

TERMED

**U.S. District Court Northern District of Indiana [LIVE]  
USDC Northern Indiana (South Bend)  
CRIMINAL DOCKET FOR CASE #: 3:01-cr-00079-RLM-1**

Case title: USA v. Almutairi  
Other court case number: 021-08-0014 14 OF 30  
859837FAN021-0 Archives  
Info  
Magistrate judge case number: 3:01-mj-00061

Date Filed: 10/12/2001  
Date Terminated: 07/29/2002

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Assigned to: Judge Robert L Miller,  
Jr

**Defendant (1)**

**Mubarak Almutairi**  
*TERMINATED: 07/29/2002*

represented by **H Jay Stevens - FCD**  
Federal Community Defenders Inc -  
SB/IN  
Northern District of Indiana  
227 S Main St Suite 100  
South Bend, IN 46601  
574-245-7393  
Fax: 574-245-7394  
Email: jay\_stevens@fd.org  
*TERMINATED: 07/29/2002*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

18:1344(1) BANK FRAUD  
(1s)

**Disposition**

defendant sentenced to a term of imprisonment of 21 months, to be followed by a 3yr supervised release term with conditions; pursuant to 18 U.S.C. 3583(d) the defendant shall be remanded to the custody of INS for deportation proceedings upon his release from prison and the defendant shall remain outside the United States; if INS declines to order the

defendant deported, then the defendant shall commence with his supervised release and conditions thereof; defendant to pay a \$100 special assessment due immediately and made payable to Clerk, U.S. District Court; defendant remanded to custody of USm/SB

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:1344(1) BANK FRAUD  
(1)

18:1014 LOAN AND CREDIT  
APPLICATIONS GENERALLY  
(2s)

**Disposition**

order for dismissal of count 1 of the original indictment and dismissal of count 2s of the superseding indictment on government motion GRANTED

order for dismissal of count 1 of the original indictment and dismissal of count 2s of the superseding indictment on government motion GRANTED

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

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**Miscellaneous Party**

**Mubarak Almutairi**

represented by **Mubarak Almutairi**  
St Joseph County Jail  
401 West Sample Street  
South Bend, IN 46601  
574-245-6518  
PRO SE

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**Plaintiff**

**United States of America**

represented by **William T Grimmer - AUSA**

US Attorney's Office - SB/IN  
M01 Federal Building  
204 S Main Street  
South Bend, IN 46601-2191  
574-236-8287 Ext 124  
Fax: 574-236-8155  
Email: william.grimmer@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/05/2001	1	COMPLAINT against Mubarak Almutairi filed by Ronald M. Ryniak SA/FBI signed by Christopher A. Nuechterlein [ 3:01-m -61 ] (slm) (Entered: 10/05/2001)
10/05/2001		ARREST Warrant issued for Mubarak Almutairi by Christopher A. Nuechterlein [ 3:01-m -61 ] (slm) (Entered: 10/05/2001)
10/09/2001	2	INITIAL APPEARANCE: before Christopher A. Nuechterlein of Mubarak Almutairi ; without counsel ;interpreter Irene Ishoo, Sworn; AUSA by William Grimmer; dft advised of rights, penalties, poss imprison of 30yrs, fine \$1 Mil, specl assess \$100; Court provisionally appoint Federal Community Defender; preliminary exam set for 2:00 10/12/01 ; Detention hearing set for 2:00 10/10/01 for Mubarak Almutairi before Judge Christopher A. Nuechterlein (Tape 0167) [ 3:01-m -61 ] (slm) Modified on 10/10/2001 (Entered: 10/09/2001)
10/09/2001	3	ORDER by Christopher A. Nuechterlein appointing interpreter Irene Benjamin Ishoo for defendant Mubarak Almutairi (cc: all counsel) [ 3:01-m -61 ] (slm) (Entered: 10/10/2001)
10/10/2001	4	MINUTES of Detention Hearing held on 10/10/01 before Christopher A. Nuechterlein of Mubarak Almutairi, represented by FCD, Jay Stevens; AUSA by Barbara Brook; Interpreter, Irene Ishoo; Government presents evidence; cross by defendant; Arguments heard; Motion Granted; Defendant is DETAINED and remanded to custody of USM; (Ctrprtr Geneva Sones) [ 3:01-m -61 ] (slm) (Entered: 10/10/2001)
10/11/2001	5	ORDER of Detention by Christopher A. Nuechterlein as to Mubarak Almutairi (cc: all counsel,USPO,USM) [ 3:01-m -61 ] (slm) (Entered: 10/11/2001)
10/11/2001	6	MINUTES: before Christopher A. Nuechterlein ; preliminary exam reset for 10/15/01 for Mubarak Almutairi (cc: all counsel) [ 3:01-m -61 ] (slm) (Entered: 10/11/2001)
10/11/2001	9	APPEARANCE for defendant Mubarak Almutairi by Attorney H Jay Stevens (slm) (Entered: 10/14/2001)

10/12/2001	7	INDICTMENT by USA. Counts filed against Mubarak Almutairi (1) count(s) 1 (sdf) (Entered: 10/12/2001)
10/12/2001	8	PRAECIPE FOR WARRANT by plaintiff USA as to defendant Mubarak Almutairi (sdf) (Entered: 10/12/2001)
10/12/2001		ARREST Warrant issued for Mubarak Almutairi by Christopher A. Nuechterlein (sdf) (Entered: 10/12/2001)
10/15/2001	10	NOTICE OF HEARING: before Christopher A. Nuechterlein ; arraignment set for 2:00 10/16/01 for Mubarak Almutairi (cc: all counsel) (slm) (Entered: 10/15/2001)
10/16/2001	11	ARRAIGNMENT: before Christopher A. Nuechterlein dft Mubarak Almutairi w/cns J Stevens; AUSA by William Grimmer; Interpreter: Irene Ishoo; arraigned; NOT GUILTY plea entered pretrial motions due on 11/5/01 for Mubarak Almutairi ; Defendant remanded to custody of United States Marshall (slm) Modified on 10/16/2001 (Entered: 10/16/2001)
10/17/2001	12	ORDER OF DISCOVERY by Christopher A. Nuechterlein Number of pages: 6 (cc: all counsel) (sdf) (Entered: 10/17/2001)
10/26/2001	13	NOTICE before Judge Robert L. Miller Jr: jury trial (3days) set for 9:30 1/7/02 for Mubarak Almutairi (cc: AUSA, USM, USPO, Stevens, Almutairi) (arl) (Entered: 10/26/2001)
11/05/2001	14	MOTION to extend time to/including 11/26/01 to file motions by Mubarak Almutairi (sdf) (Entered: 11/05/2001)
11/06/2001	15	ORDER by Judge Robert L. Miller Jr granting motion to extend time to/including 11/26/01 to file motions [14-1] ; pretrial motions due on 11/26/01 for Mubarak Almutairi Number of pages: 1 (cc: all counsel) (sdf) (Entered: 11/07/2001)
12/03/2001		TRANSCRIPT of proceedings for the following date(s): 10/10/01 1 (Re: ) (sdf) (Entered: 12/05/2001)
12/14/2001	16	MOTION to continue trial now set for 1/7/02 by USA as to Mubarak Almutairi (sdf) (Entered: 12/14/2001)
12/19/2001	17	NOTICE before Judge Robert L. Miller Jr: hearing on government motion to continue trial set for 2:30 12/27/01 for Mubarak Almutairi (cc: AUSA, USM, USPO, Stevens, Almutairi) (arl) (Entered: 12/19/2001)
12/27/2001	18	MOTION HEARING held 12/27/01 before Judge Robert L. Miller Jr: Parties present; Court appointed Intrepreter Irene Benjamin-Ishoo appears for the defendant; Hearing on government motion to continue jury trial now set for 1/7/02 [16-1] - Arguments heard - Defendant does not object to the motion and the court GRANTS the government motion to continue the jury trial; jury trial (3days) set for 9:30 3/12/02 for Mubarak Almutairi before Judge Robert L. Miller Jr; The court enters an ends of justice finding pursuant to 18 U.S.C.

		3161(h)(9) as to defendant Mubarak Almutairi Low, crt rpt. (cc: AUSA, USM, USPO, Stevens, Almutairi and Ishoo-Interpreter) (arl) (Entered: 12/27/2001)
01/18/2002	19	ARREST Warrant returned executed as to Mubarak Almutairi on 10/12/01 (sdf) (Entered: 01/18/2002)
02/13/2002	20	SUPERSEDING indictment by USA; counts filed against Mubarak Almutairi (1) count(s) 1s, 2s (sdf) (Entered: 02/14/2002)
02/13/2002	21	PRAECIPE FOR WARRANT on Superseding Indictment: by plaintiff USA as to defendant Mubarak Almutairi (sdf) (Entered: 02/14/2002)
02/14/2002		ARREST Warrant issued for Mubarak Almutairi by Judge Robert L. Miller Jr (sdf) (Entered: 02/14/2002)
02/21/2002	22	NOTICE OF HEARING: before Christopher A. Nuechterlein ; arraignment set for 2:00 2/27/02 for Mubarak Almutairi (cc: all counsel) (slm) (Entered: 02/21/2002)
02/27/2002	23	ARRAIGNMENT: before Christopher A. Nuechterlein dft Mubarak Almutairi present w/cnsl Robert Truitt; AUSA by Barbara Brook; Interpreter Irene Ishoo present;defendant arraigned on Superceding Indictment; NOT GUILTY plea entered as to Counts 1,2; Defendant remanded to custody of USM; (Tape 02-18) (slm) Modified on 02/27/2002 (Entered: 02/27/2002)
02/27/2002	24	COURT'S PROPOSED FINAL JURY Instructions (sdf) (Entered: 02/28/2002)
03/04/2002	25	MOTION HEARING held 3/4/02 before Judge Robert L. Miller Jr: Parties present; Court interpreter Irene Benjamin-Ishoo present; Hearing on defendant's oral motion to continue 3/12/02 jury trial date; Government does not object; Court GRANTS defendant's motion; jury trial(3days) continued to 9:30 7/8/02 for Mubarak Almutairi before Judge Robert L. Miller Jr Richard Holle, crt rpt. (Holle and Associates) (cc: AUSA, USM, USPO, Stevens, Almutairi) (arl) (Entered: 03/05/2002)
03/13/2002	26	ARREST Warrant returned executed as to Mubarak Almutairi on 2/27/02 (sdf) (Entered: 03/13/2002)
04/09/2002	27	NOTICE before Judge Robert L. Miller Jr: change of plea hearing set for 3:00 4/17/02 for Mubarak Almutairi (cc: AUSA, USM, USPO, Stevens, Almutairi, Ishoo-interpreter ) (arl) (Entered: 04/09/2002)
04/10/2002	28	PLEA Agreement as to Mubarak Almutairi (sdf) (Entered: 04/11/2002)
04/17/2002	29	CHANGE OF PLEA HEARING before Judge Robert L. Miller Jr: change of plea hearing held on 4/17/02; Parties present; Maximum penalty 30yrs/\$1mil plus a supervised release term and a \$100 special assessmnet; guilty plea entered as to count 1s of the superseding indictment and the court ACCEPTS the guilty plea; sentencing hearing set for 1:00 7/24/02 for Mubarak Almutairi

		before Judge Robert L. Miller Jr; jury trial date of 7/8/02 is hereby VACATED. Low, crt rptr. (cc: AUSA, USM, USPO, Stevens, Almutairi) (arl) (Entered: 04/17/2002)
06/03/2002	30	NOTICE before Judge Robert L. Miller Jr: sentencing hearing reset from 7/24/02 to 1:30 7/29/02 for Mubarak Almutairi (cc: AUSA, USM, USPO, Stevens, Almutairi, Benjamin-Ishoo [interpreter]) (arl) (Entered: 06/03/2002)
07/29/2002	31	SENTENCING HEARING before Judge Robert L. Miller Jr: sentencing held on 7/29/02 ; parties present; no objections to presentence report; court hears from parties prior to sentence; plea agreement accepted; defendant does not object to proposed sentence; defendant remanded to custody of USM/SB. Low, crt rptr. (arl) (Entered: 07/30/2002)
07/29/2002	32	SENTENCING memorandum entered by Judge Robert L. Miller Jr as to Mubarak Almutairi (cc: AUSA,USPO,USM, Stevens, Almutairi, order book) (arl) (Entered: 07/30/2002)
07/29/2002	33	ORDER by Judge Robert L. Miller Jr dismissing counts as to Mubarak Almutairi (1) count(s) 1 and 2s; order for dismissal of count 1 of the original indictment and dismissal of count 2s of the superseding indictment on government motion GRANTED Number of pages: 1 (cc: AUSA, USM, USPO, Stevens, Almutairi, order book) (arl) (Entered: 07/30/2002)
07/29/2002	34	JUDGMENT and Commitment issued as to Mubarak Almutairi: sentencing Mubarak Almutairi (1) count 1s; defendant sentenced to a term of imprisonment of 21 months, to be followed by a 3yr supervised release term with conditions; pursuant to 18 U.S.C. 3583(d) the defendant shall be remanded to the custody of INS for deportation proceedings upon his release from prison and the defendant shall remain outside the United States; if INS declines to order the defendant deported, then the defendant shall commence with his supervised release term and conditions thereof; defendant to pay a \$100 special assessment due immediately and made payable to Clerk, U.S. District Court; defendant remanded to custody of USM/SB. (SE) Judge Robert L. Miller Jr (cc: AUSA,USM,USPO, Stevens, Almutairi, order book) (arl) (Entered: 07/30/2002)
07/29/2002		PRESENTENCE Report with Addendum and Sent Rec on Mubarak Almutairi (copy sealed). (arl) (Entered: 07/30/2002)
08/21/2002		file copy of presentence report, addendum and sent rec destroyed (arl) (Entered: 08/21/2002)
09/17/2002	35	JUDGMENT and Commitment returned executed on 9/10/02 as to ;Name of Institution: LSCI ALF PA (sdf) (Entered: 09/17/2002)