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APPENDIX A

COURT OF CONFINEMENT/ DECISION - - - - A1-A2

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

MOHAMMED KWANING,

Petitioner,

v.

CIVIL ACTION NO. 5:22-CV-10
Judge Bailey

ACTING WARDEN RYAN McCAFFREY,

Respondent.

ORDER DISMISSING PETITION

Pending before this Court on initial review is a Petition for Habeas Corpus Pursuant to 28 U.S.C. § 2241, filed January 18, 2022. In his petition, Mr. Kwaning alleges that he was prosecuted without his case having been presented to or indictment by a grand jury.

The Court notes, however, that he raised the same issue in a Petition for Habeas Corpus filed with this Court on November 4, 2021. That case was dismissed without prejudice by order entered December 1, 2021. See Civ. Act. No. 5:19-CV-189 [Doc. 6]. The dismissal was due to this Court lacking jurisdiction under the test set forth in *In re Jones*, 226 F.3d 328 (4th Cir. 2000).

Nothing has changed. This Court still lacks jurisdiction for the same reasons as stated before. This filing is simply frivolous.

For the reasons stated above, the petition in this case [Doc. 1] is hereby **DENIED** and **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction. The Court hereby **DIRECTS** the Clerk to **STRIKE** this matter from the active docket of this Court and to enter judgment in favor of the respondent.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein and mail a copy to the *pro se* petitioner.

DATED: January 19, 2022.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

APPENDIX B

- CAPTION AND DOCKET ENTERIES WITH RESPECT TO PETITIONER B1 - B8
- COMPLETE CAPTION OF THE CASE — USA V. MOHAMMED et al,
1:14-CR-00600-GLR-2 B9 - B15
- PLAINTIFF ACCORDING TO THE CAPTION IS THE UNITED STATES ATTORNEYS (USA)
WHO ARE WITHOUT STANDING TO PROCEED AS PLAINTIFF IN CRIMINAL
PROSECUTION FOR INFAMOUS CRIMES.
- ECF No. 33 — UNITED STATES ATTORNEYS SPECIOUS SUPERSEDING INDICTMENT.
COUNTS ONE THROUGH NINE STATES NO OFFENSE AGAINST THE UNITED STATES.
ECF No. 421 — JUDGMENT.

L+,MAG-ADC

**U.S. District Court
District of Maryland (Baltimore)
CRIMINAL DOCKET FOR CASE #: 1:14-cr-00600-GLR-2**

Case title: USA v. Mohammed et al

Date Filed: 12/18/2014

Date Terminated: 09/10/2018

Assigned to: Judge George Levi
Russell, III

Appeals court case number:
18-4655 U.S. Court of Appeals
for the Fourth Circuit

Defendant (2)

Mohammed Kwaning

TERMINATED: 09/10/2018

also known as

Kofi

TERMINATED: 09/10/2018

represented by **Gary Edward Proctor**

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Pending Counts

18:1349 CONSPIRACY TO
COMMIT BANK FRAUD AND
WIRE FRAUD
(1)

18:1028A(a)(1),(c)(5)
AGGRAVATED IDENTITY
THEFT; 18:2 AIDING AND
ABETTING
(2)

Disposition

IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30

IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all

18:1344 BANK FRAUD; 18:2
AIDING AND ABETTING
(3-5)

counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30
IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30

18:1343 WIRE FRAUD; 18:2
AIDING AND ABETTING
(6)

IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30

18:1344 BANK FRAUD; 18:2
AIDING AND ABETTING
(7)

IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a

18:1343 WIRE FRAUD;
18:1349 ATTEMPTED WIRE
FRAUD; 18:2 AIDING AND
ABETTING
(8)

18:1344 BANK FRAUD; 18:2
AIDING AND ABETTING
(9)

Highest Offense Level
(Opening)

Felony

Terminated Counts

18:371 CONSPIRACY TO
TRANSPORT STOLEN
MOTOR VEHICLES
(10)

total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30
IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30
IMPRISONMENT for a of 97
months as to count 1 and 3-9, 24
months as to count 2 to run
consecutive to counts 1 and 3-9
for a total term of 121 months;
SUPERVISED RELEASE for a
term 3 years as to count 1, 1
year as to count 2, 3 years as to
counts 3,4,5,6,7,8 and 9 all
counts to run concurrent for a
total term of 3 years;
ASSESSMENT \$900.00;
RESTITUTION \$229,717.30

Disposition

DISMISSED

18:2313 RECEIPT,
POSSESSION OF STOLEN
MOTOR VEHICLES; 18:2
AIDING AND ABETTING
(11-14)

DISMISSED

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
06/17/2015		Judge update in case as to Issah Mohammed, Mohammed Kwaning, Sandra Badu, Francis Osei Fosu, Mark Dennis, Charles Mensah, Abayomi Davies. Judge J. Frederick Motz added. (md, Deputy Clerk) (Entered: 05/31/2016)
05/19/2016	<u>33</u>	SUPERSEDING INDICTMENT as to Issah Mohammed (1) count(s) 1s, 3s-5s, 6s, 7s, 8s, 9s, 10s, 11s-14s, Mohammed Kwaning (2) count(s) 1, 2, 3-5, 6, 7, 8, 9, 10, 11-14, Sandra Badu (3) count(s) 1, 8, Francis Osei Fosu (4) count(s) 1, 9, Mark Dennis (5) count(s) 1, 4, Charles Mensah (6) count(s) 1, 7, Abayomi Davies (7) count(s) 1, 3, 5. (bas, Deputy Clerk) Modified on 6/30/2016 (bas, Deputy Clerk). (Entered: 05/20/2016)
05/26/2016	<u>46</u>	Initial Appearance as to Mohammed Kwaning (Defendant informed of Rights.) held on 5/26/2016 before Magistrate Judge J. Mark Coulson. (FTR: Vockroth) (kvs, Deputy Clerk) (Entered: 05/27/2016)
05/27/2016	<u>50</u>	CJA 23 Financial Affidavit by Mohammed Kwaning (jnls, Deputy Clerk) (Entered: 05/27/2016)
05/27/2016	<u>51</u>	ORDER OF TEMPORARY DETENTION as to Mohammed Kwaning. Signed by Magistrate Judge J. Mark Coulson on 5/26/2016. (jnls, Deputy Clerk) (Entered: 05/27/2016)
05/27/2016	<u>54</u>	MOTION to Unseal by USA as to Issah Mohammed, Mohammed Kwaning, Sandra Badu, Francis Osei Fosu,

06/30/2016	<u>79</u>	MOTION to Unseal Superseding Indictment by USA as to Issah Mohammed, Mohammed Kwaning, Sandra Badu, Francis Osei Fosu, Mark Dennis, Charles Mensah, Abayomi Davies. Responses due by 7/18/2016 (bas, Deputy Clerk). (Entered: 06/30/2016)
06/30/2016	<u>80</u>	ORDER Granting <u>79</u> Motion to Unseal Superseding Indictment as to Issah Mohammed (1), Mohammed Kwaning (2), Sandra Badu (3), Francis Osei Fosu (4), Mark Dennis (5), Charles Mensah (6), Abayomi Davies (7). Signed by Magistrate Judge Beth P. Gesner on 6/29/2016. (bas, Deputy Clerk) (Entered: 06/30/2016)
06/30/2016		Superseding INDICTMENT UNSEALED as to Issah Mohammed, Mohammed Kwaning, Sandra Badu, Francis Osei Fosu, Mark Dennis, Charles Mensah, Abayomi Davies (bas, Deputy Clerk) (Entered: 06/30/2016)
07/01/2016	<u>83</u>	Bench Warrant Returned Executed on 05/26/2016 in case as to Mohammed Kwaning (bas, Deputy Clerk) (Entered: 07/01/2016)
07/01/2016	<u>87</u>	Arraignment as to Mohammed Kwaning (2) on Counts 1,2,3-5,6,7,8,9,10,11-14 held on 7/1/2016. Plea entered by Mohammed Kwaning of Not Guilty on Counts 1-14 before Magistrate Judge A. David Copperthite. (FTR: Vockroth) (kvs, Deputy Clerk) (Entered: 07/06/2016)
07/11/2016	<u>94</u>	Joint MOTION Tolling Time Under the Speedy Trial Act and Motion for Continuance Under 18 U.S.C. Section 3161(h) by USA as to Mohammed Kwaning, Sandra Badu, Francis Osei Fosu, Mark Dennis, Charles Mensah, Abayomi Davies. Responses due by 7/28/2016 (Attachments: # <u>1</u> Text of Proposed Order)(Mihok, Judson) (Entered: 07/11/2016)
07/13/2016	<u>96</u>	MARGINAL ORDER Granting <u>94</u> Joint Motion Tolling Time Under the Speedy Trial Act and Motion for Continuance as to Mohammed Kwaning (2), Sandra Badu (3), Francis Osei Fosu (4), Mark Dennis (5), Charles Mensah (6), Abayomi Davies (7). Signed by Judge J. Frederick Motz on 7/13/2016. (bas, Deputy Clerk) (Entered: 07/14/2016)

		attachment(s) added on 10/1/2018: # <u>1</u> modified minute entry) (sd3s, Deputy Clerk). (Entered: 09/04/2018)
09/04/2018	<u>415</u>	MOTION to Dismiss by USA as to Mohammed Kwaning. (bas, Deputy Clerk) (Entered: 09/05/2018)
09/04/2018	<u>416</u>	EXHIBIT LIST by USA as to Mohammed Kwaning (bas, Deputy Clerk) (Entered: 09/05/2018)
09/04/2018	<u>417</u>	Stipulation re: Return of Exhibits to Counsel (bas, Deputy Clerk) (Entered: 09/05/2018)
09/05/2018	<u>414</u>	ORDER Dismissing Counts Ten through Fourteen of the Superseding Indictment filed May 19, 2016 as to Mohammed Kwaning. Signed by Judge George Levi Russell, III on 9/5/2018. (bas, Deputy Clerk) (Entered: 09/05/2018)
09/05/2018		DISMISSAL OF COUNTS Ten through Fourteen of the Superseding Indictment filed May 19, 2016 on Government Motion as to Mohammed Kwaning. (bas, Deputy Clerk) (Entered: 09/05/2018)
09/05/2018	<u>419</u>	Joint Correspondence re: post-sentencing status (Montemarano, Michael) (Entered: 09/05/2018)
09/05/2018	<u>420</u>	MOTION for Judgment of Acquittal , MOTION for New Trial by Mohammed Kwaning. (Montemarano, Michael) (Entered: 09/05/2018)
09/10/2018	<u>421</u>	JUDGMENT as to Mohammed Kwaning (2), Count(s) 1, 2, 3-5, 6, 7, 8, 9, IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30; Count(s) 10, 11-14, DISMISSED. Signed by Judge George Levi Russell, III on 9/7/2018. (bas, Deputy Clerk) (Entered: 09/10/2018)
09/10/2018	<u>423</u>	NOTICE OF APPEAL by Mohammed Kwaning re <u>421</u> Judgment,, Fee Status: CJA. (Montemarano, Michael) (Entered: 09/10/2018)

1:14cr600, USA v. Mohammed et al

US District Court Criminal Docket
United States District Court, Maryland
(Baltimore)
This case was retrieved on 05/06/2021

Header

Date Filed: 12/18/2014
Other Docket: None

Class Code: Closed
Closed: 02/26/2021

Defendant

Name

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Appeals court case number: 21-4216 Fourth Circuit Court of Appeals

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1:14cr600, USA v. Mohammed et al

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Charges

Complaints: none

Pending: 18:1343 WIRE FRAUD; 18:2 AIDING AND ABETTING(1)

18:1349 CONSPIRACY TO COMMIT BANK FRAUD AND WIRE FRAUD(1s)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(3s-5s)

18:1343 WIRE FRAUD; 18:2 AIDING AND ABETTING(6s)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(7s)

18:1343 WIRE FRAUD; 18:1349 ATTEMPTED WIRE FRAUD; 18:2 AIDING AND ABETTING(8s)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(9s)

18:371 CONSPIRACY TO TRANSPORT STOLEN MOTOR VEHICLES(10s)

18:2313 RECEIPT, POSSESSION OF STOLEN MOTOR VEHICLES; 18:2 AIDING AND ABETTING(11s-14s)

Offense Level (Opening): Felony

Terminated: none

Case Assigned To: Judge George Levi Russell, III

Disposition

DISMISSED

IMPRISONMENT for a total term of 108 months as to count 1, and 60 months as to count 10 to run concurrent to count 1 for a total of 108 months w/ credit for time served; SUPERVISED RELEASE for a term of 5 years as to Count 1 and 3 years as to count 10 to run concurrent to each other for a total term of 5 years; ASSESSMENT \$200.00; RESTITUTION \$697,982.30

DISMISSED

DISMISSED

DISMISSED

DISMISSED

DISMISSED

IMPRISONMENT for a total term of 108 months as to count 1, and 60 months as to count 10 to run concurrent to count 1 for a total of 108 months w/ credit for time served; SUPERVISED RELEASE for a term of 5 years as to Count 1 and 3 years as to count 10 to run concurrent to each other for a total term of 5 years; ASSESSMENT \$200.00; RESTITUTION \$697,982.30.

DISMISSED

Defendant

Name

Mohammed Kwaning
 aka: Kofi

Appeals court case numbers: 18-4655 U.S. Court of Appeals for the Fourth Circuit, 20-6184 Fourth Circuit Court of Appeals, 20-7186 Fourth Circuit Court of Appeals, 20-7703 Fourth Circuit Court of Appeals

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B10

1:14cr600, USA v. Mohammed et al

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Charges

Complaints: none

Pending: 18:1349 CONSPIRACY TO COMMIT BANK FRAUD
 AND WIRE FRAUD(1)

18:1028A(a)(1),(c)(5) AGGRAVATED IDENTITY THEFT; 18:2
 AIDING AND ABETTING(2)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(3-5)

18:1343 WIRE FRAUD; 18:2 AIDING AND ABETTING(6)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(7)

18:1343 WIRE FRAUD; 18:1349 ATTEMPTED WIRE FRAUD;
 18:2 AIDING AND ABETTING(8)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(9)

Disposition

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

IMPRISONMENT for a of 97 months as to count 1 and 3-9, 24 months as to count 2 to run consecutive to counts 1 and 3-9 for a total term of 121 months; SUPERVISED RELEASE for a term 3 years as to count 1, 1 year as to count 2, 3 years as to counts 3,4,5,6,7,8 and 9 all counts to run concurrent for a total term of 3 years; ASSESSMENT \$900.00; RESTITUTION \$229,717.30

1:14cr600, USA v. Mohammed et al

Offense Level (Opening): Felony**Terminated:** 18:371 CONSPIRACY TO TRANSPORT STOLEN MOTOR VEHICLES(10) DISMISSED

18:2313 RECEIPT, POSSESSION OF STOLEN MOTOR VEHICLES; 18:2 AIDING AND ABETTING(11-14) DISMISSED

Offense Level (Terminated): Felony**Case Assigned To:** Judge George Levi Russell, III**Defendant****Name**

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Charges**Complaints:** none**Pending:** 18:1349 CONSPIRACY TO COMMIT BANK FRAUD AND WIRE FRAUD(1)**Offense Level (Opening):** Felony**Terminated:** 18:1343 WIRE FRAUD; 18:1349 ATTEMPTED WIRE FRAUD; 18:2 AIDING AND ABETTING(8)**Offense Level (Terminated):** Felony**Case Assigned To:** Judge George Levi Russell, III**Disposition**

IMPRISONMENT for a total term of 6 months; SUPERVISED
 RELEASE for a term of 3 years; ASSESSMENT \$100.00;
 RESTITUTION \$229,717.30.

DISMISSED

Defendant**Name**Francis Osei Fosu
aka: Pino**Attorneys**

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1:14cr600, USA v. Mohammed et al

Charges

Complaints: none

Pending: 18:1349 CONSPIRACY TO COMMIT BANK FRAUD
AND WIRE FRAUD(1)

Offense Level (Opening): Felony

Terminated: 18:1344 BANK FRAUD; 18:2 AIDING AND
ABETTING(9)

Offense Level (Terminated): Felony

Case Assigned To: Judge George Levi Russell, III

DispositionIMPRISONMENT for a total term of 1 year and 1 day;
SUPERVISED RELEASE for a term of 3 years; ASSESSMENT
\$100.00; RESTITUTION \$229,717.30

DISMISSED

Defendant

Name

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14105760689 Fax: 14105769391 Designation: CJA Appointment**Charges**

Complaints: none

Pending: 18:1349 CONSPIRACY TO COMMIT BANK FRAUD
AND WIRE FRAUD(1)

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(4)

Offense Level (Opening): Felony

Terminated: none

Case Assigned To: Judge George Levi Russell, III

DispositionIMPRISONMENT for a term of 27 months as to count 1, 27
months as to count 4 to run concurrent for a total term of 27
months; SUPERVISED RELEASE for a term of 5 years as to count
1 and 4 to run concurrent; ASSESSMENT \$200.00;
RESTITUTION \$229,717.30.IMPRISONMENT for a term of 27 months as to count 1, 27
months as to count 4 to run concurrent for a total term of 27
months; SUPERVISED RELEASE for a term of 5 years as to count
1 and 4 to run concurrent; ASSESSMENT \$200.00;
RESTITUTION \$229,717.30.**Defendant**

Name

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1:14cr600, USA v. Mohammed et al

Charges**Disposition****Complaints:** none**Pending:** 18:1349 CONSPIRACY TO COMMIT BANK FRAUD
AND WIRE FRAUD(1)IMPRISONMENT for a term of 30 months as to count 1, 30
months as to count 7 to run concurrent for a total term of 30
months; SUPERVISED RELEASE for a term of 5 years as to count
1 and 7 to run concurrent; ASSESSMENT \$200.00;
RESTITUTION \$229,717.30.

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(7)

IMPRISONMENT for a term of 30 months as to count 1, 30
months as to count 7 to run concurrent for a total term of 30
months; SUPERVISED RELEASE for a term of 5 years as to count
1 and 7 to run concurrent; ASSESSMENT \$200.00;
RESTITUTION \$229,717.30.**Offense Level (Opening):** Felony**Terminated:** none**Case Assigned To:** Judge George Levi Russell, III**Defendant****Name**

Abayomi Davies

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Charges**Disposition****Complaints:** none**Pending:** 18:1349 CONSPIRACY TO COMMIT BANK FRAUD
AND WIRE FRAUD(1)IMPRISONMENT for a total term of 18 months; SUPERVISED
RELEASE for a term of 3 years; ASSESSMENT \$100.00;
RESTITUTION \$229,717.30**Offense Level (Opening):** Felony**Terminated:** 18:1344 BANK FRAUD; 18:2 AIDING AND
ABETTING(3)

DISMISSED

18:1344 BANK FRAUD; 18:2 AIDING AND ABETTING(5)

DISMISSED

Offense Level (Terminated): Felony**Case Assigned To:** Judge George Levi Russell, III

* (U.S. Attorneys)

PLAINTIFF

Judson Thomas Mihok

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1:14cr600, USA v. Mohammed et al

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Proceedings

#	Date	Proceeding Text	Source
1	12/18/2014	INDICTMENT as to Issah Mohammed (1) count(s) 1. (bas, Deputy Clerk) (Entered: 12/19/2014)	
3	12/18/2014	Sealed Document (bas, Deputy Clerk) (Entered: 12/19/2014)	
4	12/23/2014	NOTICE OF ATTORNEY APPEARANCE: C Justin Brown as Retained Counsel appearing for Issah Mohammed (Brown, C) (Entered: 12/23/2014)	
	01/05/2015	PAPERLESS NOTICE OF HEARING by U.S. Attorney's Office as to Issah Mohammed. PLEASE NOTE: Defendant is in custody. A writ has not been requested. A come up was requested on 1/5/2015. An interpreter will not be needed. Arraignment set for 1/5/2015 11:00 AM in Courtroom 7B, 101 West Lombard Street, Baltimore, Maryland 21201, before Magistrate Judge Beth P. Gesner. (Mihok, Judson) (Entered: 01/05/2015)	
	01/05/2015	Corrected PAPERLESS NOTICE OF HEARING by U.S. Attorney's	

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APPENDIX C

TRANSCRIPT OF PETITIONER'S PRAYER
IN OPEN COURT REGARDING HIS RIGHTS
TO GRAND JURY INDICTMENT AND
DUE PROCESS VIOLATION.

1 to limit you as far as your time is concerned because I'm not
2 going to sit here and -- because I have indulged you. I've
3 read all of your lengthy correspondence that you've submitted
4 to me personally over advice of Counsel and so I wish not to
5 retread this issue again. So I would suggest that you speak
6 to Mr. Montemarano before you allocute to me related to this
7 conviction, if you would like. Do you wish to speak to your
8 attorney again?

9 THE DEFENDANT: No, I'm okay.

10 THE COURT: All right, I'll be more than happy to
11 hear from you.

12 THE DEFENDANT: I'd like to start by for the record,
13 I'd like to inform the Court that my constitutional rights
14 have been violated, my Seventh and Eighth Amendment rights.
15 My right to effective assistance of counsel. My right to
16 speedy trial. I did not consent. My right to due process due
17 to prosecutorial misconduct. My right to indictment by grand
18 jury --

19 THE COURT: Mr. Kwaning, I'm going to cut you off.
20 You can take those documents and is that all just a summary of
21 what this is?

22 THE DEFENDANT: No.

23 THE COURT: You can make it as a court exhibit. We
24 can file it here.

25 THE DEFENDANT: Okay, I didn't know that.

Nedine M. Geric, RMR, CRR - Federal Official Court Reporter