

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA  
OFFICE OF THE CLERK

RONNIE HONEY  
CHIEF DEPUTY CLERK  
Sandra Day O'Connor U.S. Courthouse  
401 West Washington Street  
PHOENIX ARIZONA 85003

RICHARD H. WEARE  
DISTRICT COURT EXECUTIVE / CLERK OF COURT  
Sandra Day O'Connor U.S. Courthouse  
401 West Washington Street  
PHOENIX ARIZONA 85003

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06 JUN 13 AM 8:26

MICHAEL O'BRIEN  
CHIEF DEPUTY CLERK  
Evo A. DeConcini Courthouse  
405 W. Congress, Suite 1500  
TUCSON, ARIZONA 85701

June 9, 2006

CLERK LAS CRUCES

Mr. Norman H. Meyer, Jr., Acting Clerk  
United States District Court  
Federal Building, Second Floor  
200 East Griggs Avenue  
Las Cruces, NM 88001

Re: USA vs Timothy Jason Kripner  
Our Magistrate Case No. 06-06425M  
Your Criminal No. 06M3655-03

CR 06-538 JH

Dear Clerk:

In connection with the above-entitled Removal Proceedings,  
enclosed herewith are the following:

- (1) Copy of Arrest Warrant
- (2) Certified copy of M/E of 06/01/06
- (3) Copy of Commitment to Another District
- (4) Certified Copy of Docket Sheet

Please acknowledge receipt of same on the copy of this letter  
and return to this office for filing.

RICHARD H. WEARE, CLERK

*Dori Lee Noriega*

/s/ Dori Lee Noriega  
By: Dori Lee Noriega,  
Deputy Clerk

cc: US Attorney, Dist. of New Mexico

87

From: US PRETRIAL SVCVS

520 205 4399

05/25/2006 09:03 #809 P.002/006

# 06-6425M  
DH/Ret

PS 10  
(990)

# UNITED STATES DISTRICT COURT

for  
NEW MEXICO

U.S.A. vs Timothy Jason Kripner

Docket No. 06M3695-03

TO: Any United States Marshal or any other authorized officer

### WARRANT FOR ARREST OF DEFENDANT

You are hereby commanded to arrest the within-named defendant and bring him or her, forthwith before the United States District Court to answer charges that he or she violated the conditions of his or her pretrial release imposed by the court.

NAME OF DEFENDANT Timothy Jason Kripner		SEX Male	RACE White	AGE 23
ADDRESS (STREET, CITY, STATE) Tucson, AZ 85706				
TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE) United States District Court Las Cruces, New Mexico				
CLERK Matthew J. Dytman	(BY) DEPUTY CLERK [Signature]	DATE 5/17/06		

### RETURN

Warrant received and executed	DATE RECEIVED	DATE EXECUTED
EXECUTING AGENCY (NAME AND ADDRESS)		
NAME	(BY)	DATE

Insert designation of officer to whom the warrant is issued, e.g., "any United States Marshal or any other authorized officer;" or "United States Marshal for \_\_\_\_\_ District of \_\_\_\_\_;" or "any United States Marshal; or any Special Agent of the Federal Bureau of Investigation;" or "any United States Marshal or any Special Agent of the Federal Bureau of Investigation;" or "any agent of the Alcohol Tax Unit."

CERTIFIED a true and correct copy of the original as filed by the Clerk of the Court  
by [Signature] Deputy

SUSPECT ARRESTED BY USMS  
AND INITIALED ON 05/20/06  
IN THE DISTRICT OF ARIZONA

**SCANNED  
E-FILED**



From: US PRETRIAL SVCVS

520 205 4399

05/25/2006 09:03 #809 P.004/006

AO 442 (Rev. 12/82) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: Timothy Jason Krioner

ALIAS: Tim Krioner

LAST KNOWN RESIDENCE: 835 W. Calle Antzula, Tucson, AZ 85706

LAST KNOWN EMPLOYMENT: UKN

PLACE OF BIRTH: Tucson, AZ

DATE OF BIRTH: 1/1983

SOCIAL SECURITY NUMBER: 4991

HEIGHT: 5'9" WEIGHT 165

SEX Male RACE White

HAIR: Brown EYES: Hazel

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: Back - Povich hands, w/cross, thorns, and dots

FBI NUMBER: 30322MDC3

COMPLETE DESCRIPTION OF AUTO: UKN

INVESTIGATIVE AGENCY AND ADDRESS:

From: US PRETRIAL SVCVS

520 205 4399

05/25/2006 09:03 #809 P.003/006

FBI (5/25)

**FILED**  
UNITED STATES DISTRICT COURT  
LAS CRUCES, NEW MEXICO

**UNITED STATES DISTRICT COURT** 17 2006

&r

**NEW MEXICO**

**MATTHEW J. DYKMAN**  
CLERK

Docket No. 06013655-05

U.S.A. vs Timothy Jason Kripner

**Position for Action on Conditions of Pretrial Release**

COMES NOW David A. Banegas - PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Timothy Jason Kripner who was placed under pretrial release supervision by the Honorable Lourdes A. Martinez, U.S. Magistrate Judge, sitting in the court at Las Cruces, New Mexico, on 02/24/2006 with conditions which included the following:

- 1. (7)(p) Refrain from use or unlawful possession of a narcotic drug and other controlled substances;

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

On April 21, 2006, the defendant submitted a urine sample which returned positive for cocaine, marijuana, and methamphetamine. Originally, the defendant denied the usage of any illegal substance. The defendant later admitted he did use all the above listed illegal substances.

**PRAYING THAT THE COURT WILL ORDER A WARRANT FOR THE DEFENDANT'S ARREST**

**ORDER OF COURT**

I declare under penalty of perjury that the foregoing is true and correct

Executed on: May 10, 2006

Considered and ordered this 17<sup>th</sup> day of May, 2006, and ordered filed and made a part of the records in the above case.

David A. Banegas  
U.S. Probation & Pretrial Services Officer

Lourdes A. Martinez  
Honorable Lourdes A. Martinez  
U.S. Magistrate Judge

Place Las Cruces, New Mexico

CONFIRMED TRUE:  
ORIGINAL FILED BY  
The Clerk  
by [Signature]  
Clerk

From: US PRETRIAL SVCVS

520 205 4399

05/25/2006 09:03 #809 P.005/006



# 042952  
D.B.

To: Honorable Lourdes A. Martinez  
U.S. Magistrate Judge

From: David A. Bonagan  
U.S. Probation & Pretrial Services Officer

Subject: Timothy Jason Kripner  
06M3655-03

Date: May 10, 2006

### MEMORANDUM

#### VIOLATION REPORT/WARRANT REQUEST

On February 24, 2006, the above-named defendant initially appeared before the Honorable William P. Lynch, U.S. Magistrate Judge, subsequent to being arrested for Possession With Intent to Distribute 172 Pounds of Marijuana.

On February 28, 2006, Your Honor ordered the defendant released on a \$10,000 unsecured bond, pretrial supervision, other conditions of release, and zero tolerance.

The defendant's pretrial supervision was transferred to the District of Arizona-Tucson Pretrial Services Office.

#### APPARENT VIOLATION:

The defendant is alleged to have violated condition (7)(p) Refrain from use of unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. 802, unless prescribed by a licensed medical practitioner in that:

On April 21, 2006, the defendant submitted a urine sample which returned positive for cocaine, marijuana, and methamphetamine. Originally, the defendant denied the usage of any illegal substance. The defendant later admitted he did use all the above listed illegal substances.

#### SUMMARY OF DEFENDANT'S ADJUSTMENT TO SUPERVISION:

Prior to the violation on April 21, 2006, the defendant appeared to be adjusting to his conditions of release.

#### SUMMARY OF OFFICER INTERVENTION:

Jose Valencia, United States Pretrial Services Officer in the District of Arizona, has admonished the defendant.

**RECOMMENDATION:**

It is respectfully recommended a warrant for the defendant's arrest be issued. It is further recommended the defendant be detained and his conditions of release be revoked.

Luis Armando Martinez, Assistant United States Attorney, agrees with this officer's recommendation.

**COURT ACTION DESIRED**

- Agree with Officer's recommendation.  
 Other, \_\_\_\_\_

*Lourdes Martinez*  
\_\_\_\_\_  
Honorable Lourdes A. Martinez  
U.S. Magistrate Judge

cc: Luis A. Martinez, AUSA  
Leon Schydlowet, Defense Counsel

DATE: 6/1/2006 CASE NUMBER: 06-06425M

USA vs. TIMOTHY JASON KRIPNER

U.S. MAGISTRATE JUDGE: MAGISTRATE JACQUELINE MARSHALL Judge #: 70BN

U.S. Attorney Irene Feldman INTERPRETER REQ'D N/A

Attorney for Defendant Paul Breshears (AFPD)

INITIAL APP:  HELD DEFENDANT:  PRESENT  NOT PRESENT  RELEASED  CUSTODY

Complaint Filed  DOA \_\_\_\_\_  
 Warrant Other District  Financial Afdvt taken  
 Warrant Phx Div.  No Financial Afdvt taken  
 Counsel waives reading of the Complaint/Indictment

Defendant states true name to be \_\_\_\_\_.  
Further proceedings Ordered in defendant's true name.

Government's motion for detention and request for a continuance of the Detention Hearing pursuant to §3142(e) & (f)  
is  Granted  Denied

Defendant shall be temporarily detained in the custody of the United States Marshal pursuant to  § 3142(f)  § 3142(d)

PSA recommends detention; Gov't  concurs  objects

GOVERNMENT recommends detention

Court accepts recommendation by Pretrial Services

Bail set at \$ \_\_\_\_\_

Defendant signed Order Setting Conditions of Release and released on \_\_\_\_\_

<p>DETENTION HEARING: <input checked="" type="checkbox"/> Held <input type="checkbox"/> Cont'd Set for: before:</p>	<p>REMOVAL HEARING: <input type="checkbox"/> Held <input checked="" type="checkbox"/> Waived Set for: before:</p>
<p>Gov't's request for detention <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p><input checked="" type="checkbox"/> COMMITMENT TO ANOTHER DISTRICT ISSUED</p>
<p><input checked="" type="checkbox"/> Defendant Ordered detained pending Removal Hearing <input type="checkbox"/> Gov't withdraws request to detain defendant</p>	<p><input type="checkbox"/> ORDER BOND posted in this case be transferred to the U.S. District Court for the _____ where this matter is pending</p>

Deft. signs written Waiver of Removal Hrg. The Magistrate Judge finds, on the basis of deft's written waiver of removal hrg and this Magistrate Judge's receipt of the original/certified copy of the warrant from the NEW MEXICO, that there is probable cause to believe that this defendant is the TIMOTHY JASON KRIPNER, named in the said warrant, and that there is probable cause to believe that an offense has been committed against the laws of the United States of America.

IT IS ORDERED that the Marshal promptly remove defendant from the District of Arizona to the charging district.

~~OTHER: \_\_\_\_\_  
\_\_\_\_\_~~

Copies to:  
USA, CLERK U.S. DISTRICT COURT  
DISTRICT OF ARIZONA

Recorded by Courtsmart

BY: Peggie Robb  
Deputy Clerk

(3)

COPIES DIS **SCANNED**  
**E-FILED**

US Attorney's Office  
 405 W Congress St  
 Ste 4800  
 Tucson, AZ 85701-4050  
 520-620-7300  
 Fax: 520-620-7320  
 Email: Irene.Feldman@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/30/2006	1	Arrest (Rule 40) of Timothy Jason Kripner (DNO, ) (Entered: 06/08/2006)
05/30/2006	2	Minute Entry for proceedings held before Judge Charles R Pyle :Initial Appearance in Rule 5(c)(3) Proceedings as to Timothy Jason Kripner held on 5/30/2006 (Court Reporter Courtsmart). (DNO, ) (Entered: 06/08/2006)
06/01/2006	3	Minute Entry for proceedings held before Judge Jacqueline J Marshall :Detention Hearing as to Timothy Jason Kripner held on 6/1/2006, Removal Hrg waived. Added attorney Irene Claudia Feldman for USA, J Paul Breshears for Timothy Jason Kripner., Appearance with counsel as to Timothy Jason Kripner ; attorney Irene Claudia Feldman for USA, J Paul Breshears for Timothy Jason Kripner. (Court Reporter Courtsmart). (DNO, ) (Entered: 06/08/2006)
06/01/2006	4	COMMITMENT TO ANOTHER DISTRICT as to Timothy Jason Kripner. Defendant committed to District of New Mexico. . Signed by Judge Jacqueline J Marshall on 06/01/06. (DNO, ) (Entered: 06/08/2006)
06/09/2006	5	Miscellaneous Document: Letter to Dist of New Mexico from Dist of AZ as to Timothy Jason Kripner. (DNO, ) (Entered: 06/09/2006)
06/09/2006		***Terminated defendant Timothy Jason Kripner, pending deadlines, motions and excludables. Re 4 Commitment to Another District. (DNO, ) (Entered: 06/09/2006)

I hereby attest and certify on 6/9/06  
 that the foregoing document is a full, true and correct  
 copy of the original on file in my office and in my cus-  
 tody.

CLERK, U.S. DISTRICT COURT  
 DISTRICT OF ARIZONA

By M. Miralaga Deputy



# UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

COMMITMENT TO ANOTHER DISTRICT

V.

TIMOTHY JASON KRIPNER

Case Number: 06-06425M-001

Charging District Case Number: 06M3655-03

The defendant is charged with a violation of 18:3142 alleged to have been committed in the DISTRICT OF NEW MEXICO

Brief Description of Charge(s): VIOLATION OF PRETRIAL RELEASE

The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, all proceedings required by Fed. R. Crim. P. 40 having been completed.

6/1/2006

Date

*Jacqueline Marshall*  
MAGISTRATE JACQUELINE MARSHALL  
Judicial Officer

RETURN

THIS COMMITMENT WAS RECEIVED AND EXECUTED AS FOLLOWS:

DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE:	UNITED STATES MARSHAL.	(BY) DEPUTY MARSHAL

**SCANNED**

**FILED**

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