

U.S. District Court
District of New Mexico - Version 6.1 (Albuquerque)
CRIMINAL DOCKET FOR CASE #: 1:15-cr-03051-JB-1

Case title: USA v. Sam
 Magistrate judge case number: 1:15-mj-02687-WPL

Date Filed: 08/25/2015
 Date Terminated: 03/31/2016

Date Filed	#	Docket Text
07/30/2015		Arrest of Richmond Sam (emr) [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	1	NOTICE OF HEARING as to Richmond Sam: Initial Appearance set for 7/31/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge William P Lynch. (cl) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	2	COMPLAINT as to Richmond Sam. (emr) [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	3	Arrest warrant issued as to Richmond Sam (emr) [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	4	Arrest Warrant Returned Executed on 7/30/2015 as to Richmond Sam. (emr) [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	6	Clerk's Minutes for proceedings held before Magistrate Judge William P Lynch: Initial Appearance as to Richmond Sam held on 7/31/2015; Defendant remanded to custody of USMS (Recording Info: GILA @ 10:13 AM) (cl) [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	7	ORAL ORDER of Temporary Detention as to Richmond Sam by Magistrate Judge William P Lynch Preliminary/Detention Hearing set for 8/3/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Steven C. Yarbrough. (cl) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:15-mj-02687-WPL] (Entered: 07/31/2015)
07/31/2015	8	CJA Appointment of Attorney Robert J. Gorence for Richmond Sam by Magistrate Judge William P Lynch (emr) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:15-mj-02687-WPL] (Entered: 07/31/2015)
08/03/2015		Reset Hearings as to Richmond Sam: Preliminary/Detention Hearing set for 8/4/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Steven C. Yarbrough. (kd) [1:15-mj-02687-WPL] (Entered: 08/03/2015)
08/03/2015		Attorney update in case as to Richmond Sam. Attorney David Adams for USA added. Attorney Paul H Spiers terminated. (cl) [1:15-mj-02687-WPL] (Entered: 08/03/2015)
08/04/2015	9	Clerk's Minutes before Magistrate Judge Steven C. Yarbrough: Preliminary/Detention Hearing as to Richmond Sam continued until 8/5/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom deft held in custody of USMS (Recording Info: liberty - Gila) (kd) [1:15-mj-02687-WPL] (Entered: 08/04/2015)
08/04/2015	10	ORAL ORDER of Temporary Detention pending hearing as to Richmond Sam by Magistrate Judge Steven C. Yarbrough (kd)

		[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:15-mj-02687-WPL] (Entered: 08/04/2015)
08/05/2015	11	Clerk's Minutes before Magistrate Judge Steven C. Yarbrough: Preliminary/Detention Hearing as to Richmond Sam held; Probable Cause found; deft remanded to custody of USMS (Recording Info: liberty - Gila) (kd) [1:15-mj-02687-WPL] (Entered: 08/05/2015)
08/05/2015	12	ORDER OF DETENTION as to Richmond Sam by Magistrate Judge Steven C. Yarbrough (kd) [1:15-mj-02687-WPL] (Entered: 08/06/2015)
08/25/2015		Judge update in case as to Richmond Sam. District Judge James O. Browning added. (nm) (Entered: 08/26/2015)
08/25/2015	15	REDACTED INDICTMENT as to Richmond Sam. (nm) (Entered: 08/26/2015)
08/26/2015		Set Hearings as to Richmond Sam: Arraignment set for 9/3/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Karen B. Molzen. (nm) (Entered: 08/26/2015)
08/31/2015		Reset Hearings as to Richmond Sam: Arraignment reset for 9/4/2015 at 09:30 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Karen B. Molzen. (emr) (Entered: 08/31/2015)
09/04/2015	17	Clerk's Minutes for proceedings held before Magistrate Judge Karen B. Molzen: Arraignment as to Richmond Sam (1) Count 1,2,3 held; Motions due 9/13/2015; Defendant remanded. (Recording Info: Gila - Liberty) (nm) (Entered: 09/04/2015)
09/04/2015	18	DISCOVERY ORDER as to Richmond Sam by Magistrate Judge Karen B. Molzen (nm) (Entered: 09/04/2015)
09/17/2015	19	<p>TRANSCRIPT of Preliminary Examination / Detention Hearing as to Richmond Sam held on 08/05/2015, before Magistrate Judge Steven C. Yarbrough. Court Reporter/Transcriber Exceptional Reporting Services, Telephone number 361-949-2988. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 9/24/2015. Redaction Request due 10/8/2015. Redacted Transcript Deadline set for 10/19/2015. Release of Transcript Restriction set for 12/16/2015.(med) (Entered: 09/17/2015)</p>
09/21/2015	20	MOTION to Extend (other) <i>Motions Deadline</i> by Richmond Sam. (Gorence, Robert) (Entered: 09/21/2015)
09/28/2015	21	NOTICE OF HEARING as to Richmond Sam: Jury Selection/Trial set for 10/26/2015 at 09:00 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. (dmw) (Entered: 09/28/2015)
09/29/2015	22	Amended MOTION to Extend (other) <i>Motions Deadline</i> by Richmond Sam. (Gorence, Robert) (Entered: 09/29/2015)

10/02/2015	23	ORDER by District Judge James O. Browning granting 20 22 Amended Motion to Extend Motions Deadline to 11/12/2015 as to Richmond Sam (1) (dmw) (Entered: 10/02/2015)
10/07/2015	24	Unopposed MOTION to Continue <i>Trial Setting of October 26, 2015</i> by Richmond Sam. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Gorence, Robert) (Entered: 10/07/2015)
10/07/2015	25	NOTICE OF APPEAL of Detention Order by Richmond Sam as to 12 Order of Detention, (Gorence, Robert) (Entered: 10/07/2015)
10/14/2015	26	NOTICE of Appeal of Detention Order scheduled for 10/16/2015 at 09:00 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 10/14/2015)
10/14/2015	27	RESPONSE by USA as to Richmond Sam <i>Notice of Appeal of Detention Order</i> (Adams, David) (Entered: 10/14/2015)
10/16/2015	28	ORDER TO CONTINUE by District Judge James O. Browning granting 24 MOTION to Continue <i>Trial Setting</i> and rescheduling on 1/25/2016 at 09:00 AM in Albuquerque - 460 Vermejo Courtroom. (dmw) (Entered: 10/19/2015)
10/16/2015	29	Clerk's Minutes for proceedings held before District Judge James O. Browning: Appeal of Detention Order as to Richmond Sam held on 10/16/2015 (Court Reporter: Jennifer Bean) (dmw) (Entered: 10/19/2015)
10/29/2015	30	ORDER by District Judge James O. Browning denying 25 Notice of Appeal - Detention Order filed by Richmond Sam (dmw) (Entered: 10/29/2015)
11/06/2015	31	MEMORANDUM OPINION by District Judge James O. Browning re 25 Notice of Appeal - Detention Order. (dmw) (Entered: 11/06/2015)
11/12/2015	32	Second MOTION to Extend (other) <i>Motions Deadline</i> by Richmond Sam. (Gorence, Robert) (Entered: 11/12/2015)
11/16/2015	33	ORDER by District Judge James O. Browning granting 32 Motion to Extend Motions Deadline as to Richmond Sam (1) (dmw) (Entered: 11/16/2015)
11/20/2015	34	Unopposed MOTION in Limine to <i>Exclude Narrative of Prior Felony Conviction</i> by Richmond Sam. (Gorence, Robert) (Entered: 11/20/2015)
11/20/2015	35	Corrected MOTION in Limine to <i>Exclude Narrative of Prior Felony Conviction</i> by Richmond Sam. (Gorence, Robert) (Entered: 11/20/2015)
11/20/2015	36	First MOTION in Limine to <i>Prohibit Discussion of Sentencing or Punishment at Trial</i> by USA as to Richmond Sam. (Adams, David) (Entered: 11/20/2015)
11/20/2015	37	MOTION in Limine to <i>Exclude Shooting of Ray Harrison</i> by Richmond Sam. (Gorence, Robert) (Entered: 11/20/2015)
11/20/2015	38	NOTICE of <i>Expert Witnesses</i> by USA as to Richmond Sam (Adams, David) (Entered: 11/20/2015)
11/20/2015	39	First MOTION for Hearing <i>Laffler/Frye</i> by USA as to Richmond Sam. (Adams, David) (Entered: 11/20/2015)
11/25/2015	40	NOTICE of Withdrawal of 34 Unopposed Motion in Limine to Exclude Narrative of Prior Felony Conviction by Richmond Sam (Gorence, Robert) Modified text on 11/25/2015 (dmw). (Entered: 11/25/2015)
12/01/2015	41	NOTICE OF ATTORNEY APPEARANCE Jack Burkhead appearing for USA. (Burkhead, Jack) (Entered: 12/01/2015)

12/01/2015		Attorney update in case as to Richmond Sam. Attorney Jack Burkhead for USA added. (dmw) (Entered: 12/01/2015)
12/04/2015	43	MOTION for Issuance of Rule 17(c) Subpoenas by Richmond Sam. (Gorence, Robert) (Entered: 12/04/2015)
12/07/2015	44	NOTICE of Pretrial Conference and motion hearing regarding 1) the Motion in Limine to Exclude Narrative of Prior Felony Conviction 35 ; 2) the United States' Motion in Limine for Pretrial Ruling to Prohibit Discussion of Sentencing or Punishment at Trial 36 ; 3) the Motion in Limine to Exclude Shooting of Ray Harrison 37 ; and, 4) the United States' Motion for Lafler/Frye Hearing 39 scheduled for 1/4/2016 at 09:00 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 12/07/2015)
12/07/2015	45	RESPONSE to Motion by Richmond Sam re 36 First MOTION in Limine to Prohibit Discussion of Sentencing or Punishment at Trial (Gorence, Robert) (Entered: 12/07/2015)
12/10/2015	47	ORDER by District Judge James O. Browning granting 43 Motion for Rule 17(c) Subpoena as to Richmond Sam (1) (dmw) (Entered: 12/10/2015)
12/11/2015	48	SCHEDULING ORDER by District Judge James O. Browning (dmw) (Entered: 12/11/2015)
12/30/2015	49	NOTICE OF HEARING as to Richmond Sam: Change of Plea Hearing set for 12/31/2015 at 10:00 AM in Albuquerque - 520 Gila Courtroom before Magistrate Judge Karen B. Molzen. (cl) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 12/30/2015)
12/31/2015	50	INFORMATION as to Richmond Sam (1) count(s) 1s. (dmw) (Entered: 12/31/2015)
12/31/2015	51	WAIVER OF INDICTMENT by Richmond Sam (dmw) (Entered: 12/31/2015)
12/31/2015	52	CONSENT TO PLEA BEFORE US MAGISTRATE JUDGE by Richmond Sam (dmw) (Entered: 12/31/2015)
12/31/2015	53	PLEA AGREEMENT as to Richmond Sam (dmw) (Entered: 12/31/2015)
12/31/2015	54	Clerk's Minutes for proceedings held before Magistrate Judge Karen B. Molzen: Plea Hearing as to Richmond Sam held on 12/31/2015; defendant entered guilty plea to information; sentencing to be set; PSR ordered; defendant in custody (Recording Info: ABQ-Gila @ 9:45 am) (dmw) (Entered: 12/31/2015)
01/06/2016	55	TRANSCRIPT of Preliminary/Detention Hearing as to Richmond Sam held on 08/04/2015, before Magistrate Judge Steven C. Yarbrough. Court Reporter/Transcriber Exceptional Reporting Services, Telephone number 361-949-2988. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.

		Notice of Intent to Request Redaction set for 1/13/2016. Redaction Request due 1/27/2016. Redacted Transcript Deadline set for 2/8/2016. Release of Transcript Restriction set for 4/5/2016.(med) (Entered: 01/06/2016)
02/08/2016	56	NOTICE of sentencing hearing scheduled for 3/31/2016 at 09:00 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 02/08/2016)
03/29/2016	59	SENTENCING MEMORANDUM by USA as to Richmond Sam (Adams, David) (Entered: 03/29/2016)
03/29/2016	60	SENTENCING MEMORANDUM by Richmond Sam (Gorence, Robert) (Entered: 03/29/2016)
03/31/2016	61	MOTION to Dismiss Indictment by USA as to Richmond Sam. (dmw) (Entered: 04/01/2016)
03/31/2016	62	ORDER by District Judge James O. Browning granting 61 Motion to Dismiss Indictment as to Richmond Sam (1) (dmw) (Entered: 04/01/2016)
03/31/2016	63	Clerk's Minutes for proceedings held before District Judge James O. Browning: Sentencing held on 3/31/2016 for Richmond Sam (1), Count(s) 1, 2, 3, dismissed; Count(s) 1s, SENTENCE IMPOSED: CBOP 15 months; 3 years supervised release w/special conditions; SPA \$100.00; restitution in the amount of \$1,053.60; defendant in custody. (Court Reporter: J. Bean) (dmw) (Entered: 04/12/2016)
05/03/2016	64	<i>MOTION TO DECREASE OFFENSE LEVEL BY ONE ADDITIONAL LEVEL FOR ACCEPTANCE OF RESPONSIBILITY</i> by USA as to Richmond Sam. (Adams, David) (Entered: 05/03/2016)
05/09/2016	65	ORDER by District Judge James O. Browning granting 64 Motion for Downward Adjustment as to Richmond Sam (1) (dmw) (Entered: 05/09/2016)
05/10/2016	66	JUDGMENT by District Judge James O. Browning as to Defendant Richmond Sam. (kw) (Entered: 05/10/2016)
03/13/2017	71	NOTICE of Attorney Substitution: Kyle T Nayback substituted for David M. Adams (Nayback, Kyle) (Entered: 03/13/2017)
03/13/2017	72	Unopposed MOTION for Order Authorizing Disposition of Evidence by USA as to Richmond Sam. (Nayback, Kyle) (Entered: 03/13/2017)
03/14/2017		Attorney Kyle T Nayback for USA added. Attorney David Adams terminated. (meq) (Entered: 03/14/2017)
03/16/2017	73	ORDER by District Judge James O. Browning granting 72 Motion for Disposition of Evidence (meq) (Entered: 03/16/2017)