



**Calendar of the United States District Court
Southern District of California
San Diego, CA
Monday, 9/15/2008
Courtroom 7 - Third Floor**

Present the Honorable: Thomas J. Whelan District Judge
Deputy Clerk: Corey Tremble Court Reporter/ECR: Melissa Pierson

AMENDED CALENDAR (adding #20A)

Hon. Thomas J. Whelan	Monday, 09/15/2008	09:00AM
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1. 3:02-cr-03104-W

USA v.
[1] Ilse Cappel(R)
P CT (1)

Booking # Lang 84171198 ENG	[1] Michael L Lipman RET (619)232-0800 Barbara Howe Murray RET (619)232-0800
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Status Conference (1)

Eric Jon Beste AUSA (619)557-5610 John B Owens AUSA (619)557-5610 William M Narus (619)557-5610

INF 1 CT Filed: 11/22/2002
18:1344, 371

12/15/2008 09:00AM Sentence w/ Probation Ofc Rpt(1) - W

Notes:

2. 3:03-cr-01090-W

USA v.

Booking # Lang

[1] Matthew C Gless(R)

85960198 ENG [1] James D Riddet RET

P CT (1,2)

(714)662-2400

Status Conference (1)

Eric Jon Beste AUSA

(619)557-5610

INF 2 CTS Filed: 04/16/2003

15:78j(b) and 78ff and Title 17 Code of Federal Regulations Section 240.10b-5

18:371

11/18/2008 09:00AM Sentence w/ Probation Ofc Rpt(1) - W

Notes:

3. 3:04-cr-02605-W

USA v.	Booking #	Lang	
[1] Stephen Parker Gardner(R) P CT (1ss,2ss,46ss)	94209198	ENG	[1] Reid M Figel RET (202)326-7900 Kevin J Miller RET (202)326-7900 Michael Pancer RET (619)236-1826
[2] Douglas Stephen Powanda(R) P CT (1s,2s)	94210198	ENG	[2] Howard B Frank RET (619)574-1888 Michael Pancer RET (619)236-1826
[3] Andrew Vincent Cahill(R) P CT (2ss)	94213198	ENG	[3] Stephen A Mansfield RET (310)229-1000
[6] Berdj Joseph Rassam(R) P CT (2ss)	94212198	ENG	[6] Steven M Goldsobel CJA (310) 552-4848

Status Conference (1,2,3,6)

Eric Jon Beste AUSA
(619)557-5610
Faith A Devine AUSA
(619)557-7173
William M Narus AUSA
(619)557-5610

IND 45 CTS Filed: 10/05/2004

15:78j(b) and 78ff 17:240.10b to 5 18:2 and 3551
15:78m(b)(2)(A), 78m(b)(5) and 78ff 17:240.13b2 to 1 18:2 and 3551
18:1343 and 1346 18:2 and 3551 18:982(b)(2)(A)
18:1344 18:2 and 3551
18:371 and 3551 18:982(b)(2)(A)
15:78j(b),78ff and 17CFR240.10b-5 and 18:2
15:78m(b)(2)(A), 78m(b)(5), 78ff and 17CFR240.13b2-1 and 18:2
18:1343,1346,2,981(a)(1),982(a)(2) and 28:2461(c)
18:1344 and 2
18:371,981(a)(1),982(a)(2) and 28:2461(c)

S IND 47 CTS Filed: 01/25/2005

15:78j(b) and 78ff, 17:240.10b-5 and 18:2
15:78m(b)(2)(A), 78(b)(5), 78ff, 17:240.13b2-1, 18:2
18:1343 and 1346 and 18:2
18:1344
18:1505 and 18:2
18:371

2S IND 46 CTS Filed: 07/19/2006

15:78j(b),78ff and 17CFR240.10b-5 and 18:2
15:78m(b)(2)(A), 78m(b)(5), 78ff and 17CFR240.13b2-1 and 18:2
18:1343,1346,2,981(a)(1),982(a)(2) and 28:2461(c)
18:1344 and 2
18:1505,2
18:371,981(a)(1),982(a)(2) and 28:2461(c)

3. 3:04-cr-02605-W

3S IND 45 CTS Filed: 04/25/2007
15:78j(b) and 78ff 17:240.10b-5 and 18:2
18:1343 and 134618:2
18:1344 and 2
18:371

3S INF 1 CT Filed: 01/15/2008
18 USC 1001

Notes:

Gardner Sentencing - 12/11/08 Powanda Sentencing - 11/18/08 Cahill Sentencing - 12/15/08 Rassam
Sentencing - 12/22/08

Hon. Thomas J. Whelan

Monday, 09/15/2008

09:00AM

4. 3:04-cr-02658-W

USA v.
[1] John Burnham Benjamin(R)
P CT (1)

Booking # Lang
94219198 ENG [1] Eric Martin Acker RET
(858)720-5100

Status Conference (1)

Eric Jon Beste AUSA
(619)557-5610
William M Narus
(619)557-5610

INF 1 CT Filed: 10/13/2004
18:371, 1343, and 2

12/23/2008 09:00AM Sentence w/ Probation Ofc Rpt(1) - W

Notes:

5. 3:08-cr-02961-W

USA v.

[1] Ezequiel Cruz-Rodriguez(C)

MTD: 11/12/2008

Booking # Lang

10507298 ENG

[1] Roseline Dergregorian Feral CJA
(619)232-1010

Caleb E. Mason AUSA
(619)557-5956

Motion Setting (1)

IND 1 CT Filed: 09/03/2008

8:1326(a) and (b)

Notes:

6. 3:08-cr-02964-W

USA v.

[1] Rafael Padilla-Romero(C)

MTD: 11/12/2008

Booking # Lang

52704198 ENG

[1] Shaffy Moeel FD
(619)234-8467

Michael G Wheat AUSA
(619)557-5610

Motion Setting (1)

IND 1 CT Filed: 09/03/2008

8:1326(a) and (b)

Notes:

7. 3:08-cr-02972-W

USA v.

[1] Elizabeth Gonzalez-Garcia(C)

MTD: 11/12/2008

Booking # Lang

09267298 SPA

[1] Sara Marie Peloquin FD
(619)234-8467

USAttorneyCR AUSA
(619)557-5610

Motion Setting (1)

IND 2 CTS Filed: 09/03/2008

21:841(a)(1)

21:952 and 960

Notes:

8. 3:08-cr-02976-W

USA v.

Booking # Lang

[1] Rafael Valenzuela-Leon(C)

09282298 SPA [1] Stephen Patrick White CJA

MTD: 11/12/2008

(619)702-3753

Motion Setting (1)

Aaron B Clark

(619)557-6787

IND 6 CTS Filed: 09/03/2008

8:1324(a)(1)(A)(i), (v)(II) and (a)(1)(B)(iv)

8:1324(a)(2)(B)(ii) 18:2

Notes:

9. 3:08-cr-01798-W

USA v.

Booking # Lang

[1] Jose Perez-Avila(C)

08544298 SPA [1] Robert Elmer Schroth CJA

MTD: 10/8/2008

(619)233-7521

Status Conference (1)

Christina M McCall AUSA

(619)557-5610

IND 4 CTS Filed: 06/03/2008

18:1546(a)

21:841(a)(1)

21:952 and 960

8:1326(a)

(1) 07/17/2008 (8-1)MOTION for Discovery

Notes:

10. 3:08-cr-02745-W

USA v.

Booking # Lang

[1] Cesar Abraham Torres-Adame(C)

10300298 ENG [1] Bridget Kennedy FD

MTD: 10/23/2008

(619)234-8467

USAttorneyCR AUSA

Motion Setting (1)

(619)557-5610

INF 2 CTS Filed: 08/14/2008

8:1325

Notes:

WILL BE ACCEPTANCE OF PLEA AND SENTENCING ON 9/15/08

11. 3:97-cr-00040-W

USA v.

Booking # Lang

[1] Lloyd Hill(C)

46313198 ENG [1] Andrew Lah FD

(619)234-8467

Rebecca Kanter AUSA

Revocation Superv Rls (1)

(619) 557-6747

IND 1 CT Filed: 01/03/1997

21:841(a)(1)

Notes:

12. 3:08-cr-00681-W

USA v.

[1] Agapito Asuncion-Diaz(C)

P CT (1)

Booking # Lang

06039298 ENG [1] John David Kirby CJA

(619) 557-0100

Christina M McCall AUSA

(619)557-5610

Sentence w/ Probation Ofc Rpt (1)

IND 2 CTS Filed: 03/07/2008

21:841(a)(1)

21:952 and 960

Notes:

13. 3:08-cr-02918-W

USA v.

[1] Antonio Daniel Casarez(C)

MTD: 11/6/2008

Booking # Lang

95938198 SPA [1] Ira Lee Plummer CJA

(619)267-1710

USAttorneyCR AUSA

(619)557-5610

Change of Plea Hearing (1)

INF 1 CT Filed: 08/28/2008

21:952 and 960

Notes:

14. 3:03-cr-00900-W

USA v.

[1] Nancy Marie Zepeda(C)

Booking # Lang

87624198 ENG [1] Michelle Betancourt FD
(619)234-8467

USAttorneyCR
(619)557-5610

Revocation Superv Rls (1)

IND 2 CTS Filed: 03/26/2003

21:841(a)(1)

21:952 and 960

S IND 3 CTS Filed: 07/30/2003

18:3146

21:841(a)(1)

21:952 and 960

Notes:

15. 3:07-cr-03405-W

USA v.

[1] Mario Raymond Fernandez(C)

P CT (3s)

Booking # Lang

96207198 ENG [1] Candis Lea Mitchell FD
(619)234-8467

David D Leshner AUSA
(619)557-7163

Sentence w/ Probation Ofc Rpt (1)

IND 1 CT Filed: 12/19/2007

8:1324(a)(1)(A)(iv) and (v)(II)

S IND 3 CTS Filed: 03/12/2008

8:1324(a)(1)(A)(i) and (v)(I)

8:1324(a)(1)(A)(iv) and (v)(II)

8:1324(a)(2)(B)(ii) 18:2

12/15/2008 09:00AM Sentence w/ Probation Ofc Rpt(2) - W

Notes:

16. 3:08-cr-02921-W

USA v.

Booking # Lang

[1] Juan Carlos Gomez-Lopez(C)

09192298 SPA [1] Alex L Landon CJA

MTD: 11/20/2008

(619)232-6022

USAttorneyCR AUSA

Change of Plea Hearing (1)

(619)557-5610

INF 1 CT Filed: 08/28/2008

21:952 and 960

Notes:

17. 3:08-cr-02949-W

USA v.

Booking # Lang

[1] Roman Roman Roman(C)

09206298 ENG [1] Hanni M. Fakhoury FD

MTD: 11/11/2008

(619) 234-8467

USAttorneyCR AUSA

Change of Plea Hearing (1)

(619)557-5610

INF 1 CT Filed: 09/02/2008

21:952 and 960

Notes:

18. 3:03-cr-00850-W

USA v.	Booking #	Lang	
[15] Kenneth Wayne Moore(R) V CT (11ssss,12ssss-23ssss,1ssss,24ssss-35ssss,2ssss-10ssss,36ssss)	82718008	ENG	[15] Larry L Debus RET (602)257-8900 Michael C Harkness RET (619)702-4450 Lawrence I Kazan RET (602)257-8900

Sentence w/ Probation Ofc Rpt (15)

IND 29 CTS Filed: 03/28/2003

18:1343

18:1956(h) 18:981 and 982

18:371

18:1001

18:1343 and 18:982

18:1519

18:1956 (h)

18:371 and 18:982

26:7201

26:7206 (1)

S IND 17 CTS Filed: 08/12/2004

18:1343 and 18:982

18:1956 (h)

18:3

18:371 and 18:982

2S INF 1 CT Filed: 06/29/2005

26:7201

3S INF 1 CT Filed: 11/14/2005

18:1956(a)(1)(A)(i)

3S INF 1 CT Filed: 01/09/2006

18:1956(a)(1)(A)(i)

3S INF 1 CT Filed: 02/22/2006

18:371

3S INF 1 CT Filed: 05/09/2006

18:1343

3S INF 1 CT Filed: 05/22/2006

18:1956(a)(1)(A)(i)

3S INF 1 CT Filed: 05/30/2006

18:1956(a)(1)(B)(i)

Jason A Forge AUSA
(619)557-7463Leah R Bussell AUSA
(619)557-5610Stacey H Sullivan AUSA
(619)557-5610

3S IND 51 CTS Filed: 06/08/2006

18:1001

18:1343

18:1519

18:1956(a)(1)(A)(i)

18:1956(a)(1)(B)(i)

18:1956(h)

18:3

18:371

26:7201

26:7206(1)

3S IND 51 CTS Filed: 01/04/2007

18:1001

18:1343

18:1519

18:1956

18:1956(h)

18:3

18:371

26:7201

26:7206(1)

Income Tax Evasion

Money Laundering

Wire Fraud

3S INF 1 CT Filed: 02/13/2007

26 USC 7201

26 USC 7206(1)

3S IND 41 CTS Filed: 06/14/2007

18:1001

18:1343 and 18:982

18:1343 18:371 and 18:982

18:1519

18:1956(a)(1)(A)(i) and 18:982

18:1956(a)(1)(B)(i) and 18:982

18:1956(h) and 18:982

26:7201

26:7206(1)

3S IND 39 CTS Filed: 02/12/2008

18:1343

18:1956(a)(1)(A)(i)

18:1956(a)(1)(B)(i)

18:1956(h)

18:371

26:7201

18. 3:03-cr-00850-W
26:7206(1)

10/06/2008 09:00AM Status Conference(9) - W

Notes:

Hon. Thomas J. Whelan Monday, 09/15/2008 09:00AM

19. 3:07-cr-03411-W

USA v. Booking # Lang
[1] Carissa Noriega(C) 01669298 ENG [1] Frederick Matthew Carroll RET
P CT (1) (619)702-3251

Sentence w/ Probation Ofc Rpt (1) Rebecca Kanter AUSA
(619) 557-6747

IND 2 CTS Filed: 12/19/2007
21:841(a)(1)
21:952 and 960

Notes:

Hon. Thomas J. Whelan Monday, 09/15/2008 09:00AM

20. 3:08-cr-02550-W

USA v. Booking # Lang
[1] Jose Guadalupe Estrada-Estrada(C) 10203298 SPA [1] Hanni M. Fakhoury FD
MTD: 10/9/2008 (619) 234-8467

Motion Setting (1) USAttorneyCR
(619)557-5610

INF 2 CTS Filed: 07/31/2008
8:1325

Notes:

20A. 08CR3046-W USA VS JOSE LUIS ESTRADA-ESTRADA(1)(C)(SPA)

10203298

ARRAIGNMENT IND 1 CT 8 USC 1326(a)&(b) MTD:11/19/08

Hanni M. Fakhoury, Federal Defenders Inc.

21. 3:08-cr-02746-W

USA v.

[1] Javier Reyes-Cano(C)

MTD: 10/23/2008

Booking # Lang

26047112 SPA [1] Robert Elmer Schroth CJA

(619)233-7521

USAttorneyCR AUSA

(619)557-5610

Motion Setting (1)

INF 3 CTS Filed: 08/14/2008

8:1325

Notes:

22. 3:08-cr-02758-W

USA v.

[1] Rafael Hernandez-Cortazar(C)

MTD: 10/30/2008

Booking # Lang

85293198 SPA [1] Erica K. Zunkel FD

(619) 234-8467

USAttorneyCR AUSA

(619)557-5610

Change of Plea Hearing (1)

INF 2 CTS Filed: 08/21/2008

8:1325

09/25/2008 09:30AM Change of Plea Hearing(1) - CAB

Notes:

23. 3:08-cr-02127-W

USA v. Booking # Lang
[1] Alfonso Ramirez-Medina(C) 10002298 SPA [1] Gregory T. Murphy FD
MTD: 11/6/2008 (619) 234-8467

Motion Hearing/Trial Setting (1)

Michelle M Pettit AUSA
(619)557-7450
Sherri Walker Hobson AUSA
(619)557-5610

IND 1 CT Filed: 06/25/2008
21:952 and 960

(1) 07/10/2008 (13-1)MOTION to compel 'Discovery'
(13-2)MOTION for Leave to File Further Motions
09/09/2008 (20-1)MOTION to Shorten Time
09/10/2008 (21-1)Amended MOTION to Suppress Statements 'Made in Violation of
Miranda'
(21-2)Amended MOTION to compel 'Discovery'
(21-3)Amended MOTION for Order 'Setting a Discovery Schedule'
(21-4)Amended MOTION for Leave to File Further Motions
(G) 08/13/2008 (17-1)MOTION to Shorten Time

Notes:

WILL BE A REQUEST TO CONTINUE ON 9/15/08

24. 3:08-cr-02577-W

USA v. Booking # Lang
[1] Noe Aragon-Larios(C) 08259298 SPA [1] Bridget Kennedy FD
MTD: 11/6/2008 (619)234-8467

Motion Hearing/Trial Setting (1)

David D Leshner AUSA
(619)557-7163

IND 1 CT Filed: 08/06/2008
8:1326(a) and (b)

(1) 08/21/2008 (9-1)MOTION to compel 'Discovery'
(9-2)MOTION to Preserve Evidence
(9-3)MOTION for Leave to File Further Motions
(G) 08/27/2008 (11-1)MOTION for Fingerprint Exemplars
(11-2)MOTION for Reciprocal Discovery

Notes:

WILL BE A REQUEST TO CONTINUE ON 9/15/08

25. 3:08-cr-02583-W

USA v.

Booking # Lang

[1] Juan Ruben Prieto-Aparicio(C)

10129298 SPA [1] Kristin Joseph Kraus FD

MTD: 11/9/2008

(619)234-8467

Douglas Keehn AUSA

Motion Hearing/Trial Setting (1)

(619)557-6492

IND 1 CT Filed: 08/06/2008

8:1324(a) and (b)

(1) 08/26/2008 (8-1)MOTION to compel 'discovery'

(8-2)MOTION to Preserve Evidence

(8-3)MOTION for Leave to File Further Motions

09/02/2008 (10-1)MOTION to Dismiss Indictment 'BECAUSE IT FAILS TO ALLEGE
ESSENTIAL ELEMENTS OF THE OFFENSE'(10-2)MOTION to Suppress Statements 'SUPPRESS ANY PRE-MIRANDA WARNING
STATEMENTS BY MR. PRIETO-APARICIO'

(10-3)MOTION to Produce 'GRAND JURY TRANSCRIPT'

(10-4)MOTION for Leave to File Further Motions

(G) 09/08/2008 (11-1)MOTION for Reciprocal Discovery

(11-2)MOTION for Fingerprint Exemplars

Notes: