UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA v. CARLOS RODRIGUEZ, Defendant.	No. 08-CR-10241-PBS

MEMORANDUM AND ORDER

November 4, 2009

Saris, U.S.D.J.

I. Introduction

Pursuant to Fed. R. Crim. P. 33, Defendant Carlos Rodriguez moved for a new trial on the ground that a pocket-sized copy of the New Testament was seen in the jury room after the verdict was delivered. In the alternative, Defendant requested that the Court recall each juror for individual voir dire. The Court held a hearing at which the foreperson testified that there was no discussion of the Bible during jury deliberations. After hearing and review of the briefs, the Court **DENIES** Defendant's Motion for a New Trial and for further questioning of the jurors.

II. Background

Mr. Rodriguez was charged in a one-count indictment with being a felon in possession of a firearm and ammunition in

violation of 18 U.S.C. § 922(g). Trial in the case lasted from September 21, 2009, until September 29, when the Court instructed the jury. The jury deliberated through the afternoon of September 29 and all day on September 30. At 11:36 a.m. on October 1, the jury submitted a note asking how it could "determine if we are a 'hung jury'?" (Docket No. 49.) In a written response, the Court instructed the jurors to continue deliberating, and told them that it would issue further instruction if the jury was unable to make progress. (Id.) At 3:11 p.m. that same day, the Court received a second note from the jury, stating, "We cannot reach a unanimous decision and we don't know that we will. How do we proceed?" (Id. at 2.) The Court dismissed the jurors for the day, and when they returned at 9:00 a.m. the following day, gave an Allen charge directing them to continue deliberating. The jury returned with a guilty verdict at 12:20 p.m. that day.

The Court went into the jury room to thank the jury. Afterwards, the law clerks informed the Court they saw a pocket-sized New Testament on a juror notebook on the table. At 3:00 p.m., the Court informed the parties:

> After we returned from thanking the jury, my law clerks told me they saw a pocked-sized New Testament on top of a juror notebook on the table in the jury room. While I did not see it, and no juror mentioned it, I bring this matter to your attention for whatever steps, if any, you think are appropriate.

(Docket No. 45.) As a result, Defendant filed this motion for a

new trial asserting impermissible external influence on the jury deliberations. The defense also requested that the Court conduct an individual voir dire of each juror to assess any improper influence by a Bible in the jury room.

The Court held a hearing on the motion on October 23, 2009, at which the jury foreperson identified the juror who owned the Bible and explained that the owner had brought it each day. (Tr. of Mot. Hr'g 17, October 23, 2009.) The foreperson said that the juror in question had a small handbag and preferred to carry the Bible. (Id.) The foreperson stated the Bible played no role in the jury's deliberations:

> THE COURT: Did the issue of the Bible come up at all?
>
> JUROR: No.
>
> THE COURT: Did you discuss it at all?
>
> JUROR: No.
>
> THE COURT: Did [the juror who had the Bible] mention it at all?
>
> JUROR: No. I mean, her and I had, like, conversations on the side. . . . but it wasn't pertaining to the case or anything, it was just side conversation before the morning started or whatever. But never came up during deliberations or anything.
>
> THE COURT: Was she reading it during deliberations?
>
> JUROR: No.

(Id. at 13-14.) The foreperson testified further that she sat next to the juror in question during deliberations and whenever they were in the jury room. (Id. at 14.) The foreperson and the

juror had casual conversation about the Bible before the jury formally convened one day:

> JUROR: It was -- during the trial, it was more like whoever was early in the jury room, we would just have general conversation, and somehow it came up between her and I that my aunt was Christian, you know, this or that. . . .
>
> MR. CABELL: I just want to clarify to make sure I understood. You said the conversations you had in the morning were that your aunt was Christian?
>
> JUROR: Yes, my husband's aunt. My husband's aunt was Christian, is Christian. And she asked me, must have been something I said in passing or whatever, she asked me the next day something about are you Christian or do you read Christian passages? And I said no, my husband's aunt is. I know that she -- the last day of deliberations she was going to be late for Bible study, and that was it.
>
> MR. SINNIS: Was that an issue for her?
>
> JUROR: No. She had already called them that morning and said she was not going to make it. She never seemed like it was going to be a problem at all.

(Id. at 16-17.)

III. Discussion

Fed. R. Crim. P. 33 provides that, "[u]pon the defendant's motion, the court may vacate any judgment and grant a new trial if the interest of justice so requires." Fed. R. Crim. P. 33(a). The First Circuit has held, "Under Rule 33, a new trial 'in the interests of justice' may be granted liberally." Conley v. United States, 323 F.3d 7, 10 (1st Cir. 2003) (en banc).

Fed. R. Evid. 606(b) codifies the well-established common law principle prohibiting the admission of juror testimony to

impeach a verdict. The Rule provides:

> Upon an inquiry into the validity of a verdict or indictment, a juror may not testify as to any matter or statement occurring during the course of the jury's deliberations or to the effect of anything upon that or any other juror's mind or emotions as influencing the juror to assent to or dissent from the verdict or indictment or concerning the juror's mental processes in connection therewith. But a juror may testify about
>
> (1) whether extraneous prejudicial information was improperly brought to the jury's attention,
>
> (2) whether any outside influence was improperly brought to bear upon any juror, or
>
> (3) whether there was a mistake in entering the verdict on the jury form. A juror's affidavit or evidence of any statement by the juror may not be received on a matter about which the juror would be precluded from testifying.

Fed. R. Evid. 606(b). Assessing this provision in Tanner v. United States, 483 U.S. 107, 117-20 (1987), the Supreme Court emphasized the policy considerations that shield jury deliberations from scrutiny. It explained, however, that "[t]he Court's holdings requiring an evidentiary hearing where extrinsic influence . . . have tainted the deliberations do not detract from, but rather harmonize with, the weighty government interest in insulating the jury's deliberative process." Id. at 120.

"Courts generally should be hesitant to haul jurors in after they have reached a verdict . . . to probe for potential instances of bias, misconduct, or extraneous influence." United States v. Connolly, 341 F.3d 16, 34 (1st Cir. 2003) (quoting Neron v. Tierney, 841 F.2d 1197, 1205 (1st Cir. 1988).

Additionally, "[a] court should only conduct such an inquiry when . . . 'there is clear, strong, substantial and incontrovertible evidence that a specific, nonspeculative impropriety has occurred which could have prejudiced the trial . . . ." Id. (quoting United States v. Moon, 718 F.2d 1210, 1234 (2d Cir. 1983)).

The key case in this circuit addressing the significance of a Bible in the jury room is United States v. Lara-Ramirez, 519 F.3d 76 (1st Cir. 2008), on which both parties rely. There, the Court reversed a district court's decision to declare a mistrial after the court reporter "saw a huge Bible, not the kind you carry in your pocket like a daily inspiration," in the jury room during deliberations. 519 F.3d at 79. The jury had reported itself deadlocked, but an Allen charge had not yet been given. The trial judge questioned the jury foreperson, who confirmed that a juror had urged the other jurors to hear the facts, but "also consider what God says in the Bible, [or] something like that," during deliberations. Id. at 80. The judge considered several courses of action proposed by defense counsel, like individual juror voir dire or a cautionary instruction, before deciding that "the cat is out of the bag" and declaring a mistrial. Id. The First Circuit reversed, emphasizing the role of mistrial as "a remedy of last resort" and declaring the trial judge's inquiry into the matter insufficient to justify it. Id. at 86. The Court reasoned that before declaring a mistrial, the trial court must find "that the Bible had played a central role

in deliberations and that individual jurors would not have been able to disregard its influence." Id. at 87-88. The Court rejected a "per se rule that the presence of the Bible in the jury room, combined with the mention of it by a juror during deliberations, produces a taint so egregious that it can not be cured." Id. at 88. It was a "legal misconception" to treat the "Bible in the jury room as qualitatively different from other types of extraneous materials or information that may taint a jury's deliberations." Id.

In collecting relevant cases, the Fifth Circuit stated, "Most circuits have ruled that when a Bible itself enters a jury room, the jury has been exposed to an external influence." Oliver v. Quarterman, 541 F.3d 329, 339 (5th Cir. 2008). However, most habeas courts have denied relief even when the Bible was used during deliberations if there was a finding of no prejudice. See id. at 336-39 (finding on collateral review that, where several jurors read aloud Bible passages factually relevant to the case, the jury's consideration of the Bible "crossed an important line" and deprived defendant of his Sixth Amendment rights, but concluding that defendant did not rebut the presumption of correctness of the state court's finding that the Bible did not prejudice the jury decision); Fields v. Brown, 503 F.3d 755, 777, 780-81 (9th Cir. 2007) (en banc) (denying habeas relief where the foreperson consulted the Bible in generating a list with points both "for" and "against" the use of the death

penalty, which he then used in deliberations); McNair v. Campbell, 416 F.3d 1291, 1307-09 (11th Cir. 2005) (finding on habeas review that the foreperson's reading aloud from Bible and leading jurors in prayer during deliberations amounted to consideration of extrinsic evidence in violation of the Sixth Amendment, but concluding that defendant failed to rebut the state court's finding that the verdict was not prejudiced). But cf. Jones v. Kemp, 706 F. Supp. 1534, 1560 (N.D. Ga. 1989) (granting a writ of habeas corpus based on implied judicial sanction where juror had requested court's permission to bring a Bible into the jury room, but distinguishing the situation of jurors merely possessing Bibles, even in the jury room, for personal inspiration or independent spiritual guidance).

Defendant argues that the Court's investigation into this matter by questioning the foreperson is insufficient. In Lara-Ramirez, the First Circuit did call the trial judge's decision to interview only the jury foreperson inadequate. 519 F.3d at 89. However, in that case the foreperson had stated that the Bible was actually used during deliberations to make a point. Here, though, the foreperson provided no evidence that the Bible was discussed at all during deliberations. There is no proscription on jurors reading the Bible before or after deliberations, or having a personal Bible in their possession. See Robinson v. Polk, 444 F.3d 225, 227 (4th Cir. 2006) (per curiam) (Wilkinson, J., concurring) ("The simple presence of a Bible in the jury room

would not breach constitutional norms.”). Where, as here, there is no evidence of any extraneous influence on deliberations, further inquiry would require hauling jurors back into court for the purposes of investigating the possibility of misconduct that is, at best, wholly speculative. In my discretion, I decline to do so.

ORDER

Defendant’s Motion for a New Trial [Docket No. 48] is **DENIED**.

Patti B. Saris
United States District Judge

Publisher Information

Note* This page is not part of the opinion as entered by the court.
The docket information provided on this page is for the benefit
of publishers of these opinions.

Defendant (1) Carlos Rodriguez also known as Edwin Santiago	represented by	Raymond A. O'Hara 1 Exchange Place Worceste 01608 508-831-7551 Fax: 508-755-3042 Email: oharalaw@hotmail.com LEAD ATTORNEY ATT BE NOTICED Designation: CJA Appointment Wi Fick Federal Public Defender Office District of M 51 Sleeper Street 5th Floor Boston , MA 02210 8061 Fax: 617-223-8080 Email: william_fick@fd. ATTORNEY ATTORNEY TO BE NOTICED Desi Public Defender or Community Defender Appointr Stylianus Sinnis Federal Public Defender Office Massachusetts 51 Sleeper Street 5th Floor Bost 02210 617-223-8061 Fax: 617-223-8080 Email: stellio_sinnis@fd.org ATTORNEY TO BE NOTIC Designation: Public Defender or Community Defer Appointment
Plaintiff USA	represented by	Donald L. Cabell United States Attorney's Office 1 Courthouse Way Boston , MA 02210 617-748-3105 Fax: 617-748-3951 Email: donald.cabell@usdoj.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED

6/17/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1 > ttp ://e f.m d.u co rts. ov/ oc /oo	COMPLAINT as to Carlos Rodriguez (1). (Attachments: # https://ecf.mad.uscourts.gov/doc1/09512714033> Affidavit of Angelo A. hurman, # <https://ecf.mad.uscourts.gov/doc1/09512714034> js45)(Catino2, heresa) [1:08-mj-00079-LTS] (Entered: 06/18/2008)

	02 14 32	
6/17/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1 >	RREST Warrant Issued by Magistrate Judge Leo T. Sorokin as to Carlos odriguez. (Catino2, Theresa)[1:08-mj-00079-LTS] (Entered: 06/18/2008)
7/09/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1 > ttp ://e f.m d.u co rts. ov/ oc /09 02 14 41	Vrit of Habeas Corpus ad Prosequendum Issued as to Carlos Rodriguez for /28/08 (Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 07/10/2008)
7/10/2008	ie / /cg in/ is lay ec ipt. l?1 72	LECTRONIC NOTICE OF HEARING as to Carlos Rodriguez; The rraignment/Initial Appearance has been set for 7/28/2008 02:15 PM in Courtroor 4 before Magistrate Judge Leo T. Sorokin. (Simeone, Maria) [1:08-mj-00079-TS] (Entered: 07/10/2008)

	9,1	
7/28/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1	agistrate Judge Leo T. Sorokin: ElectronicORDER entered. ORDER PPOINTING FEDERAL PUBLIC DEFENDER as to Carlos Rodriguez William W ick for Carlos Rodriguez appointed. (Simeone, Maria) [1:08-mj-00079-LTS] Entered: 07/29/2008)
7/28/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1	lectronic Clerk Notes for proceedings held before Magistrate Judge Leo T. orokin: Initial Appearance as to Carlos Rodriguez held on 7/28/2008; Court goes ver the charges and rights with deft; Atty Byrne stands in for Atty Fick; Deft is xercising his rights under the IAD; The deft will be detained federally pending the reliminary Examination set for 8/4/2008 02:15 PM in Courtroom 14 before agistrate Judge Leo T. Sorokin. Deft is to file a financial affidavit at the prel xam hearing. the court will appoint the Federal defenders office. (Digital ecording #d.)(Attorneys present: Atty Cabell; Atty Byrne) (Simeone, Maria) [1:08 j-00079-LTS] (Entered: 07/29/2008)
8/04/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,1	lectronic Clerk Notes for proceedings held before Magistrate Judge Leo T. orokin: Detention/Evidentiary/Preliminary Examination as to Carlos Rodriguez eld on 8/4/2008; Counsel for the deft states the deft would like to return to state ustody; The court will release and return the deft on the habe to state authorities eft files a waiver of IAD rights; An order of detention under US v. King will enter nd a detainer will lodge; deft files a financial aff; court finds deft qualifies and ppoints Atty Fick; Govt calls first witness; witness sworn and examined; witness ross examined; witness steps down; counsel are heard on probable cause; court nds probable cause based on the testimony of the agent. (Digital Recording #d.) Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 08/05/2008)
8/04/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,2	Court only) CJA 23 Financial Affidavit by Carlos Rodriguez (Simeone, Maria) 1:08-mj-00079-LTS] (Entered: 08/05/2008)

	ttp ://e f.m d.u co rts. ov/ oc /09 02 14 50	
8/04/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 > ttp ://e f.m d.u co rts. ov/ oc /09 02 14 53	VAIVER of Rights Under Interstate Agreement on Detainers by Carlos Rodriguez Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 08/05/2008)
8/04/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 > ttp ://e	Magistrate Judge Leo T. Sorokin: ORDER OF DETENTION UNDER US V. KING s to Carlos Rodriguez (Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 8/05/2008)

	f.m d.u co rts. ov/ oc /09 02 14 56	
8/04/2008	ie v /cg in/ pis lay Rec ipt. l?1 72 9,2 > ttp ://e f.m d.u co rts. ov/ oc /09 02 14 59	EXHIBIT/WITNESS LIST as to Carlos Rodriguez 8/4/08 (Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 08/05/2008)
8/12/2008	ie v /cg in/ pis lay Rec ipt. l?1 72 9,2 > ttp ://e f.m d.u	Arrest Warrant Returned Executed. Executed on 7/28/08 as to Carlos Rodriguez. (Simeone, Maria) [1:08-mj-00079-LTS] (Entered: 08/12/2008)

	co rts. ov/ oc /09 02 14 62	
8/14/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,4 > ttp ://e f.m d.u co rts. ov/ oc /09 02 14 86	NDICTMENT as to Carlos Rodriguez (1) count(s) 1. (Attachments: # https://ecf.mad.uscourts.gov/doc1/09512714087> JS45)(Smith3, Dianne) Entered: 08/15/2008)
8/14/2008	ie / /cg in/ is lay ec ipt. l?1 72 9,4 > ttp ://e f.m d.u co rts	udge Patti B. Saris: ORDER entered. ORDER REFERRING CASE to Magistrate udge Leo T. Sorokin Reason for referral: for pretrial proceedings as to Carlos odriguez (Catino3, Theresa) (Entered: 08/15/2008)

	ov/ oc /09 02 14 42	
8/19/2008	ie v /cg in/ pis lay Rec ipt. l?1 72 9,5 >	LECTRONIC NOTICE OF HEARING as to Carlos Rodriguez; The Arraignment as been set for 9/4/2008 02:45 PM in Courtroom 14 before Magistrate Judge Leo . Sorokin. (Simeone, Maria) (Entered: 08/19/2008)
9/05/2008	ie v /cg in/ pis lay Rec ipt. l?1 72 9,5 >	lectronic Clerk Notes for proceedings held before Magistrate Judge Leo T. orokin: Arraignment as to Carlos Rodriguez (1) Count 1 held on 9/5/2008; Court oes over charges with deft; govt states max penalties; court arrs deft; deft enters plea of Not Guilty on all counts; Court sets the initial Status Conference for 0/20/2008 03:00 PM in Courtroom 14 before Magistrate Judge Leo T. Sorokin. ime excluded from 9/5/08-10/20/08 (Digital Recording #d.) (Simeone, Maria) Entered: 09/08/2008)
9/05/2008	ie v /cg in/ pis lay Rec ipt. l?1 72 9,6 >	agistrate Judge Leo T. Sorokin: Electronic ORDER ON EXCLUDABLE DELAY s to Carlos Rodriguez Time excluded from 9/5/08 until 10/20/08. (Simeone, aria) (Entered: 09/08/2008)
0/12/2008	ie v /cg in/ pis lay Rec	ranscript of Proceedings as to Carlos Rodriguez held on August 4, 2008, before udge Sorokin. Court Reporter Transcribed by Maryann Young at 508/384-2003. he Transcript may be purchased through Maryann Young, viewed at the public erminal, or viewed through PACER after it is released. Redaction Request due 0/30/2008. Redacted Transcript Deadline set for 11/10/2008. Release of ranscript Restriction set for 1/7/2009. (Scalfani, Deborah) (Entered: 10/12/2008)

	ipt. l?1 72 9,6 >1 htt s:// cf. had usc urt .go /do 1/0 50 79 75 >	
0/12/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,6 >1 htt s:// cf. had usc urt .go /do 1/0 50 79 75 >	NOTICE is hereby given that an official transcript of a proceeding as to Carlos Rodriguez has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry. (Scalfani, Deborah) (Entered: 10/12/2008)
0/20/2008	ie / /cg in/ pis lay Rec	Memorandum as to Carlos Rodriguez (Cabell, Donald) (Entered: 10/20/2008)

	ipt. l?1 72 9,6 >1 htt s:// cf. had usc urt .go /do 1/0 50 80 61 >	
0/20/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,7 >1 htt s:// cf. had usc urt .go /do 1/0 50 80 10 >	OINT SUBMISSION pursuant to Local Rule 116.5(C) as to Carlos Rodriguez. Re ntered by court staff to correct data entry error. (Patch, Christine) (Entered: 0/21/2008)
0/20/2008	ie / /cg in/ pis lay Rec	lectronic Clerk Notes for proceedings held before Magistrate Judge Leo T. orokin: Initial Status Conference as to Carlos Rodriguez held on 10/20/2008; ounsel state the status of the case and request more time; The Interim Status onference has been set for 12/2/2008 03:00 PM in Courtroom 14 before agistrate Judge Leo T. Sorokin. Time excluded from 10/20/08-12/2/08 (Digital ecording #d.) (Simeone, Maria) (Entered: 10/22/2008)

	ipt. l?1 72 9,7 >	
0/20/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,7 >	Magistrate Judge Leo T. Sorokin: Electronic ORDER ON EXCLUDABLE DELAY s to Carlos Rodriguez Time excluded from 10/20/08 until 12/2/08. (Simeone, Maria) (Entered: 10/22/2008)
0/21/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,7 >	Notice of correction to docket made by Court staff. Correction: Document No. 12 orrected because: it was filed using the incorrect event. Please refer to Document No. 13 for corrected filing as to Carlos Rodriguez (Patch, Christine) Entered: 10/21/2008)
0/22/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,8 >1 htt s:// cf. nad usc urt .go /do 1/0	Magistrate Judge Leo T. Sorokin: REPORT AND ORDER on Initial Status Conference as to Carlos Rodriguez Status Conference set for 12/2/2008 03:00 PM n Courtroom 14 before Magistrate Judge Leo T. Sorokin. (Simeone, Maria) Entered: 10/22/2008)

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1/21/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,8 >1 htt s:// cf. had usc urt .go /do 1/0 50 85 48 >	etter (non-motion) regarding Discovery as to Carlos Rodriguez (Fick, William) Entered: 11/21/2008)
1/24/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,8 >1 htt s:// cf. had usc urt .go /do 1/0	etter (non-motion) as to Carlos Rodriguez responding to defendant's request for iscovery (Cabell, Donald) (Entered: 11/24/2008)

	50 86 66 >	
2/02/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,8 >	lectronic Clerk Notes for proceedings held before Magistrate Judge Leo T. orokin: Final Status Conference as to Carlos Rodriguez held on 12/2/2008; ounsel state the case is ready to be returned to the DJ (Digital Recording #d.) Simeone, Maria) (Entered: 12/08/2008)
2/02/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,9 >1 htt s:// cf. nad usc urt .go /do 1/0 50 87 58 >	lagistrate Judge Leo T. Sorokin: ORDER entered. REPORT AND ORDER on inal Status Conference as to Carlos Rodriguez (Simeone, Maria) (Entered: 2/08/2008)
2/02/2008	ie / /cg in/ pis lay Rec ipt. l?1	ase as to Carlos Rodriguez no longer referred to Magistrate Judge Leo T. orokin. (Simeone, Maria) (Entered: 12/08/2008)

	72 9,9 >	
2/08/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,9 >	ELECTRONIC NOTICE OF INITIAL PRETRIAL CONFERENCE as to Carlos Rodriguez. Initial Pretrial Conference set for 12/12/2008 at 11:30 AM in Courtroom 19 before Judge Patti B. Saris. (Alba, Robert) (Entered: 12/08/2008)
2/12/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,9 >	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Pretrial Conference as to Carlos Rodriguez held on 12/12/2008. Parties inform Court the case will go to trial. Court sets Final Pretrial Conference for 2/26/2009 at 2:30 PM in Courtroom 19 before Judge Patti B. Saris. Jury Trial set for 3/2/2009 at 9:00 AM in Courtroom 19 before Judge Patti B. Saris. (Court Reporter Lee Marzilli.)(Attorneys present: Cabell, Fick) (Alba, Robert) (Entered: 12/12/2008)
2/16/2008	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 0> 8 htt s:// cf. had usc urt .go /do 1/0 50 89	Judge Patti B. Saris: ORDER entered. PRETRIAL ORDER as to Carlos Rodriguez Time excluded from December 12, 2008 until March 2, 2009. Jury Trial set for 3/2/2009 09:00 AM in Courtroom 19 before Judge Patti B. Saris. Final Pretrial Conference set for 2/26/2009 02:30 PM in Courtroom 19 before Judge Patti B. Saris. (Patch, Christine) (Entered: 12/17/2008)

	71	
1/13/2009	ie /cg in/ is lay ec ipt. l?1 72 9,1 3> 9 htt s:// cf. ad usc urt .go /do 1/0 50 92 69	ssented to MOTION to Continue Trial as to Carlos Rodriguezby USA. (Cabell, onald) (Entered: 01/13/2009)
1/20/2009	ie /cg in/ is lay ec ipt. l?1 72 9,1	udge Patti B. Saris: Electronic ORDER entered allowing 19 https://ecf.mad.uscourts.gov/doc1/09502926690> Assented to MOTION to ontinue Trial as to Carlos Rodriguez by USA. "Allowed. The Jury Trial is ontinued to 4/13/2009 at 9:00 AM. The Final Pretrial Conference is continued to /8/2009 at 3:00 PM. (Alba, Robert) (Entered: 01/20/2009)
1/20/2009	ie /cg in/ is lay ec ipt. l?1 72	udge Patti B. Saris: ORDER entered. ORDER ON EXCLUDABLE DELAY as to arlos Rodriguez Time excluded from January 20, 2009 until April 13, 2009. Patch, Christine) (Entered: 01/21/2009)

	9> 0 htt s:// cf. had usc urt .go /do 1/0 50 93 33 >	
3/13/2009	ie / /cg in/ Dis lay Rec ipt. l?1 72 9,1 2> 1 htt s:// cf. had usc urt .go /do 1/0 50 02 69 >	NOTICE OF ATTORNEY APPEARANCE: Stylianus Sinnis appearing for Carlos Rodriguez (Sinnis, Stylianus) (Entered: 03/13/2009)
3/17/2009	ie / /cg in/ Dis lay Rec ipt. l?1 72 9,1	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Pretrial Conference as to Carlos Rodriguez held on 3/17/2009. Court and counsel discuss potential rescheduling of the trial. Cousnel to notify the Court as to whether the /13/09 trial date is feasible. (Court Reporter Lee Marzilli.)(Attorneys present: Cabell, Sinnis) (Alba, Robert) (Entered: 03/17/2009)

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3/24/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 8> 2 htt s:// cf. nad usc urt .go /do 1/0 50 03 19 >	oint MOTION to Continue to 08/10/2009 to Trial as to Carlos Rodriguezby Carlos Rodriguez, USA. (Cabell, Donald) (Entered: 03/24/2009)
3/25/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 1>	udge Patti B. Saris: Electronic ORDER entered granting 22 https://ecf.mad.uscourts.gov/doc1/09503038197> Motion to Continue Trial as to Carlos Rodriguez (1) Final Pretrial Conference set for 8/5/2009 04:00 PM in Courtroom 19 before Judge Patti B. Saris. Jury Trial set for 8/10/2009 09:00 AM i Courtroom 19 before Judge Patti B. Saris. "Counsel are to stipulate to new pretria ubmission deadlines."(Patch, Christine) (Entered: 03/25/2009)
4/07/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 4>	udge Patti B. Saris: ORDER entered. ORDER ON EXCLUDABLE DELAY as to Carlos Rodriguez Time excluded from April 13, 2009 until August 10, 2009. Patch, Christine) (Entered: 04/07/2009)

	3 htt s:// cf. had usc urt .go /do 1/0 50 06 38 >	
8/05/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 9>	lectronic Clerk Notes for proceedings held before Judge Patti B. Saris: Final Pretrial Conference as to Carlos Rodriguez held on 8/5/2009. Counsel request ontinuance of trial. Jury Trial rescheduled to 9/21/2009 at 9:00 AM in Courtroom 9 before Judge Patti B. Saris. (Court Reporter Lee Marzilli.)(Attorneys present: abell, Fick, Sinnis) (Alba, Robert) (Entered: 08/05/2009)
8/05/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 3> 5 htt s:// cf. had usc urt .go /do 1/0 50 26 95 >	udge Patti B. Saris: ORDER entered. ORDER ON EXCLUDABLE DELAY as to arlos Rodriguez Time excluded from August 5, 2009 until September 21, 2009. Patch, Christine) (Entered: 08/06/2009)

8/05/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 6> 6 htt s:// cf. nad usc urt .go /do 1/0 50 26 57 >	udge Patti B. Saris: ORDER entered. PRETRIAL ORDER as to Carlos Rodrigue ury Trial set for 9/21/2009 09:00 AM in Courtroom 19 before Judge Patti B. Saris Patch, Christine) (Entered: 08/06/2009)
9/14/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 8> 7 htt s:// cf. nad usc urt .go /do 1/0 50 31 45 >	MOTION in Limine to Preclude Impeachment of Defendant By Evidence of Prior Convictions as to Carlos Rodriguez. (Fick, William) (Entered: 09/14/2009)

9/17/2009	ie v /cg in/ pis lay Rec ipt. l?1 72 9,1 1> 8 htt s:// cf. nad usc urt .go /do 1/0 50 32 39 >	Proposed Voir Dire by Carlos Rodriguez (Fick, William) (Entered: 09/17/2009)
9/17/2009	ie v /cg in/ pis lay Rec ipt. l?1 72 9,1 3> 9 htt s:// cf. nad usc urt .go /do 1/0 50 32 14 >	EXHIBIT/WITNESS LIST by Carlos Rodriguez (Fick, William) (Entered: 09/17/2009)

9/18/2009	ie v /cg in/ pis lay Rec ipt. l?1 72 9,1 5> 0 htt s:// cf. nad usc urt .go /do 1/0 50 32 64 >	EXHIBIT/WITNESS LIST by USA as to Carlos Rodriguez (Cabell, Donald) Entered: 09/18/2009)
9/18/2009	ie v /cg in/ pis lay Rec ipt. l?1 72 9,1 7> 1 htt s:// cf. nad usc urt .go /do 1/0 50 32 65 >	EXHIBIT/WITNESS LIST by USA as to Carlos Rodriguez (Cabell, Donald) Entered: 09/18/2009)

9/18/2009	ie / /cg in/ is lay ec ipt. l?1 72 9,1 9> 2 htt s:// cf. ad sc urt .go /do 1/0 50 32 65 >	roposed Voir Dire by USA as to Carlos Rodriguez (Cabell, Donald) (Entered: 9/18/2009)
9/18/2009	ie / /cg in/ is lay ec ipt. l?1 72 9,1 1> 3 htt s:// cf. ad sc urt .go /do 1/0 50 32 09 >	ESPONSE to Motion by USA as to Carlos Rodriguez re 27 https://ecf.mad.uscourts.gov/doc1/09503318450> MOTION in Limine to Preclud mpeachment of Defendant By Evidence of Prior Convictions (Cabell, Donald) Entered: 09/18/2009)

9/21/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 4> 4 htt s:// cf. had usc urt .go /do 1/0 50 32 88 >	udge Patti B. Saris: ORDER entered. CJA 20 as to Carlos Rodriguez: Appointment of Attorney Raymond A. O'Hara for Carlos Rodriguez. (Adam, ucien) (Entered: 09/21/2009)
9/21/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 7>	lectronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria Day One as to Carlos Rodriguez held on 9/21/2009. Jury impaneled. Jury sworn ourt suspends until Wednesday, September 23, at 9:00 a.m. (Court Reporter heryl Dahlstrom.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) Entered: 09/21/2009)
9/23/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 0>	lectronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria Day Two as to Carlos Rodriguez held on 9/23/2009. (Court Reporter Lee arzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 9/23/2009)
9/24/2009	ie	XCERPT Transcript of Jury Trial Day One as to Carlos Rodriguez held on

	v /cg in/ bis lay Rec ipt. l?1 72 9,1 2> 5 htt s:// cf. had usc urt .go /do 1/0 50 33 01 >	September 21, 2009, before Judge Saris. Court Reporter Cheryl Dahlstrom at 17/951-4555. The Transcript may be purchased through the Court Reporter, iewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 10/13/2009. Redacted Transcript Deadline set for 0/22/2009. Release of Transcript Restriction set for 12/21/2009. (Scalfani, eborah) (Entered: 09/24/2009)
9/24/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 4> 6 htt s:// cf. had usc urt .go /do 1/0 50 33 02 >	NOTICE is hereby given that an official transcript of a proceeding as to Carlos Rodriguez has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is ttached to this entry. (Scalfani, Deborah) (Entered: 09/24/2009)
9/24/2009	ie	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria

	v /cg in/ bis lay Rec ipt. l?1 72 9,1 6>	Day Three as to Carlos Rodriguez held on 9/24/2009. (Court Reporter Lee Marzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 9/24/2009)
9/25/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 8> 7 htt s:// cf. had usc urt .go /do 1/0 50 33 50 >	Proposed Jury Instructions by USA as to Carlos Rodriguez (Cabell, Donald) Entered: 09/25/2009)
9/25/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,1 0>	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Trial Day Four as to Carlos Rodriguez held on 9/25/2009. (Court Reporter Lee Marzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 9/25/2009)
9/25/2009	ie	Proposed Jury Instructions by Carlos Rodriguez (Sinnis, Stylianus) (Entered: 9/25/2009)

	/cg in/ pis lay Rec ipt. l?1 72 9,1 2> 8 htt s:// cf. had usc urt .go /do 1/0 50 33 15 >	
9/28/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 4> 9 htt s:// cf. had usc urt .go /do 1/0 50 33 62 >	Memorandum regarding in Opposition to Proposed Jury Instruction on Flight/Consciousness of Guilt as to Carlos Rodriguez (Fick, William) (Entered: 9/28/2009)
9/28/2009	ie /	EXCERPT Transcript of Jury Trial Day Three (Testimony of Joseph J. Garofalo) s to Carlos Rodriguez held on September 24, 2009, before Judge Saris. Court

	/cg in/ Dis lay Rec ipt. l?1 72 9,1 6> 0 htt s:// cf. had usc urt .go /do 1/0 50 33 60 >	Reporter Lee A. Marzilli at leemarz@aol.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 10/16/2009. Redacted Transcript Deadline set for 10/26/2009. Release of Transcript Restriction set for 12/24/2009. (Scalfani, Deborah) (Entered: 09/28/2009)
9/28/2009	ie y /cg in/ Dis lay Rec ipt. l?1 72 9,1 8> 1 htt s:// cf. had usc urt .go /do 1/0 50 33 61 >	NOTICE is hereby given that an official transcript of a proceeding as to Carlos Rodriguez has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry. (Scalfani, Deborah) (Entered: 09/28/2009)
9/29/2009	ie y	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Trial Day Five as to Carlos Rodriguez held on 9/29/2009. Parties rest. Parties make

	/cg in/ bis lay Rec ipt. l?1 72 9,1 2>	losing arguments. Jury begins deliberations. Jury dismissed at end of day and to eturn on 9/30/09 to continue deliberations. (Court Reporter Lee Marzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 9/30/2009)
9/30/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 0> 2 htt s:// cf. nad usc urt .go /do 1/0 50 34 86 >	Certificate of Service as to Carlos Rodriguez. (Fick, William) (Entered: 9/30/2009)
9/30/2009	ie / /cg in/ bis lay Rec ipt. l?1 72 9,1 4>	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria Day Six as to Carlos Rodriguez held on 9/30/2009. Jury continues deliberations. ury dismissed for the day and to return to deliberate on 10/1/09. (Court Reporter ee Marzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 9/30/2009)
0/01/2009	ie / /cg	Electronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria Day Seven as to Carlos Rodriguez held on 10/1/2009. Jury continues eliberations. Jury administers two notes to the Court. Court excuses jury at 3:44

	in/ is lay Rec ipt. l?1 72 9,1 6>	.m. to return to deliberate on 10/2/09. (Court Reporter Lee Marzilli.)(Attorneys resent: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 10/01/2009)
0/01/2009	ie / /cg in/ is lay Rec ipt. l?1 72 9,2 3> 9 htt s:// cf. had usc urt .go /do 1/0 50 35 28 >	ury Note as to Carlos Rodriguez (Patch, Christine) (Entered: 10/07/2009)
0/02/2009	ie / /cg in/ is lay Rec ipt. l?1 72 9,1 8>	lectronic Clerk Notes for proceedings held before Judge Patti B. Saris: Jury Tria Day Eight as to Carlos Rodriguez held on 10/2/2009. Court administers upplemental instruction to the jury. Jury continues deliberations. Jury returns a erdict at 12:20 p.m. Jury Verdict: Guilty. Jury discharged. Sentencing set for /8/2010 at 3:00 PM in Courtroom 19 before Judge Patti B. Saris. (Court Reporte ee Marzilli.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 0/02/2009)
0/02/2009	ie / /cg	OURT'S WITNESS LIST for Jury Trial held on September 21, 23, 24, 25, 29, 30 ctober 1, 2 as to Carlos Rodriguez. (Alba, Robert) (Entered: 10/02/2009)

	in/ pis lay Rec ipt. l?1 72 9,1 1> 3 htt s:// cf. had usc urt .go /do 1/0 50 34 66 >	
0/02/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 3> 4 htt s:// cf. had usc urt .go /do 1/0 50 34 66 >	COURT'S EXHIBIT LIST for Jury Trial held on September 21, 23, 24, 25, 29, 30, October 1, 2 as to Carlos Rodriguez. (Alba, Robert) (Entered: 10/02/2009)
0/02/2009	ie / /cg	NOTICE AS TO Carlos Rodriguez. After we returned from thanking the jury, my law clerks told me they saw a pocket-sized New Testament on top of a juror notebook on the table in the jury room. While I did not see it, and no juror mentioned it, I bring this matter to your attention for whatever steps, if any, you

	in/ pis lay Rec ipt. l?1 72 9,1 5> 5 htt s:// cf. had usc urt .go /do 1/0 50 34 72 >	hink are appropriate. (O'Brien, Nancy) (Entered: 10/02/2009)
0/02/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,1 7> 6 htt s:// cf. had usc urt .go /do 1/0 50 35 80 >	udge Patti B. Saris: ORDER entered. PROCEDURAL ORDER re sentencing earing as to Carlos Rodriguez Sentencing set for 1/8/2010 03:00 PM in ourtroom 19 before Judge Patti B. Saris. (Patch, Christine) (Entered: 0/06/2009)
0/02/2009	ie / /cg	URY VERDICT as to Carlos Rodriguez (1) Guilty on Count 1. (Patch, Christine) Entered: 10/07/2009)

	in/ is lay ec ipt. l?1 72 9,2 5> 0 htt s:// cf. nad usc urt .go /do 1/0 50 35 29 >	
0/07/2009	ie / /cg in/ is lay ec ipt. l?1 72 9,1 9> 7 htt s:// cf. nad usc urt .go /do 1/0 50 35 00 >	Ex Parte) Memorandum from Probation regarding request for juvenile dockets as o Carlos Rodriguez. Requested action: Signature and return (Attachments: # https://ecf.mad.uscourts.gov/doc1/09513356008> 2 Orders for juvenile court ockets) (Marcy, Tricia) (Entered: 10/07/2009)
0/07/2009	ie / /cg	MOTION for New Trial Due to Jury Taint as to Carlos Rodriguez. (Fick, William) Entered: 10/07/2009)

	in/ pis lay Rec ipt. l?1 72 9,2 1> 8 htt s:// cf. nad usc urt .go /do 1/0 50 35 21 >	
0/09/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 8> 1 htt s:// cf. nad usc urt .go /do 1/0 50 36 65 >	EXCERT Transcript of Jury Trial Day Five (Closing Arguments) as to Carlos Rodriguez held on September 29, 2009, before Judge Saris. Court Reporter Lee A. Marzilli at leemarz@aol.com. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Redaction Request due 10/27/2009. Redacted Transcript Deadline set for 11/6/2009. Release of Transcript Restriction set for 1/4/2010. (Scalfani, Deborah) (Entered: 10/09/2009)
0/09/2009	ie / /cg	NOTICE is hereby given that an official transcript of a proceeding as to Carlos Rodriguez has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is attached to this entry. (Scalfani, Deborah) (Entered: 10/09/2009)

	in/ is lay Rec ipt. l?1 72 9,2 0> 2 htt s:// cf. nad usc urt .go /do 1/0 50 36 65 >	
0/13/2009	jav scr pt: Rul On Moti n(17 89, 12, 305 58 ')> jav scr pt: Rul On Moti n(17 89, 12, 305 58 ')> ie / /cg	Second MOTION for New Trial (Due to Government's Improper Statements During Closing Arguments) as to Carlos Rodriguez. (Fick, William) (Entered: 10/13/2009)

	in/ pis lay Rec ipt. l?1 72 9,2 2> 3 htt s:// cf. nad usc urt .go /do 1/0 50 36 41 >	
0/21/2009	ie / /cg	pposition by USA as to Carlos Rodriguez re 48 https://ecf.mad.uscourts.gov/doc1/09503356217> MOTION for New Trial Due to ury Taint (Cabell, Donald) (Entered: 10/21/2009)
	in/ pis lay Rec ipt. l?1 72 9,2 4> 4 htt s:// cf. nad usc urt .go /do 1/0 50 37 08 >	
0/22/2009	ie / /cg	LECTRONIC NOTICE OF HEARING as to Carlos Rodriguez. Status Conference e: Juror Voir Dire set for 10/23/2009 at 10:00 AM in Courtroom 19 before Judge atti B. Saris. (Alba, Robert) (Entered: 10/22/2009)

	in/ is lay Rec ipt. l?1 72 9,2 7>	
0/23/2009	ie / /cg in/ is lay Rec ipt. l?1 72 9,2 9>	lectronic Clerk Notes for proceedings held before Judge Patti B. Saris: Status Conference as to Carlos Rodriguez re: Juror Voir Dire held on 10/23/2009. Jury oreperson sworn. Court and counsel inquire of Foreperson. Foreperson ischarged. Court and counsel observe jury room. Hand drawn diagram of table nside jury room by Attorney Fick submitted as Exhibit A. Court hears argument o ounsel. Court takes issue under advisement. (Court Reporter Debra oyce.)(Attorneys present: Cabell, Fick, Sinnis) (Alba, Robert) (Entered: 0/23/2009)
0/23/2009	ie / /cg in/ is lay Rec ipt. l?1 72 9,2 1> 5 htt s:// cf. nad usc urt .go /do 1/0 50 38 19 >	XHIBIT A (Hand drawn diagram of table inside jury room by Attorney Fick) from tatus Conference re: Juror Voir Dire conducted on 10/23/2009 as to Carlos odriguez. (Alba, Robert) (Entered: 10/23/2009)
0/26/2009	ie / /cg in/	ranscript of Hearing as to Carlos Rodriguez held on October 23, 2009, before udge Sari. Court Reporter Debra M. Joyce at joycedebra@gmail.com. The ranscript may be purchased through the Court Reporter, viewed at the public erminal, or viewed through PACER after it is released. Redaction Request due 1/13/2009. Redacted Transcript Deadline set for 11/23/2009. Release of

	pis lay Rec ipt. l?1 72 9,2 3> 6 htt s:// cf. had usc urt .go /do 1/0 50 38 41 >	ranscript Restriction set for 1/21/2010. (Scalfani, Deborah) (Entered: 10/26/2009
0/26/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 5> 7 htt s:// cf. had usc urt .go /do 1/0 50 38 42 >	OTICE is hereby given that an official transcript of a proceeding as to Carlos Rodriguez has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, a copy of which is ttached to this entry. (Scalfani, Deborah) (Entered: 10/26/2009)
0/26/2009	ie / /cg in/	ssented to MOTION for Extension of Time to 10/28/2009 to File file response as o Carlos Rodriguezby USA. (Cabell, Donald) (Entered: 10/26/2009)

	pis lay Rec ipt. l?1 72 9,2 7> 8 htt s:// cf. nad usc urt .go /do 1/0 50 38 07 >	
0/26/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 9>	udge Patti B. Saris: Electronic ORDER entered granting 58 https://ecf.mad.uscourts.gov/doc1/09503384076> Assented to MOTION for xtension of Time to 10/28/2009 to File response as to Carlos Rodriguez by USA Response due by 10/28/2009 (Alba, Robert) (Entered: 10/26/2009)
0/26/2009	ie / /cg in/ pis lay Rec ipt. l?1 72 9,2 1>	udge Patti B. Saris: Electronic ORDER entered finding as moot 27 https://ecf.mad.uscourts.gov/doc1/09503318450> Motion in Limine to Preclude mpeachment of Defendant by Evidence of Prior Convictions, as to Carlos Rodriguez (1) (Patch, Christine) (Entered: 10/27/2009)
0/28/2009	ie / /cg in/ pis	pposition by USA as to Carlos Rodriguez re 53 https://ecf.mad.uscourts.gov/doc1/09503362417> Second MOTION for New Tria Due to Government's Improper Statements During Closing Arguments) (Cabell, onald) (Entered: 10/28/2009)

	lay Rec ipt. l?1 72 9,2 3> 9 htt s:// cf. nad usc urt .go /do 1/0 50 38 82 >	
0/29/2009	ie v /cg in/ bis lay Rec ipt. l?1 72 9,2 6> 0 htt s:// cf. nad usc urt .go /do 1/0 50 39 50 >	Ex Parte) Memorandum from Probation regarding Order for DCF Records as to Carlos Rodriguez. Requested action: signature & return (Attachments: # https://ecf.mad.uscourts.gov/doc1/09513390507> Order for DCF Records) Marcy, Tricia) (Entered: 10/29/2009)
1/05/2009	ie v /cg in/ bis	udge Patti B. Saris: MEMORANDUM AND ORDER entered denying 48 https://ecf.mad.uscourts.gov/doc1/09503356217> Motion for New Trial as to Carlos Rodriguez (1) (Irwin, Nancy) (Entered: 11/05/2009)

	lay Rec ipt. l?1 72 9,2 8> 1 htt s:// cf. had usc urt .go /do 1/0 50 40 10 >	

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