











Selected docket entries for case 17-30486

Generated: 09/03/2017 21:56:36

Filed	Document Description	Page	Docket Text
06/09/2017	 Notice of Appeal	3	DIRECT CRIMINAL CASE docketed. NOA filed by Appellants Mr. Michael A. Lord and Mr. Randall B. Lord [17-30486] (LEF)
06/15/2017	 DKT-8 Letter	5	INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [8521686-2] Initial AA Check Due satisfied.. Awaiting DC Action due on 06/30/2017. (Awaiting J & C to be entered in DC) [17-30486] (CB)
06/15/2017	 ECF Attorney Appearance Filed	7	APPEARANCE FORM for the court's review. Lead Counsel? Yes. [17-30486] (Carol Mignonne Griffing)
06/16/2017			APPEARANCE FORM FILED by Attorney(s) Carol Mignonne Griffing for party(s) Appellee USA, in case 17-30486 [17-30486] (RLL)
07/31/2017	 DKT-8 Letter	8	JUDGMENT AND COMMITMENT ORDER entered in the District Court. Awaiting District Court Action deadline satisfied. Fee due on 08/15/2017 for Appellants Michael A. Lord and Randall B. Lord. Transcript order due on 08/15/2017 for Appellants Michael A. Lord and Randall B. Lord [17-30486] (CB)
07/31/2017	 DKT-2 Letter	10	UPDATED CASE PROCESSING NOTICE sent. Transcript order form and fee are due. [17-30486] (CB)
08/08/2017	 Notice to Appointed Counsel	13	CJA APPOINTMENT for Attorney Mr. Paul J. Carmouche for Mr. Michael A. Lord and Mr. Randall B. Lord. Counsel must use the eVoucher system to file the voucher at disposition of the case. Please see the attached document for further guidance. ORIGINATING COURT DISTRICT: WLA ORIGINATING CASE NUMBER: 5:15-CR-240 DEFENDANT NUMBER: 1 DATE OF APPOINTMENT: 08/03/2017 [17-30486] (SEP)
08/08/2017	 Notice to Appointed Counsel	15	CJA APPOINTMENT for Attorney Mr. Paul J. Carmouche for Mr. Michael A. Lord and Mr. Randall B. Lord. Counsel must use the eVoucher system to file the voucher at disposition of the case. Please see the attached document for further guidance. ORIGINATING COURT DISTRICT: WLA ORIGINATING CASE NUMBER: 5:15-CR-240 DEFENDANT NUMBER: 2 DATE OF APPOINTMENT: 08/03/2017 [17-30486] (SEP)

08/21/2017	 DIS-3 Order	17	SHOW CAUSE ORDER issued to Mr. Paul J. Carmouche for Mr. Michael A. Lord and Mr. Randall B. Lord for failure to order transcript and make financial arrangements with court reporter. [8571970-2] Transcript Order deadline updated to 09/05/2017 for Appellants Michael A. Lord and Randall B. Lord. [17-30486] (SEP)
08/21/2017	 ECF Transcript Order Form	19	ATTORNEY TRANSCRIPT ORDER form filed by Appellants Mr. Michael A. Lord and Mr. Randall B. Lord for the Court to process. Date of service: 08/21/2017 via email – Attorney for Appellant: Carmouche; Attorney for Appellees: Griffing, Jernigan. [17-30486] (Paul J. Carmouche)
08/21/2017			TRANSCRIPT ORDER received from Appellants Mr. Michael A. Lord and Mr. Randall B. Lord. DETAILS: Transcript Order: Court Reporter: Marie Moran Runyon, Proceeding Type and Date: Plea Hearing 04/19/2016 , Sentencing 05/23/2017 – 05/24/2017. Transcript Order ddl satisfied. Ct. Reporter Acknowledgment due on 09/05/2017 for Marie Runyon, Court Reporter. Electronic Filing Processed: [8572574-2] [17-30486] (SEP)
08/24/2017	 COURT REPORTER Transcript Order ACKNOWLEDGEMENT	20	COURT REPORTER ACKNOWLEDGEMENT received from Court Reporter Ms. Marie Moran Runyon. [17-30486] (Marie Moran Runyon)
08/24/2017			ACKNOWLEDGEMENT Transcript Order: Court Reporter: Marie Moran Runyon, Est. Completion Dt: 09/25/2017, Est. No.of Pgs: 290, Dt. Fin Arrangements Made: 08/24/2017, Dt. Trans. to be Filed: 09/25/2017, Proceeding Type and Date: Plea Hearing 04/19/2016 , Sentencing 05/23/2017 – 05/24/2017. Ct. Reporter Acknowledgment ddl satisfied. Transcript due on 08/24/2017 for Marie Moran Runyon, Court Reporter. Court Reporter Discount Date is 08/24/2017 for Marie Moran Runyon, Court Reporter [17-30486] (CB)

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIM. NO. 5:15-cr-00240-01-02

18 U.S.C §§ 1960, 1956(a)(3)(B)-(C)

18 U.S.C. §§ 1343, 2

31 U.S.C. §§ 5313, 5322

21 U.S.C. §§ 846

18 U.S.C. 982

VERSUS

**MICHAEL A. LORD
RANDALL B. LORD**

**JUDGE S. MAURICE HICKS, JR.
MAGISTRATE JUDGE HORNSBY**

NOTICE OF APPEAL

Notice is hereby given that Michael A. Lord and Randall B. Lord, defendants in the above-captioned matter, hereby appeal to the United States of Appeals for the Fifth Circuit from the final judgment of conviction and sentence entered in this matter on May 24, 2017 and any adverse pretrial ruling.

Respectfully submitted,
STROUD, CARMOUCHE & BUCKLE, PLLC

By: s/Paul J. Carmouche
Paul J. Carmouche, Bar No. 02205
7330 Fern Avenue, Suite 903
Shreveport, Louisiana 71105
Telephone (318) 629-0014
Telecopier (318) 404-1571

ATTORNEYS FOR DEFENDANTS,

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was this date filed electronically with the clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's CM/ECF system.

Signed in Shreveport, Louisiana on this 7th day of June, 2017.

/s/ Paul J. Carmouche
OF COUNSEL

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

June 15, 2017

Mr. Paul J. Carmouche
Stroud, Carmouche & Buckle, P.L.L.C.
7330 Fern Avenue
Suite 903
Shreveport, LA 71105

No. 17-30486 USA v. Michael Lord, et al
USDC No. 5:15-CR-240-1
USDC No. 5:15-CR-240-2

Dear Mr. Carmouche,

We have docketed your appeal.

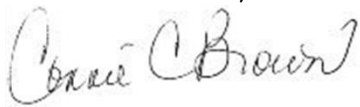
The district court advises the judgment and commitment order has not been entered. Accordingly, no deadlines will be set at this time. Upon notification that the judgment and commitment order is filed we will advise as to when your transcript order, etc. will be due in this court.

Attention Attorneys: Attorneys are required to be a member of the Fifth Circuit Bar and to register for Electronic Case Filing. The "Application and Oath for Admission" form can be printed or downloaded from the Fifth Circuit's website, www.ca5.uscourts.gov. Information on Electronic Case Filing is available at www.ca5.uscourts.gov/cmecf/.

We recommend that you visit the Fifth Circuit's website, www.ca5.uscourts.gov and review material that will assist you during the appeal process. We especially call to your attention the Practitioner's Guide and the 5th Circuit Appeal Flow Chart, located in the Forms, Fees, and Guides tab.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script, appearing to read "Connie Brown", is written over a light gray rectangular background.

By: _____
Connie Brown, Deputy Clerk
504-310-7671

cc:

Ms. Cytheria Dawn Jernigan
Mr. Tony R. Moore

NOTICE OF FORM FOR APPEARANCE (See Fifth Cir. Rule 12)

*Only attorneys admitted to the Bar of this Court may practice before the Court. **Each attorney representing a party must complete a separate form. (COMPLETE ENTIRE FORM).***

Fifth Cir. Case NO. _____

vs. _____

(Short Title)

The Clerk will enter my appearance as Counsel for _____

(Please list names of all parties represented, attach additional pages if necessary.)

The party(s) I represent IN THIS COURT

☐

Petitioner(s)

☐

Respondent(s)

☐

Amicus Curiae

☐

Appellant(s)

☐

Appellee(s)

☐

Intervenor

☐

I certify that the contact information below is current and identical to that listed in my Appellate Filer Account with PACER.

(Signature)

(e-mail address)

(Type or print name)

(State/Bar No.)

(Title, if any)

Male

Female

(Firm or Organization)

Address

City & State

Zip

Primary Tel. _____ Cell Phone: _____

NOTE: When more than one attorney represents a single party or group of parties, counsel should designate a lead counsel. In the event the court determines oral argument is necessary, lead counsel **only** will receive via e-mail a copy of the court's docket and acknowledgment form. Other counsel must monitor the court's website for the posting of oral argument calendars.

Name of Lead Counsel: _____

A. Name of any Circuit Judge of the Fifth Circuit who participated in this case in the district or bankruptcy court.

B. Inquiry of Counsel. To your knowledge:

(1) Is there any case now pending in this court, which involves the same, substantially the same, similar or related issue(s)?

☐

Yes

☐

No

(2) Is there any such case now pending in a District Court (i) within this Circuit, or (ii) in a Federal Administrative Agency which would likely be appealed to the Fifth Circuit?

☐

Yes

☐

No

(3) Is there any case such as (1) or (2) in which judgment or order has been entered and the case is on its way to this Court by appeal, petition to enforce, review, deny?

☐

Yes

☐

No

(4) Does this case qualify for calendaring priority under 5th Cir. R. 47.7? If so, cite the type of case _____

If answer to (1), or (2), or (3), is yes, please give detailed information. Number and Style of Related Case:

Name of Court or Agency

Status of Appeal (if any)

Other Status (if not appealed)

NOTE: Attach sheet to give further details.

DKT-5A REVISED February 2017

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

July 31, 2017

Mr. Paul J. Carmouche
Stroud, Carmouche & Buckle, P.L.L.C.
7330 Fern Avenue
Suite 903
Shreveport, LA 71105

No. 17-30486 USA v. Michael Lord, et al
USDC No. 5:15-CR-240-1
USDC No. 5:15-CR-240-2

Dear Mr. Carmouche,

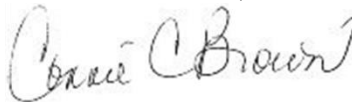
The district court advises the judgment and commitment order was entered on July 7, 2017. Your appeal can now continue in this court. Please comply with the enclosed instructions within 15 days.

Attention Attorneys: Attorneys are required to be a member of the Fifth Circuit Bar and to register for Electronic Case Filing. The "Application and Oath for Admission" form can be printed or downloaded from the Fifth Circuit's website, www.ca5.uscourts.gov. Information on Electronic Case Filing is available at www.ca5.uscourts.gov/cmecf/.

We recommend that you visit the Fifth Circuit's website, www.ca5.uscourts.gov and review material that will assist you during the appeal process. We especially call to your attention the Practitioner's Guide and the 5th Circuit Appeal Flow Chart, located in the Forms, Fees, and Guides tab.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script, appearing to read "Connie Brown", is written over a light gray rectangular background.

By: _____
Connie Brown, Deputy Clerk
504-310-7671

cc:

Ms. Carol Mignonne Griffing
Ms. Cytheria Dawn Jernigan
Mr. Tony R. Moore

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

July 31, 2017

Mr. Paul J. Carmouche
Stroud, Carmouche & Buckle, P.L.L.C.
7330 Fern Avenue
Suite 903
Shreveport, LA 71105

No. 17-30486 USA v. Michael Lord, et al
USDC No. 5:15-CR-240-1
USDC No. 5:15-CR-240-2

Dear Mr. Carmouche,

We have docketed the appeal and ask you to use the case number above in future inquiries.

Filings in this court are governed strictly by the Federal Rules of **Appellate** Procedure. We cannot accept motions submitted under the Federal Rules of **Civil** Procedure. We can address only those documents the court directs you to file, or proper motions filed in support of the appeal. See FED R. APP. P. and 5TH CIR. R. 27 for guidance. Documents not authorized by these rules will not be acknowledged or acted upon.

You must first complete a transcript order form that can be found on our website www.ca5.uscourts.gov. You are required to electronically file the form through the 5th Circuit electronic filing system, even if you have already done so with the district court. (Pro Se litigants must mail in a completed copy, unless otherwise advised.) When completed, this meets your obligation to order the necessary portion(s) of the court reporter's transcript, see FED R. APP. P. 10(b). Second, you must make financial arrangements with the court reporter to pay for the transcript. If you are pro se and unable to afford payment, you must file a motion with the district court requesting a transcript at government expense, and notify this court of the filing. We will then coordinate with the court reporter for a time to file the transcript. The court reporter should contact you directly if an extension of time is granted to file the transcript. If you do not order or make arrangements to pay for the transcript within 15 days, we will dismiss your appeal without further notice, unless the case is a criminal appeal and you are proceeding In Forma Pauperis, see 5TH CIR. R. 42.3.

We will provide you information about the briefing schedule of this appeal at a later date. If a transcript is unnecessary, please complete the section on the transcript order form to indicate such and we will start the briefing schedule. 5TH CIR. R. 31.4 and the Internal Operating Procedures following rules 27 and 31 state that except in the most extraordinary circumstances, the maximum extension for filing briefs is 30 days in criminal cases and 40 days in civil cases.

All counsel who desire to appear in this case must electronically file a "Form for Appearance of Counsel" naming all parties represented within 14 days from this date, see FED R. App. P. 12(b) and 5TH CIR. R. 12. This form is available on our website www.ca5.uscourts.gov. Failure to electronically file this form will result in removing your name from our docket. Pro se parties are not required to file appearance forms.

Attention Attorneys: Attorneys are required to be a member of the Fifth Circuit Bar and to register for Electronic Case Filing. The "Application and Oath for Admission" form can be printed or downloaded from the Fifth Circuit's website, www.ca5.uscourts.gov. Information on Electronic Case Filing is available at www.ca5.uscourts.gov/cmecf/.

Attention Attorneys: Direct access to the electronic record on appeal (EROA) for pending appeals will be enabled by the U S District Court on a per case basis. Counsel can expect to receive notice once access to the EROA is available. Counsel must be approved for electronic filing and must be listed in the case as attorney of record before access will be authorized. Instructions for accessing and downloading the EROA can be found on our website at www.ca5.uscourts.gov/attorneys/attorney-forms/eroa_downloads. Additionally, a link to the instructions will be included in the notice you receive from the district court.

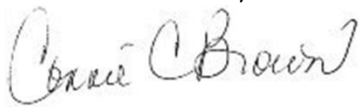
Sealed documents, except for the presentence investigation report in criminal appeals, will not be included in the EROA. Access to sealed documents will continue to be provided by the district court only upon the filing and granting of a motion to view same in this court.

We recommend that you visit the Fifth Circuit's website, www.ca5.uscourts.gov and review material that will assist you during the appeal process. We especially call to your attention the Practitioner's Guide and the 5th Circuit Appeal Flow Chart, located in the Forms, Fees, and Guides tab.

You must pay to the **district court clerk** the \$505.00 court of appeals filing and docketing fee and notify this office of your payment within 15 days from the date of this letter. Failure to pay the fee within 15 days will result in the dismissal of your appeal, see 5TH CIR. R. 42.3.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script that reads "Connie Brown". The signature is written in dark ink on a light background.

By: _____
Connie Brown, Deputy Clerk
504-310-7671

cc:

Ms. Carol Mignonne Griffing
Ms. Cytheria Dawn Jernigan

NOTICE TO APPOINTED COUNSEL

****PLEASE READ CAREFULLY****

The federal judiciary's electronic vouchering (eVoucher) system was implemented in the Fifth Circuit Court of Appeals on December 7, 2015. **Paper vouchers for work in appeals are no longer accepted.**

EVOUCHER

The eVoucher system has been designed to electronically replicate the paper vouchering process. It is a web-based application that allows attorneys to make contemporaneous time and expense entries as the work progresses. At the end of the representation, the individual entries are cumulated into a virtual voucher which the attorney submits to the court electronically. Scanned copies of supporting material, such as receipts for expense items, may be attached to the voucher file. The system prevents mathematical errors, substantially simplifies the process of voucher preparation, facilitates notification to counsel regarding voucher status, and streamlines the process of voucher approval and payment.

BILLING AND VOUCHER SUBMISSION

Please refer to the Fifth Circuit's CJA Home Page (<http://www.lb5.uscourts.gov/cja2/>) for detailed instructions about how to bill time and expenses and for information on applicable hourly rates and maximum compensation limits. The rules governing the billing of time and expenses compensable under the Criminal Justice Act have not changed with the implementation of eVoucher.

If a voucher requests an amount in excess of the applicable presumptive limit, a **CJA 27 form or memorandum** that provides an explanation will be required and should be submitted as an attachment to the electronic voucher.

In non-capital cases, vouchers should not be submitted until **the end of the case in the court of appeals, including any requests for rehearing.**

In capital cases, attorneys may submit vouchers requesting interim payment of fees and expenses after the completion of significant milestones in the case, for instance, completion of briefing or completion of oral argument. Interim vouchers must be designated as such.

A voucher requesting payment for any work on a petition for certiorari **must be accompanied by a copy of the petition.** If a final voucher has already been submitted for work on the appeal itself, the voucher for the petition for certiorari should be designated "supplemental."

FAQ AND OTHER INFORMATION

A list of frequently asked questions, and a copy of the Fifth Circuit's *Plan Under the Criminal Justice Act for Representation on Appeal*, is available on the CJA Home Page (<http://www.lb5.uscourts.gov/cja2/>).

If you need assistance with CJA vouchers please email cja_request@ca5.uscourts.gov or call 504-310-7765.

Additional information on Criminal Justice Act Guidelines may be found at:

<http://www.uscourts.gov/FederalCourts/AppointmentOfCounsel/CJAGuidelinesForms/GuideToJudiciaryPolicyVolume7.aspx>

ALL PAYMENTS MADE PURSUANT TO THE CRIMINAL JUSTICE ACT ARE SUBJECT TO POST-AUDIT

Unless time entries are made in eVoucher contemporaneously with the work performed, counsel must maintain other contemporaneous time and expense records for three years after approval of the final voucher. Any overpayments are subject to collection, including through deductions from future voucher payments.

NOTICE TO COURT-APPOINTED COUNSEL OF PUBLIC DISCLOSURE OF ATTORNEY FEE INFORMATION

The Criminal Justice Act (CJA), 18 U.S.C. § 3006A, was amended in 1998 to require that the amounts paid to court-appointed attorneys be made publicly available upon the court's approval of the payments. Although the amended paragraph of the statute, § 3006A(d)(4), expired after two years and thus only applies to cases commenced between January 25, 1998, and January 24, 2000, the corresponding guideline (paragraph 5.01 of the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, Volume VII, *Guide to Judiciary Policies and Procedures*) continues as a matter of Judicial Conference policy. The court may disclose an unredacted copy of a payment voucher submitted by defense counsel, or a redacted copy of a voucher indicating only the amounts approved for payment according to categories of services listed in the statute. The extent of disclosure depends on whether the case is pending and on whether the court determines that certain interests (listed below in part B.1) require the redaction of detailed information on the voucher. Upon court approval of a voucher claim, payment information will be made available as follows:

A. BEFORE OR DURING THE TRIAL: After redacting any detailed information provided to justify the expenses, the court shall make available to the public only the amounts approved for payment. Upon the completion of trial, unredacted copies of the vouchers may be released, depending on whether an appeal is being pursued and whether the court determines that one or more of the interests listed in part B.1 require the redaction of information.

B. AFTER THE TRIAL IS COMPLETED: The court shall make available to the public either redacted or unredacted vouchers as follows:

1. If trial court proceedings have been completed and appellate review is not being pursued or has concluded at the time payment is approved: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed below justify limiting disclosure to the amounts approved for payment in the manner described in part A. The interests that may require limiting disclosure include:

- (1) the protection of any person's 5th Amendment right against self-incrimination;
- (2) the protection of the defendant's 6th Amendment right to effective assistance of counsel;
- (3) the defendant's attorney-client privilege;
- (4) the work product privilege of the defendant's counsel;
- (5) the safety of any person; and
- (6) any other interest that justice may require (with the exception that for death penalty cases where the underlying alleged criminal conduct took place on or after April 19, 1995, the amount of the fees shall not be considered a reason justifying any limited disclosure).

2. If appellate review is being pursued at the time payment is approved: The court shall make available to the public only the amounts approved for payment in the manner described in part A unless it finds that none of the interests listed above in part B.1 will be compromised.

C. AFTER THE APPEAL IS COMPLETED: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed in B.1 justify limiting disclosure to the amounts approved for payment in the manner described in part A.

If counsel believes that any of the interests listed above in part B.1 justify limiting disclosure to the amounts approved for payment, counsel should submit to the court a written request, identifying the interests at risk and the arguments in support of providing protection, **AT OR BEFORE THE TIME A CLAIM FOR PAYMENT IS MADE**. Failure to do so could result in the public availability of unredacted copies of your vouchers without further notice.

This constitutes notice under CJA Guideline 5.01. You may NOT receive additional notice before any payment information is made available to the public.

NOTICE TO APPOINTED COUNSEL

****PLEASE READ CAREFULLY****

The federal judiciary's electronic vouchering (eVoucher) system was implemented in the Fifth Circuit Court of Appeals on December 7, 2015. **Paper vouchers for work in appeals are no longer accepted.**

EVOUCHER

The eVoucher system has been designed to electronically replicate the paper vouchering process. It is a web-based application that allows attorneys to make contemporaneous time and expense entries as the work progresses. At the end of the representation, the individual entries are cumulated into a virtual voucher which the attorney submits to the court electronically. Scanned copies of supporting material, such as receipts for expense items, may be attached to the voucher file. The system prevents mathematical errors, substantially simplifies the process of voucher preparation, facilitates notification to counsel regarding voucher status, and streamlines the process of voucher approval and payment.

BILLING AND VOUCHER SUBMISSION

Please refer to the Fifth Circuit's CJA Home Page (<http://www.lb5.uscourts.gov/cja2/>) for detailed instructions about how to bill time and expenses and for information on applicable hourly rates and maximum compensation limits. The rules governing the billing of time and expenses compensable under the Criminal Justice Act have not changed with the implementation of eVoucher.

If a voucher requests an amount in excess of the applicable presumptive limit, a **CJA 27 form or memorandum** that provides an explanation will be required and should be submitted as an attachment to the electronic voucher.

In non-capital cases, vouchers should not be submitted until **the end of the case in the court of appeals, including any requests for rehearing.**

In capital cases, attorneys may submit vouchers requesting interim payment of fees and expenses after the completion of significant milestones in the case, for instance, completion of briefing or completion of oral argument. Interim vouchers must be designated as such.

A voucher requesting payment for any work on a petition for certiorari **must be accompanied by a copy of the petition.** If a final voucher has already been submitted for work on the appeal itself, the voucher for the petition for certiorari should be designated "supplemental."

FAQ AND OTHER INFORMATION

A list of frequently asked questions, and a copy of the Fifth Circuit's *Plan Under the Criminal Justice Act for Representation on Appeal*, is available on the CJA Home Page (<http://www.lb5.uscourts.gov/cja2/>).

If you need assistance with CJA vouchers please email cja_request@ca5.uscourts.gov or call 504-310-7765.

Additional information on Criminal Justice Act Guidelines may be found at:

<http://www.uscourts.gov/FederalCourts/AppointmentOfCounsel/CJAGuidelinesForms/GuideToJudiciaryPolicyVolume7.aspx>

ALL PAYMENTS MADE PURSUANT TO THE CRIMINAL JUSTICE ACT ARE SUBJECT TO POST-AUDIT

Unless time entries are made in eVoucher contemporaneously with the work performed, counsel must maintain other contemporaneous time and expense records for three years after approval of the final voucher. Any overpayments are subject to collection, including through deductions from future voucher payments.

NOTICE TO COURT-APPOINTED COUNSEL OF PUBLIC DISCLOSURE OF ATTORNEY FEE INFORMATION

The Criminal Justice Act (CJA), 18 U.S.C. § 3006A, was amended in 1998 to require that the amounts paid to court-appointed attorneys be made publicly available upon the court's approval of the payments. Although the amended paragraph of the statute, § 3006A(d)(4), expired after two years and thus only applies to cases commenced between January 25, 1998, and January 24, 2000, the corresponding guideline (paragraph 5.01 of the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, Volume VII, *Guide to Judiciary Policies and Procedures*) continues as a matter of Judicial Conference policy. The court may disclose an unredacted copy of a payment voucher submitted by defense counsel, or a redacted copy of a voucher indicating only the amounts approved for payment according to categories of services listed in the statute. The extent of disclosure depends on whether the case is pending and on whether the court determines that certain interests (listed below in part B.1) require the redaction of detailed information on the voucher. Upon court approval of a voucher claim, payment information will be made available as follows:

A. BEFORE OR DURING THE TRIAL: After redacting any detailed information provided to justify the expenses, the court shall make available to the public only the amounts approved for payment. Upon the completion of trial, unredacted copies of the vouchers may be released, depending on whether an appeal is being pursued and whether the court determines that one or more of the interests listed in part B.1 require the redaction of information.

B. AFTER THE TRIAL IS COMPLETED: The court shall make available to the public either redacted or unredacted vouchers as follows:

1. If trial court proceedings have been completed and appellate review is not being pursued or has concluded at the time payment is approved: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed below justify limiting disclosure to the amounts approved for payment in the manner described in part A. The interests that may require limiting disclosure include:

- (1) the protection of any person's 5th Amendment right against self-incrimination;
- (2) the protection of the defendant's 6th Amendment right to effective assistance of counsel;
- (3) the defendant's attorney-client privilege;
- (4) the work product privilege of the defendant's counsel;
- (5) the safety of any person; and
- (6) any other interest that justice may require (with the exception that for death penalty cases where the underlying alleged criminal conduct took place on or after April 19, 1995, the amount of the fees shall not be considered a reason justifying any limited disclosure).

2. If appellate review is being pursued at the time payment is approved: The court shall make available to the public only the amounts approved for payment in the manner described in part A unless it finds that none of the interests listed above in part B.1 will be compromised.

C. AFTER THE APPEAL IS COMPLETED: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed in B.1 justify limiting disclosure to the amounts approved for payment in the manner described in part A.

If counsel believes that any of the interests listed above in part B.1 justify limiting disclosure to the amounts approved for payment, counsel should submit to the court a written request, identifying the interests at risk and the arguments in support of providing protection, **AT OR BEFORE THE TIME A CLAIM FOR PAYMENT IS MADE**. Failure to do so could result in the public availability of unredacted copies of your vouchers without further notice.

This constitutes notice under CJA Guideline 5.01. You may NOT receive additional notice before any payment information is made available to the public.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-30486

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

MICHAEL A. LORD; RANDALL B. LORD,

Defendants - Appellants

Appeal from the United States District Court for the
Western District of Louisiana, Shreveport

To: Mr. Paul J. Carmouche,

NOTICE AND ORDER TO SHOW CAUSE

Under 5TH CIR. R. 42.3.1.1, this case may be dismissed 15 days from the date of this order for your failure to order the transcript as required by FED R. APP. P. 10(b)(1) and make financial arrangements with the court reporter under FED R. APP. P. 10(b)(4). You are also directed to show cause in writing within 15 days why we should not impose disciplinary action against you for failing to fulfill your responsibility to order the transcript and make financial arrangements with the court reporter on time. If you remedy the default, the appeal will **not** be dismissed but the clerk **may** refer the matter to the court for disciplinary action. However, if "...the default is not remedied ... the clerk **may** enter an order dismissing the appeal for want of prosecution The clerk **shall** refer to the court the matter of disciplinary action against the attorney." (emphasis added)

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit



Shea E. Pertuit

By: _____
Shea E. Pertuit, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

cc:

Ms. Carol Mignonne Griffing
Ms. Cytheria Dawn Jernigan

READ INSTRUCTIONS ON LAST PAGE BEFORE COMPLETING**TRANSCRIPT ORDER FORM**

District Court: W.D.LA, Shreveport District Court Docket No. 5:15-cr-00240
 Short Case Title: USA v. Lord Court Reporter: Marie Rump

ONLY ONE COURT REPORTER PER FORM

Date Notice of Appeal Filed by Clerk of District Court: 10/9/17 Court of Appeals No.: 17-30486

PART I. (To be completed by party ordering transcript. Do not complete this form unless financial arrangements have been made.)

A. Complete the Following:

☐ No Hearings ☐ Transcript is unnecessary for appeal purposes ☐ Transcript is already on file in the Clerk's Office
 or

Check All of the Following that Apply, Enter the date of the proceeding in the blank line.

This is to Order a Transcript of the following proceedings: ☐ Bail Hearing: _____ ☐ Voir Dire: _____

☐ Opening Statement of Plaintiff: _____ ☐ Opening Statement of Defendant: _____

☐ Closing Argument of Plaintiff: _____ ☐ Closing Argument of Defendant: _____

☐ Opinion of court: _____ ☐ Jury Instructions: _____ ☒ Sentencing: may 23-24, 2017

Hearing Date(s)	Proceeding	Judge/Magistrate
<u>4/19/2016</u>	<u>Plea Hearing</u>	<u>S. Maurice Hicks, Jr.</u>

Failure to specify in adequate detail those proceedings to be transcribed, or failure to make prompt satisfactory financial arrangements for transcript, are grounds for DISMISSAL OF APPEAL.

B. This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the transcript. The method of payment will be:

☐ Private Funds; ☒ Criminal Justice Act Funds (**Enter Authorization-24 to USDC eVoucher**);
☐ Other IFP Funds; ☐ Advance Payment waived by reporter; ☐ U.S. Government Funds

☐ Other _____

Signature: Paul Carmarone Date Transcript Ordered: 8/21/17

Print Name: Paul J. Carmarone Phone: (318) 629-0014

Counsel for: Randall Lord & Michael Lord

Address: 1330 Fern Ave, Suite 903, Shreveport, LA 71105

PART II. COURT REPORTER ACKNOWLEDGEMENT (To be completed by the Court Reporter and filed with the Court of Appeals within 7 days after receipt. Read instructions on page 2 before completing.)

Date Transcript Order Received	If arrangements not yet made, date contact made w/ ordering party	Estimated Completion Date	Estimated number of Pages

☐ Satisfactory Arrangements for payment were made on _____

☐ Payment Arrangements have NOT been made. Reason: ☐ Deposit not received ☐ Unable to contact ordering party

☐ Other (Specify) _____

Date: _____ Signature of Reporter: _____ Tel. _____

Address of Reporter: _____

Part III. NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT (To be completed by court reporter on date of filing transcript in the District Court and this completed form e-filed with the Court of Appeals.)

This is to certify that the transcript has been completed and filed at the District Court today.

Actual Number of Pages: _____ Actual Number of Volumes: _____

Date: _____ Signature of Reporter: _____

**READ INSTRUCTIONS ON LAST PAGE BEFORE COMPLETING
TRANSCRIPT ORDER FORM**

District Court: W.D. LA, Shreveport District Court Docket No. 5:15-cr-00240
 Short Case Title: USA v. Lord Court Reporter: Marie Ruyon
ONLY ONE COURT REPORTER PER FORM
 Date Notice of Appeal Filed by Clerk of District Court: 6/9/17 Court of Appeals No.: 17-30486

PART I. (To be completed by party ordering transcript. Do not complete this form unless financial arrangements have been made.)

A. Complete the Following:

☐ No Hearings ☐ Transcript is unnecessary for appeal purposes ☐ Transcript is already on file in the Clerk's Office
 or

Check All of the Following that Apply, Enter the date of the proceeding in the blank line.

This is to Order a Transcript of the following proceedings: ☐ Bail Hearing: _____ ☐ Voir Dire: _____

☐ Opening Statement of Plaintiff: _____ ☐ Opening Statement of Defendant: _____

☐ Closing Argument of Plaintiff: _____ ☐ Closing Argument of Defendant: _____

☐ Opinion of court: _____ ☐ Jury Instructions: _____ ☒ Sentencing: may 23-24, 2017

Hearing Date(s)	Proceeding	Judge/Magistrate
<u>4/19/2016</u>	<u>Plea Hearing</u>	<u>S. Maurice Hicks, Jr.</u>

Failure to specify in adequate detail those proceedings to be transcribed, or failure to make prompt satisfactory financial arrangements for transcript, are grounds for DISMISSAL OF APPEAL.

B. This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the transcript. The method of payment will be:

☐ Private Funds; ☒ Criminal Justice Act Funds (Enter Authorization-24 to USDC eVoucher);
☐ Other IFP Funds; ☐ Advance Payment waived by reporter; ☐ U.S. Government Funds

☐ Other _____

Signature: Paul Carmarhe Date Transcript Ordered: 8/21/17
 Print Name: Paul J. Carmarhe Phone: (318) 829-0014
 Counsel for: Randall Lord & Michael Lord
 Address: 1330 Fern Ave, Suite 903, Shreveport, LA 71105

PART II. COURT REPORTER ACKNOWLEDGEMENT (To be completed by the Court Reporter and filed with the Court of Appeals within 7 days after receipt. Read instructions on page 2 before completing.)

Date Transcript Order Received	If arrangements not yet made, date contact made w/ ordering party	Estimated Completion Date	Estimated number of Pages
<u>8/24/17</u>		<u>9/24/17</u>	<u>290</u>

☒ Satisfactory Arrangements for payment were made on 8/24/17
☐ Payment Arrangements have NOT been made. Reason: ☐ Deposit not received ☐ Unable to contact ordering party

☐ Other (Specify) _____

Date: 8/24/17 Signature of Reporter: Marie Ruyon Tel. 318-934-4756
 Address of Reporter: 300 Fannin St. Rm. 4212 S'port, LA 71101

Part III. NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT (To be completed by court reporter on date of filing transcript in the District Court and this completed form e-filed with the Court of Appeals.)

This is to certify that the transcript has been completed and filed at the District Court today.

Actual Number of Pages: _____ Actual Number of Volumes: _____

Date: _____ Signature of Reporter: _____