## **United States District Court**

Eastern District of Missouri 111 South 10<sup>th</sup> Street St. Louis, Missouri 63102

James G. Woodward Clerk of Court

May 25, 2006

Marty Silva, Deputy in Charge United States District Court Las Cruces Division 200 E. Griggs, 2nd Floor Las Cruces, New Mexico 88001

(R Q0 538 JH

- 314-244-7900

RE: USA v. Joseph Allen Butts 06-538 JH OUR DOCKET NUMBER: 4:05MJ6093 TCM

Dear Deputy in Charge.

Pursuant to the Commitment to Another District filed in our office on May 24, 2006, we are sending certified copies of the following items:

Order Appointing Federal Public Defender from Case No. 4:06CR199 CDP Order Setting Conditions of Release dated April 3, 2006 from Case No. 4:06CR199 Initial Appearance in Rule 5(c)(3) with Superseding Indictment from your district. Waiver of Rule 5(c)(3) Hearing Commitment to Another District Docket Sheet from 4:06mj6093 and 4:06CR199 CDP.

Please return the enclosed copy of this letter as acknowledgment of the receipt of above. Thank you for your attention to this matter.

If you have any questions regarding this matter, please call me at 314-244-7931.

Sincerely, JAMES G. WOODWARD, CLERK

By:<u>s Melanie Berg</u> Melanie Berg Deputy Clerk

cc: Thomas Flynn, Federal Public Defender Liffany Becker, Assistant U.S. Attorney

#### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

UNITED STATES OF AMERICA,	}
Plaintiff	, ) }
Υ.	) ) No. 4:06 CR 199 CDP
COSECH BUITS,	) ) )
Defondant	. )

#### ORDER

Joseph Butts having established the inability to retain private counsel, being in meed of counsel, and being entitled to the appointment of counsel under the Criminal Justice Act, as amended, 18 0.5.0.5 3006(A),

IT IS HEREBY ORDERED that the Federal Public Defender for this District is appointed to represent Joseph Butts in this matter.

DAVID D. NOCE UNITED STATES MAGISTRATE JUDGE

Signed on March 24, 2006.

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	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI	
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Attorney(s) for Detendant(s)	hanes type	
	Probation Officer	
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Initial Appearance	Detention Rearing	Bong Review
Arraignment	Appearance Bond	Material Witness
Preliminary Examination	Evid	entury Hearing (if waived, sheek motion box)
Motion Heating	Chan	nge of Plea/ Sentencing
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Probatico	Con-	petency
Supervised Refease		
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Court adopto/ us	ly Nocis order set	ting bond @ SODO/ Slaves.
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Bail/ Bond set in the amount of \$	Secured Appearance Bond	Secured by 10%
Secured by cash only	Secured by property	bond D/R hond
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District of	1 New Mexico E	ASTERN DISTRICT OF MISSOURI
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		DEPUTY CHERK

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	Таре #	from	to
RULE 5 INITIAL APPEARAN MAGISTRATE JUDGE TH			
	Mag. No	4:06 MT	6093 TCm
Defendant's Name: Joseph Allen	D/C Case No. Butts		·
Right to remain silent; and that defends SSN# $57F154536$ Date of Initial Appearance: $52406$	ant's statement	s can be used ag	gainst him.
Date Federal Custody Commenced:			
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U.S. Attomey: <u>Tiffany Becke</u> Defense Attomey: <u>Tim</u> FlyNN		Present	Not Present
Defendant advised of following:		_	
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•••			
Appointed:	. Mr f	<u>ynn</u>	
Right to preliminary examination under		/	
within 10 days if detained; and within	20 days if rele	ased.	
Right to hearing here under Rule 40 if	charged in ano	ther district.	
Right to transfer here for guilty plea un	nder Rule 20 if	charged in anot	ther district.
Pretrial Services Officer LISA	LATIER	•	
Probation Officer	<u> </u>		
Defendant's residence: $13109W/4$	landy ly	'Tel. No	
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150 - Juli	<u> </u>	<u></u>	
Defendant's Age: DOB:	Sex:		Race:
Married; Spouse's Name:	<u>_</u>	No. of children Ages:	alleth
Single		Ages	

Defendant's current employment:	Unpfr
Location of defendant's family:	any
Defendant's prior convictions:	1990 le Sterr
Bail set at: 50 pro	Sec. O.R. Unsec. Cash Property 10% AB AB Only
Motion for detention hearing made	by United States Magistrate Judge
Detention hearing: Date and/or	, 2006, at <u>m.</u> before <u>Judge Munimert</u> Time
Next Appearance: Date	, 2006, at m, before Judge Time
	oceeding
Disposition at Initial Appearance:	Committed to Custody Released on Bond
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THOMAS C. MUMMERT, III UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANUEL DEAN QUAINTANCE, MARY HELEN QUAINTANCE, TIMOTHY JASON KRIPNER, and JOSEPH ALLEN BUTTS,

Defendants.

FII, E

MAY 7 2005

WATTHEW J. DYKMAN CLERK

4:06MJ 6093 TM

CRIMINAL NO. 06-538 JH

COUNT 1: 21 U.S.C. § 846: Conspiracy;

COUNT 2: 21 U.S.C.§ 841(a)(1) and 21
 U.S.C. § 841(b)(1)(C): Possession with
 Intent to Distribute 50 Kilograms and more
 of Marijuana and 18 U.S.C. § 2: Aiding
 and Abetting.

### SUPERSEDING INDICTMENT

The Grand Jury charges:

#### COUNT 1

Beginning on or about the 13th day of February, 2006, up to and including the 22nd day of February, 2006, in Hidalgo County, in the State and District of New Mexico and elsewhere, the defendants, DANUEL DEAN QUAINTANCE, MARY HELEN QUAINTANCE, TIMOTHY JASON KRIPNER, and JOSEPH ALLEN BUTTS, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together and with each other and with other persons whose names are known and unknown to the grand jury to commit the following offense against the United States, to wit: Possession with intent to distribute 100 kilograms and more of Marijuana, a Schedule : controlled substance, contrary to 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(8).

In violation of 21 U.S.C. § 846.

CERTIFIED a True Copy of the original filed in my office. Clerk Benutv

#### COUNT 2

On or about the 22nd day of February, 2006, in Hidalgo County, in the State and District of New Mexico, the defendants, DANUEL DEAN QUAINTANCE, MARY HELEN QUAINTANCE and TIMOTHY JASON KRIPNER, did unlawfully, knowingly and intentionally possess with intent to distribute 50 kilograms and more of Marijuana. a Schedule I controlled substance.

In violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(C) and 18 U.S.C. § 2.

A TRUE BILL: FOREPERSON OF THE GRAND JURY

DAVID C. IGLESIAS United States Attorney

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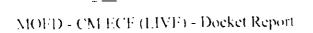
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AC(466) Rev. 801) Waiver of Rule 40 Hearings

# UNITED STATES DISTRICT COURT

LASTERN	DISTRICT OF MISSOURI
UNITED STATES OF AMERIC	۲۵ 5(c)(3) WAIVER OF RULE 40 HEARINGS (All Criminal Cases)
V.	JUDGE: Thomas C. Mummert, III
JOSEPH ALLEN BUTTS	
Defindant	CASENUMBER: <u>4:06MJ6093 TCM (EDMO)</u> 06-538 JH (DNM)
I understand that charges are pend	ing in the District of New Mexico
	d (b)(1)(C) and 18:2 and that 1 have been arrested in this district and Probation / Supervised Release) idge, who has informed me of the charge(s) and my rights to:
(2) an identity hearing to determine where the second seco	nment of coursel if 1 am unable to retain coursel; hether 1 am the person named in the charges;
(3) a preliminary examination (unless believe an offense has been comm	R. SUPERVISED RELEASE CASES; an indictment has been returned or information filed) to determine whether there is prohable cause to nitted by me, the hearing to be held in this district or the district of prosecution; and s to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.
to determine whether there is not	D RELEASE CASES: violation charged allogedly occurred in this district, and I am held in custody solely on that charge) (able cause to believe I have violated the terms of my probation/supervised release; and R. Crim. P., in which I have the barden of establishing my eligibility for release.
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5-24-06 Date	Defense Counsel A TRUE COPY OF THE ORIGINAL JAAAD C. WOODWARD, CLARK UNITED STATES AND CLARK UNITED STATES AND OF MISSOURI EASTERM OF THE OF MISSOURI BY: DEPUTY CHERK

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CLOSED.

## U.S. District Court Eastern District of Missouri (LIVE) (St. Louis) CRIMINAL DOCKET FOR CASE #: 4:06-mj-06093-TCM-ALL Internal Use Only

Case title: USA v. Butts

Date Filed: 05/24/2006

1010 Market Street

St. Louis, MO 63101

LEAD ATTORNEY

FEDFRAL PUBLIC DI-FENDER

Email: thomas flynn a fd.org

ATTORNEY TO BE NOTICED Designation: Public Defender or Community Defender Appointment

Assigned to: Mag Judge Thomas C. Mummert, III

### Defendant

.

Joseph A. Butts (1) TERMINATED: 05-24-2006

### Pending Counts

None

### Highest Offense Level (Opening)

None

### **Terminated** Counts

None

## Highest Offense Level (Terminated) None

### Complaints

None

### Plaintiff

Disposition

represented by Thomas F. Flynn

Suite 200

314-241-1255 Fax: 314-421-3177

Disposition

Disposition

A TRUE COPY OF THE ORIGINAL JAMES C. WOODWILLERK UNITED SHATTS AND HACT COURT LASTERN DISTINCT OF MISSOURI Maner Alle BY: / DEPUTY ENERK 5 25 2006

https://eef.moed.cire8.den/egi-bin/DktRpt.pl?834182821608566-1//923/0-1

represented by **Tiffany G. Becker** OFFICE OF U.S. ATTORNEY 111 S. Tenth Street 20th Floor St. Louis, MO 63102 314-539-2200 Fax: 314-539-7695 Email: tiffany.becker *a* usdoj.gov *LEAD ATTORNEY* 

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/2412006	3	Arrest of defendant Joseph A. Butts. Date of arrest: 5/24/06 on charging papers from District of Mexico. (KLK) (Entered: 05/24/2006)
05/24/2006	<b>3</b> 1	Minute Entry for proceedings held before Judge Thomas C. Mummert III:Initial Appearance in Rule 5(c)(3) Proceeding as to Joseph A. Butts held on 5/24/2006 Joseph A. Butts (1) 50,000/secured. Defendant given copy of: superseding indictment. Court to appoint: Thomas Flynn, Federal Public Defender. Deft sworn. Court adopts Judge Noce's Order setting bond at \$50,000/secured. Deft signs waiver of Rule 5(c)(3) hearing. Court enters Comittment to another district - District of New Mexico. (Court Reporter or FTR Gold Operator initials:M. Berg.) (FTR Gold : YES.) (proceedings started: 11:18 a.m) (proceedings ended: 11:24 a.m) (Defendant Location: custody.) (Attachments: # 1 Superseding Indictment from the District of New Mexico) (MCB) (Entered: 05/25/2006)
05/24 2006	<b>9</b> 2	WAIVER of Rule 5(c)(3) Hearings by Joseph A. Butts (MCB) (Entered: 05/25/2006)
05/24/2006	•33	COMMITMENT TO ANOTHER DISTRICT as to Joseph A. Butts. Defendant committed to District of New Mexico, Las Cruces Division. Signed by Judge Thomas C. Mummert III on May 24, 2006. (MCB) (Entered: 05/25/2006)
05 25/2006	94	Letter from Clerk of Court, EDMO to Clerk of Court, District of New Mexico, Division Las Cruces Re:Joseph Allen Butts with acknowledgment of receipt requested. (MCB) (Entered: 05/25/2006)

USA

## U.S. District Court Eastern District of Missouri (LIVE) (St. Louis) CRIMINAL DOCKET FOR CASE #: 4:06-cr-00199-CDP-TCM-ALL Internal Use Only

Case title: USA v. Butts

Date Filed: 03/23/2006

Assigned to: Honorable Catherine D. Perry Referred to: Mag Judge Thomas C. Mummert, III

### Defendant

Joseph A. Butts (1) TERMINATED: 05:23-2006

### represented by Lee T. Lawless

FEDERAL PUBLIC DEFENDER 1010 Market Street Suite 200 St. Louis, MO 63101 314-241-1255 Fax: 314-421-3177 Email: lee-lawless *a* (d.org *TERMINATED: 04-04-2006 LEAD ATTORNEY ATTORNEY TO BE NOTICED Designation: Public Defender or Community Defender Appointment* 

### Thomas F. Flynn

FEDERAL PÜBLIC DEFENDER 1010 Market Street Suite 200 St. Louis, MO 63101 314-241-1255 Fax: 314-421-3177 Email: thomas\_flynn à-fd.org *LEAD ATTORNEY ATTORNEY TO BE NOTICED Designation: Public Defender or Community Defender Appointment* 

### St. Louis Fed Public Defender

FEDERAL PUBLIC DEFENDER 1010 Market Street Suite 200 St. Louis, MO 63101 314-241-1255 Fax: 314-421-3177



Email: julie mueller/a/fd.org TERMINATED: 04-04-2006 ATTORNEY TO BE NOTICED Designation: Public Defender or Community Defender Appointment

### Disposition

### **Pending Counts**

None

## Highest Offense Level (Opening)

None

### **Terminated** Counts

POSSESSION WITH THE INTENT TO DISTRIBUTE IN EXCESS OF 100 KILOGRAMS OF MARIJUANA (1r)

### Highest Offense Level (Terminated)

Felony

### Complaints

None

### Plaintiff

USA

### Disposition

Dismissed on motion of the government

Disposition

### represented by Tiffany G. Becker

OFFICE OF U.S. ATTORNEY 111 S. Tenth Street 20th Floor St. Louis, MO 63102 314-539-2200 Fax: 314-539-7695 Email: tiffany.becker/a usdoj.gov *LEAD ATTORNEY* ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/23/2006	31	INDICTMENT referred to Magistrate Judge Thomas C. Mummert as to Joseph A. Butts (1) count(s) 1. (Attachments: # 1 Criminal Cover Sheet) (SAJ, ) (Entered: 03/24/2006)
03/23/2006	<b>3</b> 2	REDACTED INDICTMENT as to Joseph A. Butts (1): Former count 1 is now count 1r., (SAJ, ) (Entered: 03/24/2006)

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03/23/2006	<b>3</b> 3	ENTRY OF ATTORNEY APPEARANCE Tiffany G. Becker appearing for USA. (SAJ. ) (Entered: 03/24/2006)
03/23/2006		Warrant Issued as to INDICTMENT in case as to Joseph A. Butts. (SAJ, ) (Entered: 03/24/2006)
03/24/2006	3	Arrest of defendant Joseph A. Butts date of arrest: 3/24/06 (MCB) (Entered: 03/24/2006)
03/24/2006	<b>√</b> €∕	Minute Entry for proceedings held before Judge David D. Noce :Initial Appearance/Rule 5 as to Joseph A. Butts held on 3/24/2006 Defendant given copy of: Indictment. Defendant to retain: perhaps Carolyn Matthew. Court to appoint: FPD (?). Pretrial Services bail report received on: 3/24/06. Pretrial Sevices Officer: Shannon Mc. Detention Hearing set for 3/29/2006 09:00 AM in Courtroom 17N before Mag Judge David D. Noce. Arraignment set for 3/29/2006 09:30 AM in Courtroom 13N before Mag Judge Thomas C. Mummert III. (Court Reporter or FTR Gold Operator initials:C. Liddy.) (FTR Gold : yes.) (proceedings started: 3:48.) (proceedings ended: 3:52.) (Defendant Location: custody.) (MCB) (Entered: 03/24/2006)
03 24/2006	<b>3</b> 5	CJA 23 Financial Affidavit by Joseph A. Butts (MCB) (Entered: 03/24/2006)
03/24/2006	96	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Joseph A. Butts: St. Louis Fed Public Defender for Joseph A. Butts appointed. Signed by Judge David D. Noce on 03/24/2006.(BDC) (Entered: 03/24/2006)
03/28/2006	37	Warrant Returned Executed on 3/24/2006 in case as to Joseph A. Butts re: Indictment (JMW) (Entered: 03/28/2006)
03/29/2006	<b>9</b> 8	ORDER CONCERNING PRETRIAL MOTIONS as to Joseph A. Butts Forthwith each party may propound to opposing party and may file w/the court any request for pretrial disclosure of evidence or information not later than forthwith. The parties shall respond to any such request for pretrial disclosure not later than 4/3/06. Counsel for defendant to file wit the court a memorandum if defendant chooses not to file any pretrial motions not later than 4/13/06. Criminal Pretrial Motion due by 4/13/2006. Evidentiary Hearing set for 4/21/2006 01:30 PM in Courtroom 13N before Mag Judge Thomas C. Mummert IIL. Signed by Judge Thomas C. Mummert III on 3/29/06. (BAK. ) (Entered: 03/29/2006)
03 29/2006		Minute Entry for proceedings held before Judge Thomas C. Mummert III:Arraignment: Parties present for arraignment. Defendant waives reading of indictment, plea of not guilty as to Joseph A. Butts (1) Count Ir held on 3/29/2006 Attorney Lee T. Lawless for Joseph A. Butts added Evidentiary Hearing set for 4/21/2006 01:30 PM in Courtroom 13N before Mag Judge Thomas C. Mummert III. (Court Reporter or FTR Gold Operator initials:M. Berg.) (FTR Gold : yes.) (proceedings started: 9:30.) (proceedings ended: 9:35.) (Defendant Location: custody.) (MCB (Entered: 03/29/2006)

03/29/2006	<b>3</b> 10	Minute Entry for proceedings held before Judge David D. Noce :Detention Hearing as to Joseph A. Butts held on 3/29/2006. Parties present for hearing and matter taken under submission. Order to issue. (Court Reporter or FTR Gold Operator initials: C. Liddy) (FTR Gold : yes) (proceedings started: 10:08 a.m.) (proceedings ended: 10:12 a.m.) (Defendant Location: remanded to custody) (JMW) (Entered: 03/29/2006)
04.03.2006	<b>↓</b> }1	ORDER SETTING CONDITIONS OF RELEASE as to Joseph A. Butts IT IS HEREBY ORDERED that the motion for pretrial detention of defendant Joseph A. Butts is denied. IT IS FURTHER ORDERED that defendant be released upon the following conditions: SFE ORDER FOR DFTAILS. Signed by Judge David D. Noce on April 3, 2006. (MCB) (Entered: 04/03/2006)
04/04/2006	<b>@</b> 12	Substitution of Attorney as to Joseph A. Butts Terminating Lee Lawless Replaced by substituted attorney Thomas Flynn (Flynn, Thomas) (Entered: 04/04/2006)
04/13/2006	913	MOTION for Extension of Time to File <i>Pretrial Motions and to</i> <i>Reschedule Hearing on Said Motions</i> by Joseph A. Butts. (Flynn, Thomas) (Entered: 04/13/2006)
04/14/2006	3	Docket Text ORDER as to Joseph A. Butts re 13 MOTION for Extension of Time to File <i>Pretrial Motions and to Reschedule Hearing on Said</i> <i>Motions</i> filed by Joseph A. Butts, : ORDERED granted Criminal Pretrial Motion due by 5/1/2006. Response to Court due by 5/3/2006. Evidentiary Hearing set for 5/5/2006 09:00 AM in Courtroom 13N before Mag Judge Thomas C. Mummert III. Signed by Judge Thomas C. Mummert III on 4/14/2006. (JMW) (Entered: 04/14/2006)
04/28/2006	<b>3</b> 14	MOTION for Extension of Time to File <i>Pre-Trial Motions and to Reschedule Hearing on Said Motions</i> by Joseph A. Butts. (Flynn, Thomas) (Entered: 04/28/2006)
05/02/2006		Docket Text ORDER as to Joseph A. Butts - Motion for Additional Time 14 - ORDERED GRANTED. Motions due 6/1/06; Responses due: 6/5/06; Evidentiary hearing: 6/6/06 at 12:00 p.m Signed by Judge Thomas C. Mummert III on 5/2/06. (BAK, ) (Entered: 05/02/2006)
05/02/2006		Set/Reset Deadlines/Hearings as to Joseph A. Butts: Criminal Pretrial Motion due by 6/1/2006. Evidentiary Hearing set for 6/6/2006 12:00 PM in Courtroom 13N before Mag Judge Thomas C. Mummert III. (BAK, ) (Entered: 05/02/2006)
05/11/2006	<b>W</b> 15	ORDER as to Joseph A. Butts On the Court's own motion, the evidentiary hearing on pretrial motions or a hearing on the waiver of motions is reset from June 6, 2006, at 12:00 p.m. to June 6, 2006, at 9:30 a.m. before the undersigned United States Magistrate Judge, Evidentiary Hearing reset for 6/6/2006 09:30 AM in Courtroom 13N before Mag Judge Thomas C. Mummert III. Signed by Judge Thomas C. Mummert III on May 11, 2006. (MCB) (Entered: 05/11/2006)

05.22/2006		MOTION to Dismiss <i>Indictment</i> by USA as to defendant Joseph A. Butts. (Becker, Tiffany) (Entered: 05/22/2006)
05/23/2006	<b>3</b> 17	ORDER granting 16 Motion to Dismiss as to Joseph A. Butts (1). Signed by Judge Catherine D. Perry on 5/23/06. CASE CLOSED (BAK, ) (Entered: 05/23/2006)