

**U.S. District Court  
Northern District of Ohio (Cleveland)  
CRIMINAL DOCKET FOR CASE #: 1:02-cr-00067-DCN-1**

Case title: USA v. Refai  
Magistrate judge case number: 1:02-mj-09001

Date Filed: 02/20/2002  
Date Terminated: 04/11/2002

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Assigned to: Judge Donald C.  
Nugent

**Defendant (1)**

**Mohammed Ibrahim Refai**  
*TERMINATED: 04/11/2002*

represented by **Henry F. DeBaggis**  
Office of the U.S. Attorney -  
Cleveland  
Northern District of Ohio  
Ste. 400  
801 Superior Avenue, W  
Cleveland, OH 44113  
216-622-3929  
Fax: 216-522-2403  
Email: henry.debaggis@usdoj.gov  
*TERMINATED: 04/11/2002*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Pending Counts**

8:1325(c) Marriage Fraud  
(1)

18:1546(a) Immigration  
Documents Fraud  
(6)

**Disposition**

Deft committed to BOP until June, 2002 or until deft is deported to Syria, whichever is first. Court recommends deft shall be deported to Syria. Deft remanded to USM; three years S/R; deft shall not return to USA w/out prior approval from AG; \$2 00.00 S/A

Deft committed to BOP until June, 2002 or until deft is deported to Syria, whichever is first. Court recommends deft shall be deported to Syria. Deft remanded to USM; three years S/R; deft shall not return to USA w/out prior

approval from AG; \$2 00.00 S/A

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:1546(a) Immigration  
Documents Fraud  
(2-3)

18:1001 False Statements to  
Federal Agent  
(4-5)

18:1546(a) Immigration  
Documents Fraud  
(7-8)

**Disposition**

Upon mot of USA, counts 2-5, 7  
and 8 are dismissed.

Upon mot of USA, counts 2-5, 7  
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Upon mot of USA, counts 2-5, 7  
and 8 are dismissed.

**Highest Offense Level  
(Terminated)**

Felony

**Complaints**

None

**Disposition**

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**Plaintiff**

**United States of America**

represented by **Phillip J. Tripi**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/23/2002	1	COMPLAINT with affidavit against Mohammed Ibrahim Refai

		signed by Mag. Judge William H. Baughman, Jr. FBI/SA: Mark J. Baskfield with warrant issued (5 pgs) [ 1:02-m -9001 ] (seal) (Entered: 01/24/2002)
01/23/2002		ARREST Warrant issued on 1/23/02 for Mohammed Ibrahim Refai by Mag. Judge William H. Baughman, Jr. (1 pg) [ 1:02-m -9001 ] (seal) (Entered: 01/24/2002)
01/25/2002	2	MINUTES: before Mag. Judge William H. Baughman, Jr.; first appearance of Mohammed Ibrahim Refai; Atty Henry F. DeBaggis II appt & present; Interpreter from Internat'l Language Bank (Arabic) used (440) 599-9999; Govt orally moved for pt detn, mot granted, pt detn waived, deft ord held in pt detn & remanded to cust of USM; prelim hrg waived, probable cause established & deft is bound over to GJ; ECRO r Julie Knabe (issd 1/28/02) (1 pg) [ 1:02-m -9001 ] (seal) Modified on 02/20/2002 (Entered: 01/28/2002)
01/25/2002	3	FINANCIAL AFFIDAVIT of Mohammed Ibrahim Rafai (1 pg) [ 1:02-m -9001 ] (seal) (Entered: 01/28/2002)
01/25/2002	4	WAIVER of detn hrg by deft Mohammed Ibrahim Refai accepted by Mag Judge William H. Baughman, Jr., deft ord detained in cust of USM (1 pg) [ 1:02-m -9001 ] (seal) (Entered: 01/28/2002)
01/25/2002	5	WAIVER of prelim hrg by deft Mohammed Ibrahim Refai (1 pg) [ 1:02-m -9001 ] (seal) (Entered: 01/28/2002)
02/07/2002	6	CJA Form 20 (Appointment of Counsel) by Mag. Judge William H. Baughman, Jr. Atty Henry DeBaggis appt 1/25/02 (1 pg) [ 1:02-m -9001 ] (W,J) (Entered: 02/07/2002)
02/19/2002	7	MOTION to set bond by Mohammed Ibrahim Refai (2 pgs + 2 exh pgs) [ 1:02-m -9001 ] (M,EJ) Modified on 02/20/2002 (Entered: 02/20/2002)
02/20/2002		MARGINAL ENTRY granting mot to set bond; [7-1] bond hearing set for 2:00 p.m. on 2/26/02 for Mohammed Ibrahim Refai (issued on 2/20/02) Mag. Judge William H. Baughman, Jr. [ 1:02-m -9001 ] (W,J) (Entered: 02/20/2002)
02/20/2002	8	INDICTMENT by USA Counts filed against Mohammed Ibrahim Refai (1) count(s) 1, 2-3, 4-5, 6-8 (6 pgs) (S,R) (Entered: 02/21/2002)
02/20/2002		ASSIGNMENT OF MAGISTRATE JUDGE to Mag. Judge Nancy A. Vecchiarelli pursuant to Local Rule 57.9 assignment of cases. In the event of referral, this case will be referred to the Magistrate Judge noted. (pgs: 1) (S,R) (Entered: 02/21/2002)
02/22/2002	9	NOTICE of hearing ; arraignment set for 10:30 3/4/02 for

		Mohammed Ibrahim Refai in room 400, before Judge Nugent (issued) 1 pg(s) (K,V) (Entered: 02/22/2002)
02/27/2002	10	MOTION by deft to set bond. (4 pgs) (V,K) (Entered: 02/27/2002)
03/04/2002	11	MINUTES: before Judge Donald C. Nugent arraignment held on 3/4/02 as to Mohammed Ibrahim Refai , dft Mohammed Ibrahim Refai arraigned; not guilty to all counts plea entered; Attorney Henry DeBaggis present; trial order to be issued. Deft detained Court reporter: Pris Hefner (issued on 3/4/02) 1 pg(s) (K,V) (Entered: 03/04/2002)
03/04/2002	12	CRIMINAL TRIAL ORDER by Judge Donald C. Nugent ; pretrial conference set for 10:00 4/15/02 for Mohammed Ibrahim Refai ; pretrial motions set for 4/8/02 for Mohammed Ibrahim Refai ; jury trial set for 8:30 4/22/02 for Mohammed Ibrahim Refai ; status hearing set for 9:30 3/19/02 for Mohammed Ibrahim Refai as to Mohammed Ibrahim Refai (issued on 3/4/02) 4 pg(s) (K,V) (Entered: 03/04/2002)
03/08/2002	13	TRANSCRIPT of arraignment proceedings before Judge Donald C. Nugent taken on 3/4/02 C/R name Priscilla A. Hefner. (Re: Mohammed Ibrahim Refai) ( 5 pgs) (M,J A A) (Entered: 03/08/2002)
03/22/2002	14	MINUTES: before Judge Donald C. Nugent Dft ref'd to the US Probation Dept for a pre-plea presentence report to be expedited. The report should be completed on or bevore 4/8/02 as to Mohammed Ibrahim Refai; Case set for 4/8/02 at 1:00p.m. (issued on 3/22/02) 1 pg (S,R) (Entered: 03/23/2002)
03/22/2002	15	APPROVAL TO INSTITUTE A PSI by defendant Mohammed Ibrahim Refai; disclosure requirements waived (1 pg) (S,R) (Entered: 03/23/2002)
04/10/2002	16	CRIMINAL MINUTES before Judge Donald C. Nugent. Change of plea/sentencing held 4/10/02 as to Mohammed Ibrahim Refai. Court Reporter: Staiduhar. J&C follows. (issd 4/11/02) 1 pg (V,K) (Entered: 04/12/2002)
04/10/2002	17	PLEA Agreement as to Mohammed Ibrahim Refai by Judge Donald C. Nugent (7 pgs) (V,K) (Entered: 04/12/2002)
04/11/2002	18	JUDGMENT and Commitment issued 4/11/02 to U.S. Marshal sentencing Mohammed Ibrahim Refai (1) on counts 1 and 6. Deft committed to BOP until June, 2002 or until deft is deported to Syria, whichever is first. Court recommends deft shall be deported to Syria. Deft remanded to USM; three years S/R; deft shall not return to USA w/out prior approval from AG; \$200.00 S/A Upon mot of

		USA, counts 2-5, 7 and 8 are dismissed. Judge Donald C. Nugent (6 pgs) (V,K) (Entered: 04/12/2002)
04/12/2002	19	MOTION by deft for contact visit. (3 pgs) (V,K) (Entered: 04/15/2002)
04/12/2002		MARGINAL ENTRY order granting mot by deft for contact visit upon the specific condition that penal facility is able to accomplish this req consistent w/the safety and security of deft, visitors, other inmates, security personnel and employees. In addition, institution to take any and all nec safety and security measures that it finds nec to accomplish this order [19-1]. (issd 4/15/02) Judge Donald C. Nugent (V,K) (Entered: 04/16/2002)
04/17/2002		MARGINAL ENTRY ORDER granting mot by deft for contact visit [19-1]. Upon express condition that Sheriff may take all nec measures to ensure the security and safety of the security officers, staff, inmates and participants. Sheriff and USM to establish whatever conditions nec to ensure safety and security. (issd 4/17/02) Judge Donald C. Nugent (V,K) (Entered: 04/18/2002)
05/01/2002	20	ARREST Warrant returned executed as to defendant Mohammed Ibrahim Refai; defendant arrested on 1/25/02 (1 pg) (W,J) (Entered: 05/03/2002)