

The record on: 12/15/2020
in number: 20-17203

Appendix A - Order 12/15/20 USCA

Appendix B - Order 12/15/20 USDC Eastern Dist.

Appendix C - Order 10/22/2020 USDC, ECF 255

Appendix D - Notice of Appeal 11/09/2020

Appendix E - Clerk's Decree 11/10/2020

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 15 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

BRENT DOUGLAS COLE,

Defendant-Appellant.

No. 20-17203

D.C. Nos.

2:19-cv-02274-WBS-DB

2:14-cr-00269-WBS-DB-1

Eastern District of California,
Sacramento

ORDER

Before: THOMAS, Chief Judge, HURWITZ and BADE, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable. See 28 U.S.C. § 1291; *In re San Vicente Med. Partners Ltd.*, 865 F.2d 1128, 1131 (9th Cir. 1989) (order) (magistrate judge order not final or appealable); *see also Branson v. City of Los Angeles*, 912 F.2d 334 (9th Cir. 1990) (denial of reconsideration of non-appealable order is itself not appealable). Consequently, this appeal is dismissed for lack of jurisdiction.

DISMISSED.

APPENDIX A
Page 1 of 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

APPENDIX B
Page 1 of 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRENT DOUGLAS COLE,

Defendant.

No. 2:14-cr-00269 WBS DB

ORDER

-----oo0oo-----

Defendant Brent Douglas Cole has requested a certificate of appealability in connection with his appeal of the court's October 22, 2020 order. (Docket No. 260.) For the reasons stated in the court's October 22, 2020 order (Docket No. 255), the court declines to issue a certificate of appealability.

IT IS SO ORDERED. The Clerk of this court is ordered to forthwith transmit a copy of this Order to the Clerk of the United States Court for the Ninth Circuit.

Dated: December 14, 2020



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

APPENDIX C
Page 1 of 3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

UNITED STATES OF AMERICA,
Plaintiff,
v.
BRENT DOUGLAS COLE,
Defendant.

No. 2:14-cr-00269 WBS DB

ORDER

-----oo0oo-----

Defendant Brent Douglas Cole has requested reconsideration of the magistrate judge's order dated September 29, 2020. Defendant appears to believe that the magistrate judge's order denied his request for production of documents (Docket No. 227), and it also appears that he objects to a magistrate judge ruling on any matter in this case.¹

¹ Defendant also states that he wishes to pursue his claim of ineffective assistance of counsel and waives the attorney client privilege with respect to materials at issue under that claim, responding to the magistrate judge's order that he state whether he wished to proceed with that claim.

1 However, the magistrate judge did not in fact deny
 2 defendant's request for production of documents. Rather, the
 3 magistrate judge "decline[d] to rule on movant's motion until
 4 respondent has had an opportunity to file an opposition or
 5 statement of non-opposition" to the motion. (Docket No. 251 at
 6 3.)² The magistrate judge only denied, without prejudice,
 7 defendant's filings at Docket No. 232 and 240, which were largely
 8 duplicative of his original motion for production of documents at
 9 Docket No. 227, and which the magistrate judge construed as
 10 requests for ruling on the original motion.³ Because defendant's
 11 original motion for production of documents has not been denied,
 12 his instant objection is premature. Should the magistrate judge
 13 deny or recommend denial of his pending motion for production at
 14 Docket No. 227, defendant is free to object to or request
 15 reconsideration of the magistrate judge's order at that time.

16 To the extent defendant objects to the magistrate judge
 17 performing any duties in this case, that objection is OVERRULED.
 18 Delegation to the magistrate judge is expressly allowed by 28
 19 U.S.C. § 636.

20 Dated: October 21, 2020


 21 WILLIAM B. SHUBB
 22 UNITED STATES DISTRICT JUDGE

23 APPENDIX C
Page 2 of 3

24 ² The court recognizes that the magistrate judge has
 25 granted multiple extensions of time for the government to file
 its response to the motion for production.

26 ³ To the extent defendant believes his motions at Docket
 27 No. 232 and 240 request relief not addressed by his motion at
 28 Docket No. 227 and which has not been already addressed by the
 magistrate judge, defendant is free to specifically request that
 relief in a new and separate motion.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

v.

BRENT DOUGLAS COLE,

Movant.

No. 2:14-cr-0269 GEB DB 1

ORDER

Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Presently before the court is the government's motion to compel discovery and for a protective order (ECF No. 228) and movant's motion for production of documents and motions for a ruling on his motion (ECF Nos. 227, 232, 240). For the reasons set forth below, the court will deny movant's motions without prejudice and direct him to confirm in writing whether he intends to proceed with his ineffective assistance of counsel claim.

I. Background

On November 8, 2019, movant filed a motion to vacate, set aside, or correct his sentence under § 2255. (ECF No. 216.) Movant argues the court should vacate his conviction for several reasons, including his allegations that both his trial and appellate counsel were ineffective. By order dated December 27, 2019, the undersigned directed the respondent to file a response to

1 movant's motion. (ECF No. 219.) In addition to requesting several extensions of time to file
2 their response to the § 2255 motion, respondent has also moved the court for an order compelling
3 discovery and for a protective order related to movant's trial and appellate counsel. (ECF No.
4 228.)

5 **II. Respondent's Motion for Protective Order**

6 The government has filed a motion seeking an order compelling movant's trial and
7 appellate attorneys to provide discovery related to the allegations contained in movant's § 2255
8 motion. (ECF No. 228.) The government has further requested the court issue a protective order
9 limiting the scope of the waiver of attorney client privilege.

10 In his response, movant claims that he has not waived attorney client privilege. (ECF No.
11 232 at 3.) However, he has also requested production of trial counsel's case file. (Id. at 1.) "It
12 has long been the rule in the federal courts that, where a habeas petitioner raises a claim of
13 ineffective assistance of counsel, he waives the attorney-client privilege as to all communications
14 with his allegedly ineffective lawyer." Bittaker v. Woodford, 331 F.3d 715 (9th Cir. 2003).
15 Movant is advised that if he wishes to proceed with his ineffective assistance of counsel claims,
16 he cannot also refuse to waive attorney-client privilege.

17 Because movant has made conflicting statements regarding his ineffective assistance of
18 counsel claims, the court will direct petitioner to indicate in writing whether he wishes to proceed
19 with his ineffective assistance of counsel claims in his § 2255 motion. The court will not rule on
20 respondent's motion for protective order until after movant has indicated whether he wishes to
21 proceed with his ineffective assistance of counsel claims.

22 **III. Movant's Motions Requesting Production of Documents**

23 Movant has also filed a motion requesting production of documents (ECF No. 227), and
24 motions requesting a ruling on his motion for production (ECF Nos. 232, 240). Respondent has
25 sought and received several extensions of time to respond to that motion. (ECF Nos. 229, 231,
26 238, 239, 248, 249.) Respondent argues the court should refrain from ruling on movant's motion
27 until after they file their opposition because the grounds presented in movant's motion to vacate
28 may be narrowed by the opposition to the motion to vacate. (ECF No. 229 at 2.)

1 The court declines to rule on movant's motion until respondent has had an opportunity to
2 file an opposition or statement of non-opposition. Accordingly, the court will deny movant's
3 motions for ruling without prejudice.

4 **IV. Conclusion**

5 For the reasons set forth above, IT IS HEREBY ORDERED that:

- 6 1. Within thirty days of the date of this order movant shall indicate in writing whether he
7 wants to proceed with his ineffective assistance of counsel claims and waive attorney-
8 client privilege or drop his ineffective assistance of counsel claims.
- 9 2. Movant's motions requesting a ruling on his motion for production of documents (ECF
10 Nos. 232, 240) are denied without prejudice.

11
12 Dated: September 28, 2020

13
14 
15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE

17 DB:12
18 DB/prisoner-habeas/cole0269.Var
19
20
21
22
23
24
25
26
27
28

MIME-Version:1.0 From:caed_cmecf_helpdesk@caed.uscourts.gov To:CourtMail@localhost.localdomain
Message-Id: Subject:Activity in Case 2:14-cr-00269-WBS-DB USA v. Cole Order on Motion for
Reconsideration - CR. Content-Type: text/html

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** *There is no charge for viewing opinions.*

U.S. District Court

Eastern District of California - Live System

Notice of Electronic Filing

The following transaction was entered on 10/22/2020 at 10:22 AM PDT and filed on 10/22/2020

Case Name: USA v. Cole

Case Number: 2:14-cr-00269-WBS-DB

Filer:

Document Number: 255

Docket Text:

ORDER signed by Senior Judge William B. Shubb on 10/21/2020 ORDERING, to the extent defendant objects to the magistrate judge performing any duties in this case, that objection is OVERRULED. Delegation to the magistrate judge is expressly allowed by 28 U.S.C. § 636. (Zignago, K.)

2:14-cr-00269-WBS-DB-1 Notice has been electronically mailed to:

Heiko Philipp Coppola , GOVT heiko.coppola@usdoj.gov, caseview.ecf@usdoj.gov,
usacae.ecfsacrm@usdoj.gov, yunia.lubega@usdoj.gov

Karyn Hilde Bucur khbucur@cox.net

2:14-cr-00269-WBS-DB-1 Electronically filed documents must be served conventionally by the filer to:

Brent Douglas Cole
71911-097
SANDSTONE
FEDERAL CORRECTIONAL INSTITUTION,
Inmate Mail/Parcels
P.O. BOX 1000
SANDSTONE, MN 55072

The following document(s) are associated with this transaction:

APPENDIX C
Page 3 of 3

ORIGINAL
FILED

NOV 09 2020

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY *[Signature]*
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Pro se Defendant/Movant/Petitioner:

Brent D. Cole, Reg. No. 71911-097-K3

P.O. Box 1600

Sandstone, MN 55079

UNITED STATES OF AMERICA,	Plaintiff-Respondent-Appellee,
v,	
BRENT DOUGLAS COLE,	Defendant-Movant-Appellant.

Before the Honorable United States District
Judge WILLIAM B. SHUBB

NOTICE OF APPEAL
To the United States Court of Appeals for the Ninth Circuit
I, Brent D. Cole, Defendant-Movant, hereby give notice of appeal of the
ORDER, ECF 255, filed on 10/27/2020, by Judge William B. Shubb, issued in
response to Movant's "REQUEST FOR RECONSIDERATION BY THE DISTRICT COURT
OF MAGISTRATE JUDGE'S RULING". It is asserted that there has been
no denial of timely production of documents and that "Delegation to the magistrate
judge is expressly allowed by 28 U.S.C. § 636." Movant respectfully disagrees.

§ 636(c)(2) requires the district court, "shall also advise the parties that they are
free to withhold consent without adverse substantive consequences, in Rules
of the court," shall include procedures to protect the voluntariness of... consent."
See United States v. Colacchio, 84 F.3d 386 (1996 9th Cir.); U.S. v. Gomez-Lopez, 207 F.3d 623,
629 (9th Cir., 1999); and Nasca v. People'soft, 160 F.3d 578, 579 (9th Cir., 1999).

Executed on November 5, 2020
Brent D. Cole
Brent D. Cole, Movant-Appellant
at Sandstone, Minnesota



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
415-355-8000

Molly C. Dwyer
Clerk of Court

November 10, 2020

No.: 20-17203
D.C. No.: 2:19-cv-02274-WBS-DB
Short Title: USA v. Brent Cole

APPENDIX E
Page 1 of 1

Dear Appellant

The Clerk's Office of the United States Court of Appeals for the Ninth Circuit has received a copy of your notice of appeal and/or request for a certificate of appealability.

A briefing schedule will not be set until the district court and, if necessary, this court determine whether a certificate of appealability should issue.

Absent an emergency, all subsequent filings in this matter will be stayed pending the district court's determination on the certificate of appealability.

All subsequent letters and requests for information regarding this matter will be added to your file to be considered at the same time the cause is brought before the court.

The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case. Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

Document Evidence

Appendix F - Arrest Warrant 9/18/2014

Appendix G - Nolle Prosequi, no. F14-0267 9/25/14

Appendix H - Order 10/6/14, Recusal no. 2:14-cr-0269

Appendix I - Dismissal, no. M14-0388, 5/25/2018

Appendix J - Misdemeanor Complaint, Jan. 27, 2014

Appendix K - Photo: Bate's Stamp Cole_0139

USMS # 71911-097
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA


FILED

SEP 26 2014

UNITED STATES OF AMERICA

V.

BRENT DOUGLAS COLE

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY  DEPUTY CLERK

WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal
and any Authorized United States Officer

214 - MJ - 212 EFB

YOU ARE HEREBY COMMANDED to arrest BRENT DOUGLAS COLE

and bring him forthwith to the nearest magistrate judge to answer a

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice

charging him with (brief description of offenses)

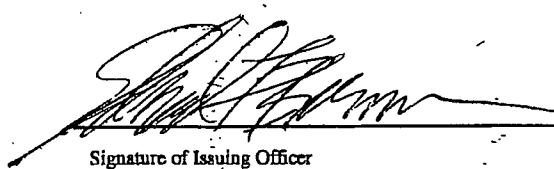
Assault on a federal officer with a deadly weapon which inflicts bodily injury, in violation of Title 18, United States Code, Section 111(a)(1) and (b), and 1114;

Assault on a person assisting a federal officer with a deadly weapon which inflicts bodily injury, in violation of Title 18, United States Code, Section 111(a)(1) and (b), and 1114; and

Discharging a firearm during and in relation to a crime of violence, in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(c)(1)(A)(iii).

Edmund F. Brennan

Name of Issuing Officer


Signature of Issuing Officer

U.S. Magistrate Judge

Title of Issuing Officer

September 18, 2014, in Sacramento, California

Date and Location

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at		
U.S. MARSHALS		
DATE RECEIVED: 09/25/2014	NAME AND TITLE OF ARRESTING OFFICER: CAPT. MATTHEW ST. ANGELO OFFICER	SIGNATURE OF ARRESTING OFFICER: [Signature]
DATE OF ARREST: 09/25/2014		

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: BRENT DOUGLAS COLE

ALIAS: 3T

LAST KNOWN RESIDENCE: 3T

LAST KNOWN EMPLOYMENT: 3T

PLACE OF BIRTH: 3T

DATE OF BIRTH: 3T

SOCIAL SECURITY NUMBER: 3T

HEIGHT: 3T

WEIGHT: 3T

SEX: 3T

RACE: 3T

HAIR: 3T

EYES: 3T

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: 3T

FBI NUMBER: 3T

COMPLETE DESCRIPTION OF AUTO: 3T

INVESTIGATIVE AGENCY AND ADDRESS: 3T

APPENDIX F
Page 2 of 2

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF NEVADA

Date: 09/25/2014
FELONY CONFERENCE

Case No.: F14-000267

Judge: C.S. HEIDELBERGER

Reporter: J. SASEK

Clerk: S.Vasquez

Bailiff: B. NETHERBY

DEFENDANT: BRENT DOUGLAS COLE

Counsel: PUBLIC DEFENDER

PC187(A)(664)
PC245(D)(1)
PC187(A)(664)
PC245(D)(1)

NATURE OF PROCEEDINGS: FELONY CONFERENCE

APPEARANCES: ADA ANNA FERGUSON; DPD JODY SCHUTZ IS PRESENT

☒ No appearance by defendant; Per the Jail, Defendant has been turned over to the Federal Government.

☒ Motion by the People to dismiss the charges without prejudice- granted.

APPENDIX 6
Page 1 of 1



THE FOREGOING INSTRUMENT
IS A CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS
OFFICE.

ATTEST: 2-25-19

Superior Court Clerk,
County of Nevada, State
of California.

By [Signature] Deputy

APPENDIX H
Page 1 of 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

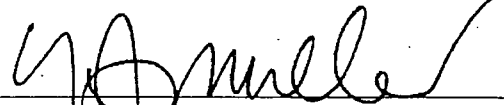
UNITED STATES OF AMERICA,
Plaintiff,
v.
BRENT DOUGLAS COLE,
Defendant.

No. 2:14-CR-0269 KJM

ORDER

The undersigned hereby recuses herself from this action under 28 U.S.C. § 455(a). Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to randomly refer this case to another district judge for any further proceedings that may be appropriate or required. All dates set in the above-entitled action before the undersigned are hereby vacated. The Clerk of the Court shall make appropriate adjustment in the assignment of criminal cases to compensate for this reassignment

DATED: October 6, 2014.


UNITED STATES DISTRICT JUDGE

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF NEVADA

Date: 05/25/2018

Case No.: M14-000388

Judge: S. Robert Tice-Raskin

Reporter: Melissa Willis

Clerk: M. Malone

Bailiff: Damian Norden

District Attorney: Ed Grubaugh, DDA

Probation Officer:

Defense Counsel:

Defendant: **BRENT DOUGLAS COLE**, not present

Custody status:

PC25850(a)
PC25400(a)(1)

NATURE OF PROCEEDINGS: MOTION TO DISMISS

Motion is granted

Bench Warrant is recalled

APPENDIX I
Page 1 of 1



THE FOREGOING INSTRUMENT
IS A CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS
OFFICE.
ATTEST: *2-25-19*

05/25/2018
M14-000388
BRENT DOUGLAS COLE
Page 1 of 1

Superior Court Clerk,
County of Nevada, State
of California.
By *[Signature]* Deputy

APPENDIX J
Page 1 of 2

2014 JAN 27 PM 3:41
COUNTY OF NEVADA

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF NEVADA

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

-VS-

BRENT DOUGLAS COLE
DOB:08/12/1953

Defendant(s).

Case No.: M14-000388

MISDEMEANOR COMPLAINT

The District Attorney of the County of Nevada hereby accuses the defendant of:

COUNT I

On or about January 26, 2014, in the County of Nevada, the crime of CARRYING A LOADED FIREARM ON ONE'S PERSON, in violation of Penal Code section 25850(a), a misdemeanor, was committed by Brent Douglas Cole, who did unlawfully carry a loaded firearm on his person and in a vehicle while in a public place and on a public street in an incorporated city and in a public place and on a public street in a prohibited area of unincorporated territory.

COUNT II

On or about January 26, 2014, in the County of Nevada, the crime of HAVING CONCEALED FIREARM IN VEHICLE, in violation of Penal Code section 25400(a)(1), a misdemeanor, was committed by Brent Douglas Cole, who did unlawfully carry concealed within a vehicle

MISDEMEANOR COMPLAINT

which was under his control and direction a pistol, revolver and other firearm capable of being concealed upon the person.

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

Executed on January 27, 2014, at Nevada City, Nevada County, California.

CLIFFORD H. NEWELL, DISTRICT ATTORNEY

By:


JESSE WILSON,
DEPUTY DISTRICT ATTORNEY

DA#: 14-01-029387

Agency: NCSO

Report #: 11400234

Booking#: B14014133

Vehicle License #: [LICENSE NUMBER] -

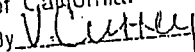
Non-Sesslin

/jw



THE FOREGOING INSTRUMENT
IS A CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS
OFFICE.
ATTEST: 225-19

Superior Court Clerk,
County of Nevada, State
of California.

By:  Deputy

APPENDIX J
Page 2 of 2

NOTICE: PURSUANT TO PENAL CODE SECTIONS 1054.5(b) AND 1054.3,
THE DISTRICT ATTORNEY HEREBY MAKES AN INFORMAL DEMAND FOR
DISCOVERY WITHIN FIFTEEN DAYS.

Additionally, the People request that defense counsel provide any statements
made by the defendant's intended witnesses, including the substance of oral
statements that defense witnesses have made directly to defense counsel.

Roland v. Superior Court, 124 Cal.App.4th 154, 21 Cal.Rptr.3d 151

MISDEMEANOR COMPLAINT

Bullets pierced with
incisions or which
have a hard envelope
which does not cover the
core = War Crime.

Officers fired 17
of these bullets
at the defendant
in about 12 seconds.
Who assaulted who?

Calculated to cause
superfluous injury.
See § 6.5.4.4 of the
D.O.D. manual.

APPENDIX
K-1
Page 2

US District Court Criminal Docket**U.S. District - California Eastern
(Sacramento)****2:14mj212****USA v. Cole****This case was retrieved from the court on Friday, November 15, 2019**

Date Filed: 09/18/2014 Class Code: CLOSED
Other Docket: None Closed: yes**Defendants****Name****Brent Douglas Cole(1)**
[Term: 10/02/2014]**Attorneys****Benjamin David Galloway**
LEAD ATTORNEY; ATTORNEY TO BE NOTICED
[Term: 10/01/2014]
Office Of The Federal Public Defender
801 I Street Third Floor
Sacramento, CA 95814
USA
916-498-5700-256
Fax: 916-498-5706
Designation: Public Defender or Community Defender
Appointment
Email: Ben_D_Galloway@fd.org**J Toney, Attorney at Law**
LEAD ATTORNEY; ATTORNEY TO BE NOTICED
Box 1515
Woodland, CA 95776
USA
530-666-1908
Fax: 530-666-1908
Designation: CJA Appointment
Email: yoloconflict@aol.com**Charges****Complaints:** Assault on a Federal Officer with a Deadly
Weapon**Pending:** none**Terminated:** none**Case Assigned to:** Magistrate Judge Edmund F. Brennan**Disposition****U. S. Attorneys**

Michael Damien McCoy
 LEAD ATTORNEY; ATTORNEY TO BE NOTICED
 United States Attorney's Office
 501 I Street Suite 10-100
 Sacramento, CA 95814
 USA
 916-554-2798
 Designation: Assistant US Attorney
 Email: michael.mccoy@edcgov.us (Inactive)

Date	#	Proceeding Text
10/01/2014	7	ORDER APPOINTING COUNSEL signed by Magistrate Judge Allison Claire on 9/30/2014. Attorney J Toney ADDED as counsel for defendant Brent Douglas Cole. Mr. Toney is ORDERED to retain the signed Financial Affidavit supporting appointment. (Marciel, M) (Entered: 10/01/2014)
09/26/2014	6	ARREST WARRANT RETURNED Executed on 9/25/14 as to Brent Douglas Cole. (Becknal, R) (Entered: 09/29/2014)
09/25/2014	5	DETENTION ORDER signed by Magistrate Judge Allison Claire on 9/25/14 as to Brent Douglas Cole. (Meuleman, A) (Entered: 09/26/2014)
09/25/2014	3	MINUTES (Text Only) for proceedings held on 9/25/2014 before Magistrate Judge Allison Claire, regarding Brent Douglas Cole, as to the INITIAL APPEARANCE, the Defendant request he be allowed to represent himself with assistance of counsel. At this time the court appoints the Federal Defender's Office to represent the defendant. But, tell the defendant he can take that matter up at the next scheduled hearing after the defendant has a chance to talk with appointed counsel. As to the DETENTION HEARING, the government request the defendant be detained on the basis of flight and danger to the community. Defense Counsel argues for release and states his reasons on the record. The court denies the defendants request for release and orders Mr. Douglas detained on the basis of flight and danger to the community. Attorney Benjamin David Galloway for Brent Douglas Cole added. The Preliminary Examination is scheduled for 10/9/2014 at 02:00 PM in Courtroom 24 (CKD) before Magistrate Judge Carolyn K. Delaney. Government Counsel: Michael McCoy present. Defense Counsel: Benjamin Galloway present. Custody Status: In Custody. Court Reporter/CD Number: Jonathan Anderson. (Callen, V) (Entered: 09/25/2014)
09/18/2014	1	COMPLAINT as to Brent Douglas Cole (1). (Becknal, R) (Entered: 09/19/2014)

Copyright © 2019 LexisNexis CourtLink, Inc. All rights reserved.
 *** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY ***