

U.S. District Court
District of New Mexico - Version 6.2.4 (Albuquerque)
CRIMINAL DOCKET FOR CASE #: 1:19-cr-00949-WJ-1

Case title: USA v. Unkestine

Date Filed: 03/27/2019

Date Terminated: 10/18/2019

Assigned to: Chief District Judge William P.
Johnson

Defendant (1)**Joey Unkestine***TERMINATED: 10/18/2019*represented by **Irma Rivas**

Office of Federal Public Defender

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Suite 501

Albuquerque, NM 87102

505-346-2489

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or**Community Defender Appointment***Pending Counts**

18:1153 and 1112: Involuntary

Manslaughter

(1-2)

18:1153(b) and N.M. Stat. Ann. 30-6-1

(2009): Child Endangerment

(3)

DispositionSENTENCE IMPOSED: CBOP 46 months,
24 months Count 3, all concurrent;supervised release 3 years counts 1& 2, 1
year Count 3, all concurrent, with special
conditions; SPA \$300.00; deft in custodySENTENCE IMPOSED: CBOP 46 months,
24 months Count 3, all concurrent;supervised release 3 years counts 1& 2, 1
year Count 3, all concurrent, with special
conditions; SPA \$300.00; deft in custody**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints**Disposition**

None

Plaintiff

USA

represented by **Frederick T. Mendenhall , III**
 U.S. Attorney's Office
 201 3rd Street NW, Suite 900
 Albuquerque, NM 87103
 505-224-1456
 Email: frederick.mendenhall@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
03/27/2019		Judge update in case as to Joey Unkestine. Chief District Judge William P. Johnson added. (eh) (Entered: 03/28/2019)
03/27/2019	2	REDACTED INDICTMENT as to Joey Unkestine. (eh) (Entered: 03/28/2019)
04/11/2019	5	ORDER by Magistrate Judge Laura Fashing granting 4 Motion for Writ of Habeas Corpus ad prosequendum as to Joey Unkestine (1) (kd)(2cc USMS by er) (Entered: 04/11/2019)
04/11/2019	6	Writ of Habeas Corpus ad Prosequendum Issued as to Joey Unkestine for 4/18/19 at 9:30 am before Magistrate Judge Ritter (kd)(3cc USMS by er) (Entered: 04/11/2019)
04/11/2019		Set Hearings as to Joey Unkestine: Initial Appearance set for 4/18/2019 at 09:30 AM in Albuquerque - 320 Rio Grande Courtroom before Magistrate Judge Jerry H. Ritter. (kd) (Entered: 04/11/2019)
04/17/2019		Arrest of Joey Unkestine (nm) (Entered: 04/17/2019)
04/17/2019		Case unsealed as to Joey Unkestine (nm) (Entered: 04/17/2019)
04/17/2019	7	Arrest Warrant Returned Executed on 4/15/19 as to Joey Unkestine. (meq) (Entered: 04/17/2019)
04/18/2019	8	Clerk's Minutes for proceedings held before Magistrate Judge Jerry H. Ritter: Initial Appearance as to Joey Unkestine held on 4/18/2019: Arraignment/Detention set for 4/19/2019 at 09:30 AM in Albuquerque - 320 Rio Grande Courtroom before Magistrate Judge Karen B. Molzen. (Recording Info: Rio Grande) (emr) (Entered: 04/18/2019)
04/18/2019	9	ORAL ORDER of temporary detention pending hearing as to Joey Unkestine by Magistrate Judge Jerry H. Ritter (emr) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/18/2019)
04/18/2019	11	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Irma Rivas for Joey Unkestine by Magistrate Judge Jerry H. Ritter (nm) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/18/2019)
04/19/2019		U.S. Probation and Pretrial Services added as interested party.(Stewart, Daniel) (Entered: 04/19/2019)
04/19/2019	12	WAIVER of Detention Hearing by Joey Unkestine (nm) (Entered: 04/19/2019)

04/19/2019	13	Clerk's Minutes for proceedings held before Magistrate Judge Karen B. Molzen: Arraignment/Detention as to Joey Unkestine (1) Count 1-2,3 held on 4/19/2019 (Recording Info: Rio Grande) (emr) (Entered: 04/19/2019)
04/19/2019	14	DISCOVERY ORDER as to Joey Unkestine by Magistrate Judge Karen B. Molzen (emr) (Entered: 04/19/2019)
04/19/2019	15	ORDER OF DETENTION as to Joey Unkestine by Magistrate Judge Karen B. Molzen (emr) (Entered: 04/19/2019)
04/23/2019	17	NOTICE OF HEARING as to Joey Unkestine: Call of the Calendar set for 5/29/2019 at 3:00 PM in Albuquerque - 540 Bonito Courtroom before Chief District Judge William P. Johnson. Jury Selection/Trial set for 6/3/2019 at 9:00 AM in Albuquerque - 540 Bonito Courtroom before Chief District Judge William P. Johnson. (Attachments: # 1 Supplement Trial Prep/JERS)(rwg) (Entered: 04/23/2019)
05/22/2019	18	Unopposed MOTION to Continue <i>Trial and Motion Deadlines</i> by Joey Unkestine. (Rivas, Irma) (Entered: 05/22/2019)
05/24/2019	19	ORDER TO CONTINUE - Ends of Justice by Chief District Judge William P. Johnson granting 18 Unopposed MOTION to Continue <i>Trial and Motion Deadlines</i> filed by Joey Unkestine. Call of the Calendar reset for 7/31/2019 at 03:00 PM in Albuquerque - 540 Bonito Courtroom before Chief District Judge William P. Johnson. Jury Selection/Trial reset for 8/5/2019 at 09:00 AM in Albuquerque - 540 Bonito Courtroom before Chief District Judge William P. Johnson. Motion deadline is hereby extended until 6/24/2019. (Attachments: # 1 Trial Prep with JERS)(meq) (Entered: 05/24/2019)
06/17/2019	20	NOTICE OF HEARING as to Joey Unkestine: Change of Plea Hearing set for 6/20/2019 at 9:30 AM in Albuquerque - 320 Rio Grande Courtroom before Magistrate Judge Jerry H. Ritter. (nm) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 06/17/2019)
06/20/2019	21	CONSENT TO PLEA BEFORE US MAGISTRATE JUDGE by Joey Unkestine (meq) (Entered: 06/20/2019)
06/20/2019	22	PLEA AGREEMENT as to Joey Unkestine (meq) (Entered: 06/20/2019)
06/20/2019	23	Clerk's Minutes for proceedings held before Magistrate Judge Jerry H. Ritter: Plea Hearing held on 6/20/2019, Guilty Plea entered by Joey Unkestine (1) Guilty Count 1-2,3. (Recording Info: RIO GRANDE @ 12:00 PM) (cl) (Entered: 06/20/2019)
06/23/2019	24	NOTICE OF HEARING as to Joey Unkestine: Sentencing set for 9/18/2019 at 9:30 AM in Albuquerque - 540 Bonito Courtroom before Chief District Judge William P. Johnson. Any pleadings in response to the Presentence Report must be timely filed in accordance with D.N.M.LR-CR 32.C. Additionally, the United States Probation Office is ordered to provide to Defense Counsel and the Assistant U.S. Attorney, upon written request, copies of documents which the USPO has used to determine Defendants prior criminal history. USPO may provide any such requested documentation via electronic mail. (rwg) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 06/23/2019)
07/23/2019	25	Unopposed MOTION to Continue <i>Sentencing Hearing</i> by Joey Unkestine. (Rivas, Irma) (Entered: 07/23/2019)
07/24/2019	26	ORDER by Chief District Judge William P. Johnson granting 25 Unopposed Motion to Continue <i>Sentencing Hearing</i> filed by Joey Unkestine. Sentencing is reset from 9/18/2019 to 10/21/2019 at 9:30 AM in Albuquerque - 540 Bonito Courtroom before Chief District

		Judge William P. Johnson. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (rwg) (Entered: 07/24/2019)
09/05/2019	29	SENTENCING MEMORANDUM by USA as to Joey Unkestine (Mendenhall, Frederick) (Entered: 09/05/2019)
10/03/2019	32	<p>NOTICE OF HEARING as to Joey Unkestine:</p> <p>Sentencing set for 10/18/2019 at 10:15 PM in Albuquerque - 480 Chama Courtroom before District Judge Scott W. Skavdahl.</p> <p>Any pleadings in response to the Presentence Report must be timely filed in accordance with D.N.M.LR-CR 32.C. Additionally, the United States Probation Office is ordered to provide to Defense Counsel and the Assistant U.S. Attorney, upon written request, copies of documents which the USPO has used to determine Defendants prior criminal history. USPO may provide any such requested documentation via electronic mail.</p> <p>Counsel must notify Juan Gonzales at 505-348-2247 immediately upon receipt of this notice IF an evidentiary hearing is needed OR if the hearing will take more than 20 minutes. (jmg) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 10/03/2019)</p>
10/03/2019	33	<p>AMENDED NOTICE OF HEARING as to Joey Unkestine:</p> <p>Sentencing set for 10/18/2019 at 10:15 AM in Albuquerque - 480 Chama Courtroom before District Judge Scott W. Skavdahl.</p> <p>Any pleadings in response to the Presentence Report must be timely filed in accordance with D.N.M.LR-CR 32.C. Additionally, the United States Probation Office is ordered to provide to Defense Counsel and the Assistant U.S. Attorney, upon written request, copies of documents which the USPO has used to determine Defendants prior criminal history. USPO may provide any such requested documentation via electronic mail.</p> <p>Counsel must notify Juan Gonzales at 505-348-2247 immediately upon receipt of this notice IF an evidentiary hearing is needed OR if the hearing will take more than 20 minutes. (jmg) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 10/03/2019)</p>
10/09/2019	37	ORDER by Chief District Judge William P. Johnson granting 36 Motion to Amend/Correct 30 Sentencing Memorandum filed by Joey Unkestine filed by Joey Unkestine. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (rwg) (Entered: 10/09/2019)
10/09/2019	38	<p>MINUTE ORDER as to Joey Unkestine</p> <p>Sentencing set for 10/18/2019 at 10:15 AM is VACATED and RESET for 09:50 AM in Albuquerque - 480 Chama Courtroom before District Judge Scott W. Skavdahl.</p> <p>PLEASE NOTE ONLY THE TIME HAS CHANGED.</p> <p>Please contact Juan Gonzales at 505-348-2247 for inquires. (jmg)</p>

		[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 10/09/2019)
10/18/2019	39	Clerk's Minutes for proceedings held before District Judge Scott W. Skavdahl: Sentencing held on 10/18/2019 for Joey Unkestine (1), Count(s) 1-2, 3, SENTENCE IMPOSED: CBOP 46 months, 24 months Count 3, all concurrent; supervised release 3 years counts 1& 2, 1 year Count 3, all concurrent, with special conditions; SPA \$300.00; deft in custody. (Court Reporter: Anna Bowline) (meq) (Entered: 10/18/2019)
10/25/2019	40	JUDGMENT by District Judge Scott W. Skavdahl as to Joey Unkestine (cab) (Entered: 10/28/2019)

