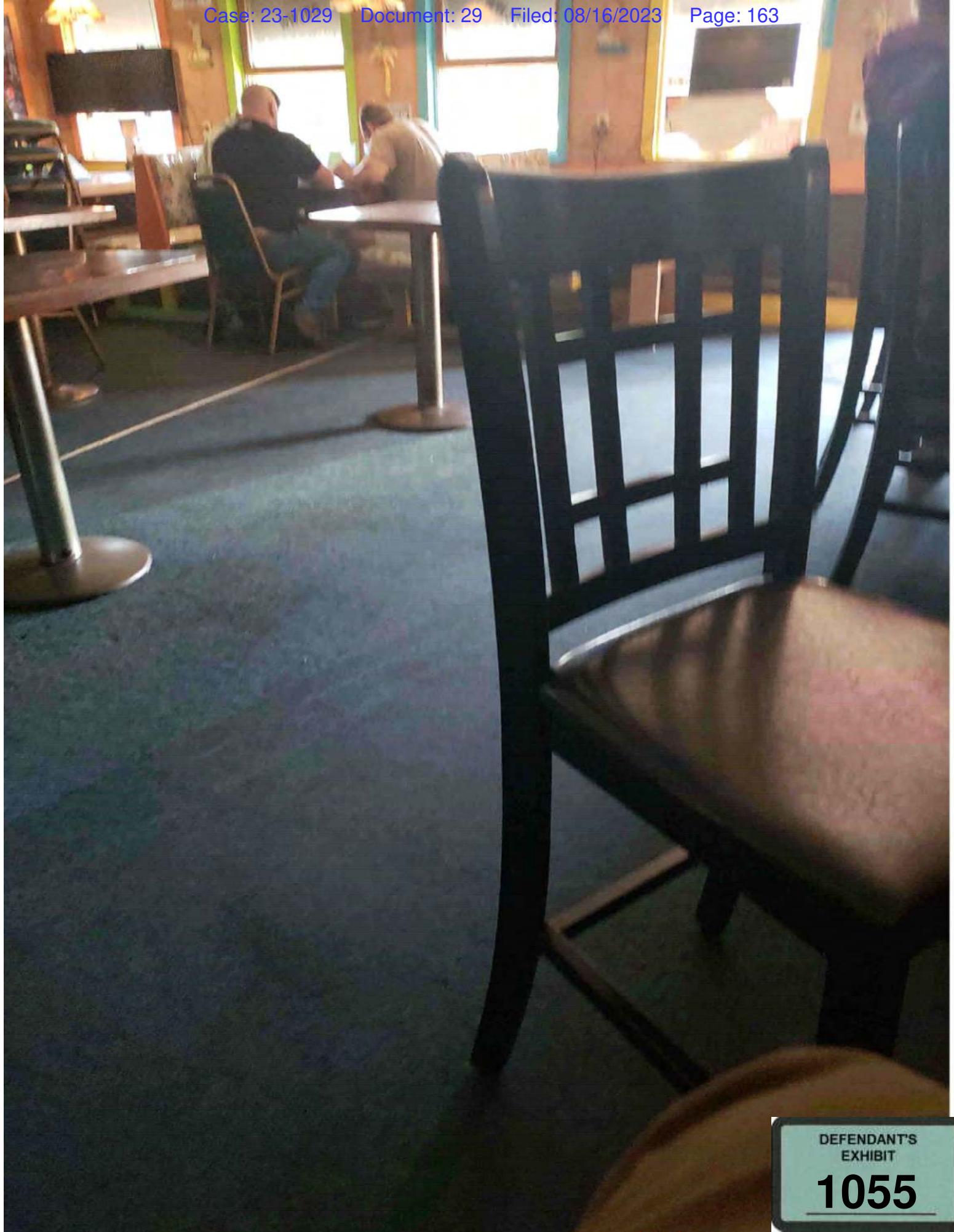
Type of Message: OUTBOX

Body:

Will help motivate guys to come in person

Appx0158



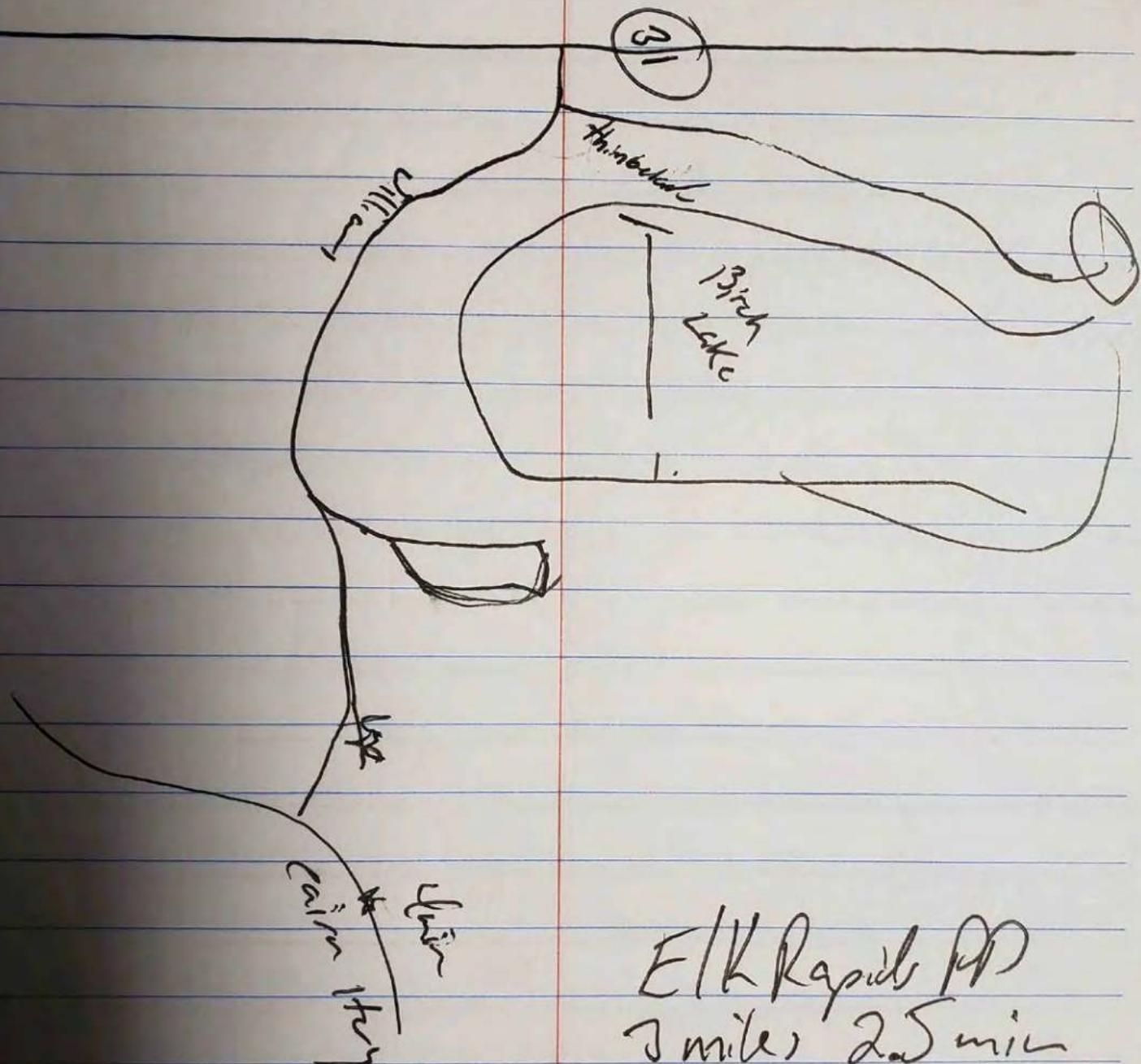


DEFENDANT'S
EXHIBIT

1055

Appx0159

00105395



Elk Rapids Rd
3 miles 2.5 min

Everything else 20'
miles out

DEFENDANT'S
EXHIBIT

1056

Appx0160

00105404

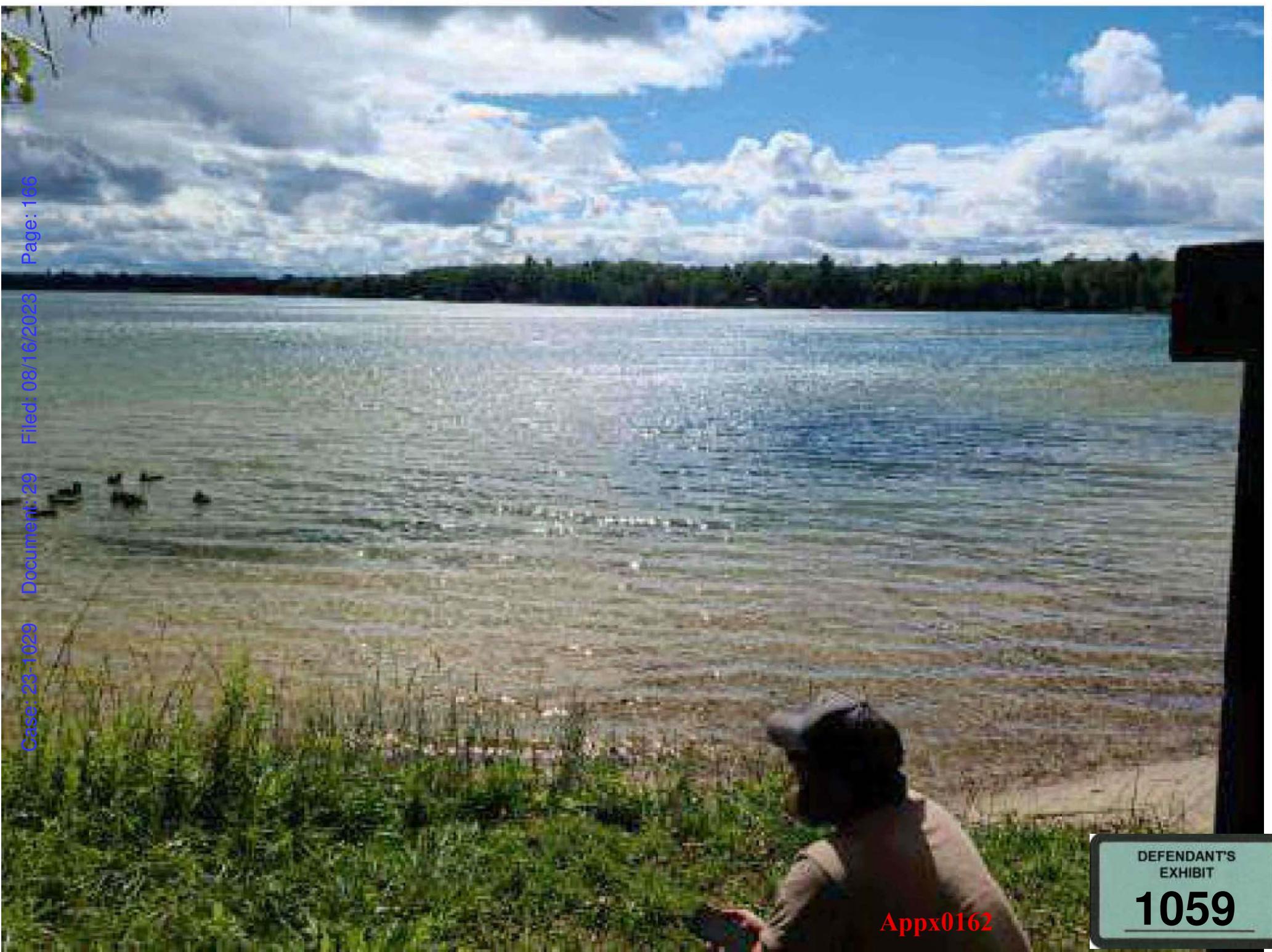


DEFENDANT'S
EXHIBIT

1058

Appx0161

00111656



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00111654

Appx0162

DEFENDANT'S
EXHIBIT

1059

From [REDACTED] 860 Shortie Long
To: [REDACTED]_\$!<Other>!\$_(owner)
To: +1302382 [REDACTED] Old Dweeb

I don't see any issues. I would try to keep the meeting to include Croft if at all possible.

Participant	Delivered	Read	Played
[REDACTED] _\$!<Other>!\$_		8/3/2020 1:00:38 AM(UTC+0)	
+1302382 [REDACTED] Old Dweeb			

Status: Read

8/3/2020 1:00:38 AM(UTC+0)

Info:

[REDACTED] iPhone/mobile/Library/SMS/sms.db : 0x164D81 (Table: message, handle, chat, Size: 7004160 bytes)

DEFENDANT'S
EXHIBIT

1098

Appx0163

From: +1410 [REDACTED] Shortie Long
To: [REDACTED] \$!<Other>!\$_ (owner)
To: Old Dweeb

Roger. Keep working to solve the differences within the group. Try to show them that they were brought together by Croft and he has good ideas, you just have to find common ground. Show them the good ideas Croft brought and say what is workable and what is not. A compromise may needed to be on both sides.

Participant	Delivered	Read	Played
[REDACTED]		8/10/2020 11:35:28 PM(UTC+0)	
+130238 [REDACTED] Old Dweeb			

Status: Read

8/10/2020 11:35:23 PM(UTC+0)

Source Info:

[REDACTED] iPhone/mobile/Library/SMS/sms.db : 0x18F7D5 (Table: message, handle, chat, Size: 7004160 bytes)

Appx0164

DEFENDANT'S
EXHIBIT

1099

Certificate of Authenticity of Domestic Records of Regularly Conducted Activity

I, Brianna Gotz, certify:

1. I am employed by Facebook, Inc. ("Facebook"), headquartered in Menlo Park, California. I am a duly authorized custodian of records for Facebook and was available to certify Facebook's domestic records of regularly conducted activity.
2. I have reviewed the records generated by Facebook in my capacity as custodian to the Stacks Twitter feed related to August 9, 2021. The records include search results for Biden-Schiffeller Subpoena IP Address Log, Forum, Transactional Information, Videos, Other Content and records for the account with identifier 674133405751303.
3. The records presented are an exact copy of the records that were made and kept by the authorized agents of Facebook in the course of regularly conducted activity as a regular practice of Facebook. The records were saved in electronic format after searching Facebook's automated systems in accordance with the above-referenced legal process. The records were made available to the Office of the Clerk on this date by the Facebook user.
4. I take personal responsibility for the foregoing affirmation is true and accurate to the best of my knowledge.

Brianna Gotz

(Date: August 15, 2023)

Brianna Gotz
Custodian of Records

facebook

DEFENDANT'S EXHIBIT

1174

Software Purchaser: the customer by whom purchased.
In Account: the account number
Customer service telephone number:
7-131-0028-1 (for non-cards with 100)
Phone numbers associated with your
card and provided by account holder

Wells Fargo

To: CustomerService.DIV-201094510042775574@

From: CustomerService.DIV-201094510042775574@

To: CustomerService.DIV-201094510042775574@

From: CustomerService.DIV-201094510042775574@

To: CustomerService.DIV-201094510042775574@

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To: CustomerService.DIV-201094510042775574@

From: CustomerService.DIV-201094510042775574@

To: CustomerService.DIV-201094510042775574@

To: CustomerService.DIV-201094510042775574@

To: Michael J. Ladd (laddm@fha.dhs.gov)

To: Michael J. Ladd (laddm@fha.dhs.gov)

From: Michael J. Ladd (laddm@fha.dhs.gov)

Id: 12345678901234567890

Date: 2023-08-16 11:11:11

Dear Michael J. Ladd (laddm@fha.dhs.gov),

Appx0167

CERTIFICATE OF COMPLIANCE

I hereby certify pursuant to 6 Cir. R. 30(b) that the appendix documents are part of the district court record. All such exhibits were admitted at trial.

Respectfully Submitted,

/s/ Timothy F. Sweeney

Timothy F. Sweeney (0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY
820 West Superior Ave., Suite 430
Cleveland, Ohio 44113
Phone: (216) 241-5003
Email: tim@timsweeneylaw.com

Counsel for Appellant Barry Croft, Jr.

CERTIFICATE OF SERVICE

This is to certify that on August 16, 2023, the APPENDIX FILED BY APPELLANT BARRY CROFT, JR. was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Timothy F. Sweeney

Timothy F. Sweeney (OH 0040027)
LAW OFFICE OF TIMOTHY F. SWEENEY