

Case No: \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2018

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LUIS SAMAYOA-CASTILLO,  
*Petitioner,*

v.

UNITED STATES,  
*Respondent.*

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On Petition for a Writ of Certiorari  
to the Court of Appeals for the Eleventh Circuit

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MOTION TO PROCEED IN FORMA PAUPERIS

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Christine A. Freeman, Executive Director  
Mackenzie S. Lund\*  
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\**Counsel of Record*

August 12, 2019

Petitioner, Mr. Luis Samayoa-Castillo, asks leave to file his Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. Mr. Samayoa-Castillo has been represented by the Federal Defenders for the Middle District of Alabama by appointment. The oral orders appointing the Federal Defenders were entered on October 6, 2017 and October 10, 2017. A copy of the docket sheets containing the relevant entries are attached to this motion.

Respectfully submitted,

/s/ Mackenzie S. Lund

Mackenzie S. Lund  
Assistant Federal Defender  
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817 S. Court Street  
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(334)-834-2099  
*Counsel of Record for Petitioner*

Executed on August 12, 2019

## INTERPRETER

**U.S. District Court  
Alabama Middle District (Montgomery)  
CRIMINAL DOCKET FOR CASE #: 2:17-cr-00443-WKW-WC-1**

Case title: USA v. Samayoa-Castillo  
Magistrate judge case number: 2:17-mj-00249-TFM

Date Filed: 10/17/2017  
Date Terminated: 04/30/2018

Assigned to: Chief Judge William Keith  
Watkins  
Referred to: Honorable Judge Wallace  
Capel, Jr

**Defendant (1)**

**Luis Samayoa-Castillo**  
*TERMINATED: 04/30/2018*

represented by **Christine Ann Freeman**  
Federal Defenders  
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817 South Court Street  
Montgomery, AL 36104  
334-834-2099  
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Email: christine\_freeman@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

8:1326(a) & (b)(2): REENTRY OF  
DEPORTED ALIENS  
(1)

**Disposition**

36 Mos Imp (cs w/3:15cr192-WKW); 1  
Yr Sup Rel; \$100 AF

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

8:1326(b)(2) Reentry of Deported  
Alien-Felony,

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**Disposition****Plaintiff**

**USA**

represented by **Ben Mark Baxley**  
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**LEAD ATTORNEY**  
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**TERMINATED: 10/19/2017**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U S Attorney*

Date Filed	#	Docket Text
10/05/2017	<a href="#">1</a>	<b>COMPLAINT as to Luis Samayoa-Castillo (1). (cb, )</b> [2:17-mj-00249-TFM] (Entered: 10/05/2017)
10/06/2017		Case unsealed pursuant to notice of arrest from USM Service as to Luis Samayoa-Castillo (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017	<a href="#">3</a>	MOTION for Detention by USA as to Luis Samayoa-Castillo. (Baxley, Ben) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017	<a href="#">4</a>	NOTICE OF ATTORNEY APPEARANCE: Christine Ann Freeman appearing for Luis Samayoa-Castillo (Freeman, Christine) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017		Arrest of Luis Samayoa-Castillo (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017	<a href="#">6</a>	CJA 23 Financial Affidavit by Luis Samayoa-Castillo (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)

10/06/2017		ORAL MOTION to Appoint Counsel by Luis Samayoa-Castillo. (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017		<b>ORAL ORDER appointing Federal Public Defender as counsel of record as Luis Samayoa-Castillo. Signed by Honorable Judge Terry F. Moorer on 10/6/2017. (cb, )</b> [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017	<a href="#">7</a>	Minute Entry for Initial Appearance held before Honorable Judge Terry F. Moorer as to Luis Samayoa-Castillo on 10/6/2017 (PDF available for court use only) (Recording Time 11:08-11:14.) (cb, )[2:17-mj-00249-TFM] (Main Document 7 replaced on 10/25/2017) (cb, ). (Entered: 10/06/2017)
10/06/2017		ORAL WAIVER of Detention Hearing by Luis Samayoa-Castillo (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017		ORAL WAIVER of Preliminary Hearing by Luis Samayoa-Castillo (cb, ) [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/06/2017	<a href="#">8</a>	<b>ORDER granting <a href="#">3</a> Motion for Detention as further set out in Order as to Luis Samayoa-Castillo (1). On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.. Signed by Honorable Judge Terry F. Moorer on 10/6/2017. (cb, )</b> [2:17-mj-00249-TFM] (Entered: 10/06/2017)
10/17/2017	<a href="#">9</a>	<b>INDICTMENT as to Luis Samayoa-Castillo (1) count(s) 1. (kcf, )</b> (Entered: 10/17/2017)
10/17/2017	<a href="#">11</a>	<b>ORDER to Produce Prisoner for Arraignment as to Luis Samayoa-Castillo. Arraignment set for 11/14/2017 at 10:30 AM in CR 2D before Honorable Judge Gray M. Borden.. Signed by Honorable Judge Wallace Capel, Jr on 10/17/2017. (kcf, )</b> (Entered: 10/17/2017)
10/17/2017	<a href="#">12</a>	NOTICE OF ATTORNEY APPEARANCE Ben Mark Baxley appearing for USA. (Baxley, Ben) (Entered: 10/17/2017)
10/18/2017	<a href="#">13</a>	MOTION to Withdraw as Attorney by R. Randolph Neeley. by USA as to Luis Samayoa-Castillo. (Neeley, Robert) (Entered: 10/18/2017)
10/19/2017	<a href="#">14</a>	<b>TEXT ORDER granting <a href="#">13</a> Motion to Withdraw as Attorney. Robert Randolph Neeley withdrawn from case as to Luis Samayoa-Castillo (1). Entered by Honorable Judge Wallace Capel, Jr on 10/19/17. (No PDF attached) (ajr, )</b> (Entered: 10/19/2017)
10/25/2017	<a href="#">15</a>	<b>TEXT ORDER as to Luis Samayoa-Castillo: Arraignment set for 11/14/17 is RESET to 11/16/2017 10:30 AM in CR 2D before Honorable Judge Gray M. Borden. Entered by Honorable Judge Gray M. Borden on 10/25/17. (NO PDF ATTACHED). (war, )</b> (Entered: 10/25/2017)
11/14/2017	<a href="#">16</a>	NOTICE OF INTENT TO CHANGE PLEA by Luis Samayoa-Castillo (Freeman, Christine) (Entered: 11/14/2017)
11/14/2017	<a href="#">17</a>	

		MOTION consolidate with No. 3:15-cr-192-WKW <i>Unopposed</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Main Document 17 replaced on 11/14/2017) (ajr, ). (Entered: 11/14/2017)
11/15/2017	<a href="#">18</a>	<b>ORDER as to Luis Samayoa-Castillo setting a Change of Plea Hearing for 11/20/2017 10:00 AM in CR 5A before Honorable Judge Wallace Capel Jr. Signed by Honorable Judge Wallace Capel, Jr on 11/15/17.</b> (ajr, ) (Entered: 11/15/2017)
11/16/2017	<a href="#">19</a>	<b>ORDER as to Luis Samayoa-Castillo granting <a href="#">17</a> MOTION consolidate with No. 3:15-cr-192-WKW filed by Luis Samayoa-Castillo. Mr. Samayoa-Castillo's revocation hearing in Case No. 3:15-CR-192-WKW, currently scheduled on November 17, 2017, has been continued until further order of the court to coincide with his sentencing in this case. Signed by Chief Judge William Keith Watkins on 11/16/17.</b> (ajr, ) (Entered: 11/16/2017)
11/16/2017	<a href="#">20</a>	Minute Entry for proceedings held before Honorable Judge Gray M. Borden:Arraignment as to Luis Samayoa-Castillo (1) Count 1 held on 11/16/2017, Plea entered by Luis Samayoa-Castillo Not Guilty on count 1. (PDF available for court use only) (Recording Time FTR: 10:45 AM - 10:50 AM.) (war, ) (Entered: 11/17/2017)
11/20/2017	<a href="#">21</a>	<b>PLEA AGREEMENT as to Luis Samayoa-Castillo</b> (ajr, ) (Entered: 11/20/2017)
11/20/2017	<a href="#">22</a>	PLEA AGREEMENT ADDENDUM as to Luis Samayoa-Castillo. (ajr, ) (Entered: 11/20/2017)
11/20/2017	<a href="#">23</a>	Consent to Enter Guilty Plea before U. S. Magistrate Judge as to Luis Samayoa-Castillo. (ajr, ) (Entered: 11/20/2017)
11/20/2017		<b>ORAL ORDER Accepting Guilty Plea and Adjudicating Defendant Guilty as to Count 1 of the Indictment as to Luis Samayoa-Castillo. Signed by Honorable Judge Wallace Capel, Jr on 11/20/17.</b> (ajr, ) (Entered: 11/20/2017)
11/20/2017		<b>ORAL ORDER remanding defendant to the custody of the USMS as to Luis Samayoa-Castillo. Signed by Honorable Judge Wallace Capel, Jr on 11/20/17.</b> (ajr, ) (Entered: 11/20/2017)
11/20/2017	<a href="#">24</a>	Minute Entry for proceedings held before Honorable Judge Wallace Capel, Jr: Change of Plea Hearing as to Luis Samayoa-Castillo held on 11/20/2017. Plea entered by Luis Samayoa-Castillo (1) Guilty Count 1. (PDF available for court use only) (Court Reporter Risa Entrekin.) (ajr, ) (Entered: 11/20/2017)
11/21/2017	<a href="#">25</a>	<b>ORDER ON ARRAIGNMENT TO INCLUDE ORDER TO CONTINUE - Ends of Justice as to Luis Samayoa-Castillo. Time excluded from 11/21/17 until 2/5/18. An initialPretrial Conference is set for 12/6/2017 09:30 AM in CR 5A before Honorable Judge Wallace Capel Jr. Jury Trial set for 2/5/2018 10:00 AM in CR 2B before Chief Judge William Keith Watkins. Pretrial Motions due by 12/5/2017. Discovery due from the government by 11/16/2017 and from the defendant by 11/23/2017. Signed by Honorable Judge Gray M. Borden on 11/21/17.</b> (ajr, ) (Entered: 11/21/2017)
11/21/2017		

		Terminated Hearings as to Luis Samayoa-Castillo: 12/6/2017 Pretrial Conference before Judge Wallace Capel AND 2/5/2018 Jury Trial before Judge Keith Watkins TERMINATED pursuant to defendant's 11/20/2017 Change of Plea before Judge Capel. (ajr, ) (Entered: 11/21/2017)
11/27/2017	<a href="#">26</a>	<b>ORDER as to Luis Samayoa-Castillo Sentencing is set for 3/8/2018 at 10:00 AM in CR 2B before Chief Judge William Keith Watkins, as further set out. Signed by Chief Judge William Keith Watkins on 11/27/2017. (kcf, )</b> (Entered: 11/27/2017)
03/05/2018	<a href="#">27</a>	SENTENCING MEMORANDUM by Luis Samayoa-Castillo. (ajr, ) (Entered: 03/05/2018)
03/06/2018	<a href="#">28</a>	(STRICKEN PURSUANT TO ORDER THIS DATE) MOTION for Reduction in Criminal Offense Level for Acceptance of Responsibility by USA as to Luis Samayoa-Castillo. (Baxley, Ben) Modified on 3/8/2018 (ajr, ). (Entered: 03/06/2018)
03/07/2018	<a href="#">29</a>	NOTICE OF INTENT TO REJECT PLEA AGREEMENT as to Luis Samayoa-Castillo. (ajr, ) (Entered: 03/07/2018)
03/07/2018	<a href="#">30</a>	MOTION to Strike <i>GOVERNMENTS MOTION TO DECREASE DEFENDANT'S OFFENSE LEVEL</i> (Doc. 28) by USA as to Luis Samayoa-Castillo. (Baxley, Ben) (Entered: 03/07/2018)
03/08/2018	<a href="#">31</a>	<b>ORDER granting <a href="#">30</a> Motion to Strike Motion to Decrease Offense Level as to Luis Samayoa-Castillo (1); striking <a href="#">28</a> Motion for Reduction in Criminal Offense Level for Acceptance of Responsibility as to Luis Samayoa-Castillo (1). Signed by Chief Judge William Keith Watkins on 3/8/18. (ajr, )</b> (Entered: 03/08/2018)
03/08/2018	<a href="#">32</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Sentencing NOT held on 3/8/2018 as to Luis Samayoa-Castillo. Order to issue resetting sentencing hearing. (PDF available for court use only) (Court Reporter Risa Entrekin.) (ajr, ) (Entered: 03/08/2018)
03/09/2018	<a href="#">33</a>	<b>ORDER as to Luis Samayoa-Castillo that pursuant to the combined sentencing and revocation hearing partially held and then continued on March 8, 2018, the court has determined that briefing is necessary on the issue of whether 8 U.S.C. § 1326(b)(2) applies to Mr. Samayoa-Castillo. Accordingly, it is ORDERED that Mr. Samayoa-Castillo file a brief on or before March 19, 2018, and that the Government file a response on or before March 26, 2018. Additionally, it is ordered that Mr. Samayoa-Castillo's combined sentencing and revocation hearing is RESET for April 25, 2018, at 11:30 a.m., Courtroom 2B, of the Frank M. Johnson, Jr. United States United States Courthouse, One Church Street, Montgomery, Alabama. The Clerk of the Court is DIRECTED to provide a court reporter. The U.S. Marshal is DIRECTED to secure Defendants presence at the hearing. Signed by Chief Judge William Keith Watkins on 3/9/18. (ajr, )</b> (Entered: 03/09/2018)
03/20/2018	<a href="#">34</a>	RESPONSE TO COURT ORDER by Luis Samayoa-Castillo (Freeman, Christine) (Entered: 03/20/2018)

03/20/2018	<a href="#">35</a>	MOTION to Seal Notice by Luis Samayoa-Castillo. (ajr, ) (Entered: 03/21/2018)
03/23/2018	<a href="#">37</a>	<b>ORDER granting <a href="#">35</a> Motion to Seal as to Luis Samayoa-Castillo (1). Signed by Chief Judge William Keith Watkins on 3/23/18. (ajr, )</b> (Entered: 03/23/2018)
03/26/2018	<a href="#">38</a>	RESPONSE TO COURT ORDER by USA as to Luis Samayoa-Castillo (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F)(Baxley, Ben) (Entered: 03/26/2018)
04/03/2018	<a href="#">39</a>	TRANSCRIPT of Sentencing Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on 3/8/2018 before Judge W. Keith Watkins as to Luis Samayoa-Castillo. Court Reporter/Transcriber Risa Entrekin, Telephone number 334-240-2405. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 4/24/2018. Redacted Transcript Deadline set for 5/4/2018. Release of Transcript Restriction set for 7/2/2018. (ajr, ) (Entered: 04/03/2018)
04/23/2018	<a href="#">40</a>	<b>ORDER as to Luis Samayoa-Castillo - Sentencing set for 11:30 AM on 4/25/2018 is RESCHEDULED for 10:15 AM in CR 2B before Chief Judge William Keith Watkins. Signed by Chief Judge William Keith Watkins on 4/23/18. (ajr, )</b> (Entered: 04/23/2018)
04/23/2018	<a href="#">41</a>	Supplement to the United States' Response to Defendant's Brief doc <a href="#">34</a> (Attachments: # <a href="#">1</a> Exhibit A)(ajr, ) (Entered: 04/23/2018)
04/25/2018	<a href="#">42</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Sentencing held on 4/25/2018 as to Luis Samayoa-Castillo. (PDF available for court use only) (Court Reporter Risa Entrekin.) (ajr, ) (Entered: 04/26/2018)
04/27/2018	<a href="#">43</a>	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Luis Samayoa-Castillo. (ajr, ) (Entered: 04/27/2018)
04/30/2018	<a href="#">44</a>	<b>JUDGMENT as to Luis Samayoa-Castillo (1), Count(s) 1, 36 Mos Imp (cs w/3:15cr192-WKW); 1 Yr Sup Rel; \$100 AF. Signed by Chief Judge William Keith Watkins on 4/30/18. (ajr, )</b> (Entered: 04/30/2018)

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05/03/2018 14:12:48			
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## INTERPRETER

**U.S. District Court**  
**Alabama Middle District (Opelika)**  
**CRIMINAL DOCKET FOR CASE #: 3:15-cr-00192-WKW-CSC-1**

Case title: USA v. Samayoa-Castillo  
Magistrate judge case number: 3:15-mj-00066-CSC

Date Filed: 04/29/2015

Assigned to: Chief Judge William Keith  
Watkins  
Referred to: Honorable Judge Charles  
S. Coody

**Defendant (1)**

**Luis Samayoa-Castillo**

represented by **Federal Defender**  
Federal Defenders  
Middle District of Alabama  
817 South Court Street  
Montgomery, AL 36104  
334-834-2099  
Fax: 834-0353  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Christine Ann Freeman**  
Federal Defenders  
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Email: christine\_freeman@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

8:1326(a) and (b)(2) - REENTRY OF  
DEPORTED ALIENS  
(1)

**Disposition**

1 Year, 1 Day; 2 Yrs Sup Rel; \$100 AF.  
4/25/2018 Supervised Release revoked;

sentenced to 24 Mos Imp; cs to sentence imposed in 2:17cr443-WKW.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints****Disposition**

8:1326(b)(1) RE-ENTRY OF  
DEPORTED ALIEN- FELONY

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**Plaintiff**

USA

represented by **Ben Mark Baxley**  
U S Attorney's Office  
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Email: ben.baxley@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U S Attorney*

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**TERMINATED: 04/23/2018**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant U S Attorney*

Date Filed	#	Docket Text
04/02/2015	<a href="#">1</a>	COMPLAINT as to Luis Samayoa-Castillo (1). (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)

04/02/2015		Case unsealed as to Luis Samayoa-Castillo pursuant to notice of arrest received from U.S. Marshal's Service. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015		ORAL MOTION for Detention by USA as to Luis Samayoa-Castillo. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015		Arrest of Luis Samayoa-Castillo (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015	<a href="#">4</a>	CJA 23 Financial Affidavit by Luis Samayoa-Castillo (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015		ORAL ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Luis Samayoa-Castillo. Signed by Honorable Judge Charles S. Coody on 4/2/15. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015	<a href="#">5</a>	Minute Entry for proceedings held before Honorable Judge Charles S. Coody:Initial Appearance as to Luis Samayoa-Castillo held on 4/2/2015 (PDF available for court use only) (Recording Time FTR: 2:33 - 2:38.) (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/02/2015	<a href="#">6</a>	ORDER as to Luis Samayoa-Castillo : Detention Hearing and Preliminary Hearing set for 4/7/2015 at 10:00 AM in Courtroom 4B before Honorable Judge Charles S. Coody. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing. Signed by Honorable Judge Charles S. Coody on 4/2/15. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/02/2015)
04/03/2015		ORAL MOTION to Waive Preliminary Hearing and Detention Hearing by Luis Samayoa-Castillo. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/03/2015)
04/03/2015		ORAL ORDER granting ORAL Motion for Detention as to Luis Samayoa-Castillo (1); granting ORAL Motion to Waive Preliminary Hearing and Detention Hearing as to Luis Samayoa-Castillo (1) that the Preliminary Hearing and Detention Hearing set for 4/7/2015 at 10:00 am be and is hereby canceled. Signed by Honorable Judge Charles S. Coody on 4/3/15. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/03/2015)
04/06/2015		Terminate Deadlines and Hearings as to Luis Samayoa-Castillo. (ws, ) [3:15-mj-00066-CSC] (Entered: 04/06/2015)
04/06/2015	<a href="#">8</a>	NOTICE OF ATTORNEY APPEARANCE: Christine Ann Freeman appearing for Luis Samayoa-Castillo (Freeman, Christine) [3:15-mj-00066-CSC] (Entered: 04/06/2015)
04/06/2015	<a href="#">9</a>	WAIVER of Preliminary Hearing by Luis Samayoa-Castillo (Freeman, Christine) [3:15-mj-00066-CSC] (Entered: 04/06/2015)
04/29/2015	<a href="#">10</a>	INDICTMENT as to Luis Samayoa-Castillo (1) count(s) 1. (ajr, ) (Entered: 04/30/2015)
04/30/2015	<a href="#">12</a>	ORDER to Produce Prisoner for Arraignment as to Luis Samayoa-Castillo for 5/12/2015 10:30 AM in Courtroom 4A before Honorable Judge Terry F. Moorer. Signed by Honorable Judge Charles S. Coody on 4/30/15. (ajr, ) (Entered: 04/30/2015)

05/12/2015	<a href="#">13</a>	Minute Entry for Arraignment held before Honorable Judge Terry F. Moorer as to Luis Samayoa-Castillo. NOT GUILTY Plea entered as to Count 1. (PDF available for court use only) (Recording Time 10:38-10:43.) (cb, ) (Entered: 05/12/2015)
05/12/2015		ORAL ORDER directing defendant to remain in the custody of the USM pending further proceedings from the court as to Luis Samayoa-Castillo. Signed by Honorable Judge Terry F. Moorer on 5/12/2015. (cb, ) (Entered: 05/12/2015)
05/13/2015	<a href="#">14</a>	ORDER ON ARRAIGNMENT as to Luis Samayoa-Castillo setting an initial Pretrial Conference for 6/24/2015 01:00 PM in Courtroom 4B before Honorable Judge Charles S. Coody. Jury Trial set for 7/6/2015 10:00 AM in Opelika, Alabama before Chief Judge William Keith Watkins. Pretrial Motions due by 6/22/2015. Discovery due from the government by 5/12/2015 and from the defendant by 5/19/2015. Signed by Honorable Judge Terry F. Moorer on 5/13/15. (ajr, ) (Entered: 05/13/2015)
05/18/2015	<a href="#">15</a>	(Disregard this entry - duplicate of doc. 14) ORDER ON ARRAIGNMENT as to Luis Samayoa-Castillo setting an initial Pretrial Conference for 6/24/2015 01:00 PM in Courtroom 4B before Honorable Judge Charles S. Coody. Jury Trial set for 7/6/2015 10:00 AM in Opelika, Alabama before Chief Judge William Keith Watkins. Pretrial Motions due by 6/22/2015. Discovery due from the government by 5/12/2015 and from the defendant by 5/19/2015. Signed by Honorable Judge Terry F. Moorer on 5/18/15. (ajr, ) Modified on 5/18/2015 (ajr, ). (Entered: 05/18/2015)
05/26/2015	<a href="#">16</a>	MOTION to Continue trial <i>Unopposed</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Entered: 05/26/2015)
05/27/2015	<a href="#">17</a>	ORDER TO CONTINUE - Ends of Justice as to Luis Samayoa-Castillo. Time excluded from 7/6/15 until 11/16/2015; granting <a href="#">16</a> MOTION to Continue Trial. Jury Trial set for 7/6/2015 is CONTINUED to 11/16/2015 10:00 AM in Opelika, Alabama before Chief Judge William Keith Watkins. The Magistrate Judge shall conduct a pretrial conference prior to the November 16, 2015, trial term. Signed by Chief Judge William Keith Watkins on 5/27/15. (ajr, ) (Entered: 05/27/2015)
05/28/2015	<a href="#">18</a>	ORDER as to Luis Samayoa-Castillo that based upon this court's order setting the trial in the above-styled case on the November 16, 2015 trial term and for good cause, it is ORDERED that the Pretrial Conference presently set for 6/24/2015 be and is hereby RESET for 10/28/2015 at 1:00 PM in Courtroom 4B before Honorable Judge Charles S. Coody. It is further ORDERED that all applicable deadlines contained in the prior arraignment order and pretrial order are adjusted accordingly, but the deadline for the filing of pretrial, dispositive motions is not extended. Signed by Honorable Judge Charles S. Coody on 5/28/2015. (kcf, ) (Entered: 05/28/2015)
10/09/2015	<a href="#">19</a>	NOTICE OF INTENT TO CHANGE PLEA by Luis Samayoa-Castillo (Freeman, Christine) (Entered: 10/09/2015)
10/13/2015	<a href="#">20</a>	ORDER as to Luis Samayoa-Castillo setting a Change of Plea Hearing for 10/15/2015 02:00 PM in Courtroom 4B before Honorable Judge Charles S.

		<p>Coody. The Clerk of court is directed to provide an interpreter for this proceeding. If a court reporter is available, the Clerk of the Court shall provide a court reporter for this proceeding. The United States Marshal or the person having custody of the defendant shall produce the defendant for the proceeding. It is further ORDERED that the government shall provide to the court a copy of any plea agreement not less than two hours prior to the time set for the change of plea proceeding by electronic mail at <a href="mailto:coody_delivery@almd.uscourts.gov">coody_delivery@almd.uscourts.gov</a> in PDF format. Counsel for the defendant is DIRECTED to confer with the defendant prior to the proceeding as further set out in this order. Signed by Honorable Judge Charles S. Coody on 10/13/15. (ajr, ) Modified on 10/13/2015 to correct hearing type (ajr, ). (Entered: 10/13/2015)</p>
10/13/2015		Reset Hearing as to Luis Samayoa-Castillo: Change of Plea Hearing set for 10/15/2015 02:00 PM in Courtroom 4B before Honorable Judge Charles S. Coody rather than a Consent Plea Hearing. (ajr, ) (Entered: 10/13/2015)
10/15/2015	<a href="#">21</a>	Consent to Enter Guilty Plea before U. S. Magistrate Judge as to Luis Samayoa-Castillo (ws, ) (Entered: 10/15/2015)
10/15/2015	<a href="#">22</a>	PLEA AGREEMENT as to Luis Samayoa-Castillo (ws, ) (Entered: 10/15/2015)
10/15/2015		ORAL ORDER Accepting Guilty Plea as to Luis Samayoa-Castillo and Adjudicating the defendant guilty as to Count(s) 1 of the Indictment. Signed by Honorable Judge Charles S. Coody on 10/15/15. (ws, ) (Entered: 10/15/2015)
10/15/2015	<a href="#">23</a>	Minute Entry for proceedings held before Honorable Judge Charles S. Coody:Change of Plea Hearing as to Luis Samayoa-Castillo held on 10/15/2015 ; Plea entered by Luis Samayoa-Castillo (1) Guilty Count 1. (PDF available for court use only) (Court Reporter Patricia Starkie.) (ws, ) (Entered: 10/15/2015)
10/15/2015	<a href="#">25</a>	PLEA AGREEMENT ADDENDUM as to Luis Samayoa-Castillo (ws, ) (Entered: 10/16/2015)
10/16/2015	<a href="#">24</a>	ORDER as to Luis Samayoa-Castillo setting Sentencing for 1/27/2016 10:00 AM in Courtroom 2B before Chief Judge William Keith Watkins. Any motion for downward departure shall be filed on or before the conference date with the probation officer. Counsel for the defendant and the Government are to notify the Court at least two weeks prior to the sentencing date if the hearing is anticipated to take more than one hour. Government motions shall be filed 5 working days before sentencing. Sentencing memoranda are not required; however, any party desiring to submit a sentencing memorandum shall file it not less than 5 working days before sentencing as set out in order. Signed by Chief Judge William Keith Watkins on 10/16/15. (ajr, ) (Entered: 10/16/2015)
10/21/2015		Terminate Deadlines and Hearings as to Luis Samayoa-Castillo: Cancelled pretrial conference set for 10/28/2015. Defendant plead guilty on 10/15/2015. (ws, ) (Entered: 10/21/2015)
01/06/2016	<a href="#">26</a>	TRANSCRIPT of CHANGE OF PLEA (PDF ACCESS RESTRICTED FOR 90 DAYS.) held on 10/15/2015 before Judge Charles S. Coody as to Luis Samayoa-Castillo. Court Reporter/Transcriber Tricia Starkie, Telephone number 334-262-1221. Transcript may be viewed at the court public terminal or purchased

		through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 1/27/2016. Redacted Transcript Deadline set for 2/8/2016. Release of Transcript Restriction set for 4/5/2016. (ajr, ) (Entered: 01/07/2016)
01/12/2016	<a href="#">27</a>	MOTION for Reduction in Criminal Offense Level for Acceptance of Responsibility by USA as to Luis Samayoa-Castillo. (Geer, John) (Entered: 01/12/2016)
01/22/2016	<a href="#">28</a>	MOTION for Downward Departure , MOTION for Variance by Luis Samayoa-Castillo. (Freeman, Christine) (Entered: 01/22/2016)
01/26/2016	<a href="#">29</a>	NOTICE OF FILING SENTENCING EXHIBITS as to Luis Samayoa-Castillo (Freeman, Christine) (Entered: 01/26/2016)
01/26/2016	<a href="#">30</a>	OBJECTION to Proposed Sentencing Guideline and MEMO in Support of <a href="#">28</a> Motion for Variance. (ajr, ) (Entered: 01/26/2016)
01/27/2016	<a href="#">31</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Sentencing NOT held on 1/27/2016 as to Luis Samayoa-Castillo. Order to issue resetting hearing. (PDF available for court use only) (Court Reporter Tricia Starkie.) (ajr, ) (Entered: 01/27/2016)
01/29/2016	<a href="#">32</a>	ORDER as to Luis Samayoa-Castillo - setting Sentencing for 2/19/2016 10:00 AM in Courtroom 2B before Chief Judge William Keith Watkins. The Government shall file a response to the Sentencing Memorandum (Doc. # 30) on or before February 8, 2016. Defendant shall file a reply on or before February 16, 2016. The United States Marshal is DIRECTED to secure Defendants appearance at the hearing. The Clerk of the Court is DIRECTED to provide a court reporter and an interpreter for the hearing. Signed by Chief Judge William Keith Watkins on 1/29/16. (ajr, ) (Entered: 01/29/2016)
01/29/2016	<a href="#">33</a>	MOTION to Continue <i>Reschedule Hearing - Unopposed</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Entered: 01/29/2016)
02/02/2016	<a href="#">34</a>	ORDER as to Luis Samayoa-Castillo granting <a href="#">33</a> MOTION to Reschedule Hearing by Luis Samayoa-Castillo. Sentencing set for 2/19/2016 is RESET 2/25/2016 10:00 AM in Courtroom 2B before Chief Judge William Keith Watkins. The United States Marshal is DIRECTED to secure the appearance of Defendant for the hearing. The Clerk of Court is DIRECTED to provide a court reporter and an interpreter for the hearing. Signed by Chief Judge William Keith Watkins on 2/2/16. (ajr, ) (Entered: 02/02/2016)
02/08/2016	<a href="#">35</a>	RESPONSE TO COURT ORDER by USA as to Luis Samayoa-Castillo re <a href="#">30</a> Brief/Response in Support (Geer, John) (Entered: 02/08/2016)
02/17/2016	<a href="#">36</a>	RESPONSE TO COURT ORDER by Luis Samayoa-Castillo re <a href="#">32</a> Order, Set Deadlines/Hearings,,, (Attachments: # <a href="#">1</a> Affidavit statement of Mr. Samayoa-Castillo)(Freeman, Christine) (Entered: 02/17/2016)
02/17/2016	<a href="#">37</a>	MOTION for Extension of Time to File <i>and permit late filing</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Entered: 02/17/2016)

02/18/2016	<a href="#">38</a>	TEXT ORDER granting <a href="#">37</a> Motion for Extension of Time to File as to Luis Samayoa-Castillo (1). Entered by Chief Judge William Keith Watkins on 2/18/16. (No PDF attached) (ajr, ) (Entered: 02/18/2016)
02/25/2016		Plea Agreement Accepted as to Luis Samayoa-Castillo. (ajr, ) (Entered: 02/25/2016)
02/25/2016	<a href="#">39</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Sentencing held on 2/25/2016 as to Luis Samayoa-Castillo. (PDF available for court use only) (Court Reporter Risa Entrekin.) (Attachments: # <a href="#">1</a> Defendant's Exhibit List) (ajr, ) (Entered: 02/25/2016)
02/26/2016	<a href="#">40</a>	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Luis Samayoa-Castillo (kcf, ) (Entered: 02/26/2016)
03/02/2016	<a href="#">41</a>	JUDGMENT as to Luis Samayoa-Castillo (1), Count(s) 1, 1 Year, 1 Day; 2 Yrs Sup Rel; \$100 AF. Signed by Chief Judge William Keith Watkins on 3/2/16. (ajr, ) (Entered: 03/07/2016)
10/06/2017	<a href="#">43</a>	Petition for Revocation of Supervised Release as to Luis Samayoa-Castillo (1) on Count 1 by U.S. Probation. (ajr, ) Modified on 10/10/2017 to unseal pursuant to notice of arrest (kcf, ). (Entered: 10/06/2017)
10/06/2017	<a href="#">44</a>	<b>ORDER directing the issuance of a warrant re <a href="#">43</a> Petition as to Luis Samayoa-Castillo (1). Signed by Chief Judge William Keith Watkins on 10/6/17. (ajr, )</b> (Entered: 10/06/2017)
10/10/2017		Arrest of Luis Samayoa-Castillo (ws, ) (Entered: 10/10/2017)
10/10/2017	<a href="#">46</a>	CJA 23 Financial Affidavit by Luis Samayoa-Castillo (ws, ) (Entered: 10/10/2017)
10/10/2017		<b>ORAL ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Luis Samayoa-Castillo. Signed by Honorable Judge Charles S. Coody on 10/10/17. (ws, )</b> (Entered: 10/10/2017)
10/10/2017		WAIVER of Preliminary Revocation Hearing and Detention Hearing by Luis Samayoa-Castillo (ws, ) (Entered: 10/10/2017)
10/10/2017	<a href="#">47</a>	Minute Entry for proceedings held before Honorable Judge Charles S. Coody:Initial Appearance re Revocation of Supervised Release as to Luis Samayoa-Castillo held on 10/10/2017 (PDF available for court use only) (Recording Time FTR: 1:13 - 1:22.) (ws, ) (Entered: 10/10/2017)
10/10/2017	<a href="#">48</a>	NOTICE OF ATTORNEY APPEARANCE Ben Mark Baxley appearing for USA. (Baxley, Ben) (Entered: 10/10/2017)
11/06/2017	<a href="#">50</a>	<b>ORDER as to Luis Samayoa-Castillo that the final revocation hearing is SET for 11/17/2017 at 10:00 AM in Courtroom 2B before Chief Judge William Keith Watkins. The U.S. Marshal is DIRECTED to secure Defendant's presence at the hearing. The Clerk of the Court is DIRECTED to provide a court reporter. Signed by Chief Judge William Keith Watkins on 11/6/2017. (kcf, )</b> (Entered: 11/06/2017)
11/14/2017	<a href="#">51</a>	

		MOTION to Continue <i>Reschedule Hearing - Unopposed</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Entered: 11/14/2017)
11/14/2017	<a href="#">52</a>	MOTION Consolidate with 2:17-cr-443 - <i>Unopposed</i> by Luis Samayoa-Castillo. (Freeman, Christine) (Main Document 52 replaced on 11/14/2017) (ajr, ). (Entered: 11/14/2017)
11/16/2017	<a href="#">53</a>	<b>ORDER as to Luis Samayoa-Castillo</b> granting <a href="#">52</a> MOTION Consolidate with 2:17-cr-443 filed by Luis Samayoa-Castillo, <a href="#">51</a> MOTION to Continue Reschedule Hearing filed by Luis Samayoa-Castillo. Mr. Samayoa-Castillos revocation hearing in Case No. 3:15-CR-192-WKW, currently scheduled on November 17, 2017, is CONTINUED until further order of the court to coincide with his sentencing in Case No. 2:17-CR-443-WKW. Signed by Chief Judge William Keith Watkins on 11/16/17. (ajr, ) (Entered: 11/16/2017)
11/27/2017	<a href="#">54</a>	<b>ORDER as to Luis Samayoa-Castillo</b> that the final revocation hearing is SET for 3/8/2018 at 10:00 AM in CR 2B before Chief Judge William Keith Watkins. The U.S. Marshal is DIRECTED to secure Defendant's presence at the hearing. The Clerk of the Court is DIRECTED to provide a court reporter. Signed by Chief Judge William Keith Watkins on 11/27/2017. (kcf, ) (Entered: 11/27/2017)
03/07/2018	<a href="#">55</a>	NOTICE OF INTENT TO REJECT PLEA AGREEMENT as to Luis Samayoa-Castillo. (ajr, ) (Entered: 03/07/2018)
03/08/2018	<a href="#">56</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Final Hearing re Revocation of Supervised Release as to Luis Samayoa-Castillo NOT held on 3/8/2018. Order to issue resetting hearing. (PDF available for court use only) (Court Reporter Risa Entrekin.) (ajr, ) (Entered: 03/08/2018)
03/09/2018	<a href="#">57</a>	<b>ORDER as to Luis Samayoa-Castillo</b> that pursuant to the combined sentencing and revocation hearing partially held and then continued on March 8, 2018, the court has determined that briefing is necessary on the issue of whether 8 U.S.C. § 1326(b)(2) applies to Mr. Samayoa-Castillo. Accordingly, it is ORDERED that Mr. Samayoa-Castillo file a brief on or before March 19, 2018, and that the Government file a response on or before March 26, 2018. Additionally, it is ordered that Mr. Samayoa-Castillos combined sentencing and revocation hearing is RESET for April 25, 2018, at 11:30 a.m., Courtroom 2B, of the Frank M. Johnson, Jr. United States United States Courthouse, One Church Street, Montgomery, Alabama. The Clerk of the Court is DIRECTED to provide a court reporter. The U.S. Marshal is DIRECTED to secure Defendants presence at the hearing. Signed by Chief Judge William Keith Watkins on 3/9/18. (ajr, ) (Entered: 03/09/2018)
04/03/2018	<a href="#">58</a>	TRANSCRIPT of Sentencing Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on 2/25/2016 before Judge W. Keith Watkins as to Luis Samayoa-Castillo. Court Reporter/Transcriber Tricia Starkie, Telephone number 334-240-2405. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through

		PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 4/24/2018. Redacted Transcript Deadline set for 5/4/2018. Release of Transcript Restriction set for 7/2/2018. (ajr, ) (Entered: 04/03/2018)
04/03/2018	<a href="#">59</a>	TRANSCRIPT of Final Hearing on Revocation of Supervised Release Proceedings (PDF ACCESS RESTRICTED FOR 90 DAYS) held on 3/8/2018 before Judge W. Keith Watkins as to Luis Samayoa-Castillo. Court Reporter/Transcriber Risa Entrekin, Telephone number 334-240-2405. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE OF INTENT TO REQUEST REDACTION DUE WITHIN 7 BUSINESS DAYS. Redaction Request due 4/24/2018. Redacted Transcript Deadline set for 5/4/2018. Release of Transcript Restriction set for 7/2/2018. (ajr, ) (Entered: 04/03/2018)
04/23/2018		Reset Hearing as to Luis Samayoa-Castillo: Final Hearing re Revocation of Supervised Release set for 11:30 on 4/25/2018 is RESCHEDULED for 10:15 AM in CR 2B before Chief Judge William Keith Watkins. (ajr, ) (Entered: 04/23/2018)
04/23/2018	<a href="#">60</a>	MOTION to Withdraw as Attorney by John J. Geer, III. by USA as to Luis Samayoa-Castillo. (Geer, John) (Entered: 04/23/2018)
04/23/2018	61	<b>TEXT ORDER</b> granting <a href="#">60</a> Motion to Withdraw as Attorney. John J Geer, III withdrawn from case as to Luis Samayoa-Castillo (1). Entered by Chief Judge William Keith Watkins on 4/23/18. (No PDF attached) (ajr, ) (Entered: 04/23/2018)
04/25/2018	<a href="#">62</a>	Minute Entry for proceedings held before Chief Judge William Keith Watkins: Final Hearing re Revocation of Supervised Release as to Luis Samayoa-Castillo held on 4/25/2018. (PDF available for court use only) (Court Reporter Risa Entrekin.) (ajr, ) (Entered: 04/26/2018)
04/30/2018	<a href="#">63</a>	<b>JUDGMENT ON REVOCATION</b> sentenced to 24 Mos Imp; cs to sentence imposed in 2:17cr443-WKW. Signed by Chief Judge William Keith Watkins on 4/30/18. (ajr, ) (Entered: 04/30/2018)

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