

**U.S. District Court  
Northern District of Texas (Dallas)  
CRIMINAL DOCKET FOR CASE #: 3:12-cr-00413-L-1**

Case title: USA v. Brown

Date Filed: 12/04/2012

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Assigned to: Judge Sam A Lindsay

**Defendant (1)**

**Barrett Lancaster Brown**

represented by **Ahmed Ghappour**  
Civil Rights Clinic  
University of Texas School of Law

[REDACTED]

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
Designation: Retained  
Bar Status: Not Admitted*

**Charles Swift**  
Swift & McDonald PC

[REDACTED]

*PRO HAC VICE  
ATTORNEY TO BE NOTICED  
Designation: Retained  
Bar Status: Not Admitted*

**Douglas A Morris-FPD**  
Federal Public Defender – Dallas

[REDACTED]

*TERMINATED: 05/07/2013  
Designation: Public Defender or Community  
Defender Appointment  
Bar Status: Admitted/In Good Standing*

**Marlo P Cadeddu**  
Law Office of Marlo P Cadeddu

[REDACTED]

*ATTORNEY TO BE NOTICED  
Designation: Retained  
Bar Status: Admitted/In Good Standing*

**Pending Counts**

**Disposition**

18 USC § 1028(a)(2), (b)(1)(B), and  
(c)(3)(A) TRAFFIC IN STOLEN  
AUTHENTICATION FEATURES;  
18 USC § 2 AID AND ABET  
(1)

18:1028(a)(2), (b)(1)(B), and  
(c)(3)(A) Traffic in Stolen  
Authentication Features; 18:2 Aid  
and Abet  
(1s)

18 USC § 1029(a)(3) and  
(c)(1)(A)(i) ACCESS DEVICE  
FRAUD; 18 USC § 2 AID AND  
ABET  
(2)

18:1029(a)(3) and (c)(1)(A)(i)  
Access Device Fraud; 18:2 Aid and  
Abet  
(2s)

18 USC § 1028A(a)(1)  
AGGRAVATED IDENTITY  
THEFT; 18 USC § 2 AID AND  
ABET  
(3–12)

18:1028A(a)(1) Aggravated Identity  
Theft; 18:2 Aid and Abet  
(3s–12s)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition**

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**Plaintiff**

USA

represented by **Candina S Heath–DOJ**  
US Attorney's Office



*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED  
Designation: Retained  
Bar Status: Admitted/In Good Standing*

Date Filed	#	Docket Text
09/04/2013		ELECTRONIC Minute Entry for proceedings held before Judge Sam A Lindsay: Hearing Re: Request for Gag Order as to Barrett Lancaster Brown held on 9/4/2013. Attorney Appearances: AUSA – Candina Heath; Defense – Ahmed Ghappour, Charles Swift and Marlo Cadeddu. (Court Reporter: Charyse Crawford) (Exhibits admitted –Government's exhibits 1,2,10,11,13,15,46 placed in court's copy file for case 3:12–cr–317–L) Time in Court – 3:15. (chmb) Modified on 9/4/2013 (chmb). (Entered: 09/04/2013)
09/04/2013	<u>55</u>	AGREED ORDER RE: EXTRAJUDICIAL STATEMENTS as to Barrett Lancaster Brown. (Ordered by Judge Sam A Lindsay on 9/4/2013) (skt) (Entered: 09/04/2013)
08/22/2013	<u>54</u>	RESPONSE by Barrett Lancaster Brown re: <u>47</u> MOTION for Disclosure <i>Pursuant to Fed. R. Crim. P. 12.2</i> , <u>46</u> MOTION for Discovery <i>Reciprocal</i> (Ghappour, Ahmed) (Entered: 08/22/2013)
08/21/2013	<u>53</u>	ORDER as to Barrett Lancaster Brown: In the Government's 81 Opposition to Continuance, filed 8/07/2013, it requested that the court limit pretrial publicity and instruct the parties to refrain from making statements to the media about the case other than those matters that can be found in public records. The court believes a hearing on this matter is necessary. Accordingly, the court sets a hearing for this matter on Wednesday, 9/04/2013, at 10:00 a.m. before Judge Sam A Lindsay. (Ordered by Judge Sam A Lindsay on 8/21/2013) (twd) (Entered: 08/21/2013)
08/19/2013	<u>52</u>	ORDER RESETTING TRIAL in the Interest of Justice as to Barrett Lancaster Brown: The current trial setting of 9/23/2013, is vacated, and these cases are reset for trial on Monday, 5/19/2014 at 09:00 AM before Judge Sam A Lindsay. Motions due by 2/28/2014. Responses due by 3/14/2014. (Ordered by Judge Sam A Lindsay on 8/19/2013) (twd) (Entered: 08/19/2013)
08/18/2013	<u>51</u>	Notice of Waiver of Speedy Trial by Barrett Lancaster Brown (Attachments: # <u>1</u> Exhibit A – Brown Waiver of Speedy Trial) (Ghappour, Ahmed) Modified text on 8/19/2013 (rlw). (Entered: 08/18/2013)
08/09/2013	<u>49</u>	REPLY filed by Barrett Lancaster Brown re: <u>43</u> MOTION to Continue <i>Trial and Pretrial Dates</i> (Attachments: # <u>1</u> Exhibit(s)) (Ghappour, Ahmed) (Entered: 08/09/2013)
08/09/2013	<u>48</u>	ORDER as to Barrett Lancaster Brown (1): Before the court is Defendant's <u>45</u> Motion for Leave to Reply to Government's Response, filed 8/8/2013. After careful consideration, the court grants the motion. Defendant is permitted to file his reply to the Government's Opposition to Continuance, filed 8/7/2013. The reply may not exceed seven pages. (Ordered by Judge Sam A Lindsay on 8/9/2013) (ctf) (Entered: 08/09/2013)
08/08/2013	<u>47</u>	MOTION for Disclosure <i>Pursuant to Fed. R. Crim. P. 12.2</i> filed by USA as to Barrett Lancaster Brown (Heath–DOJ, Candina) (Entered: 08/08/2013)
08/08/2013	<u>46</u>	MOTION for Discovery <i>Reciprocal</i> filed by USA as to Barrett Lancaster Brown (Heath–DOJ, Candina) (Entered: 08/08/2013)
08/08/2013	<u>45</u>	MOTION for Leave to File Reply filed by Barrett Lancaster Brown with Brief/Memorandum in Support. (Attachments: # <u>1</u> Reply to Government's Opposition Defendant's Motion to Continue Trial and Pretrial Deadlines, # <u>2</u> Reply – Exhibit A) (Ghappour, Ahmed) (Entered: 08/08/2013)
08/07/2013	<u>44</u>	RESPONSE AND OBJECTION by USA as to Barrett Lancaster Brown re: <u>43</u> MOTION to Continue <i>Trial and Pretrial Dates</i> (Heath–DOJ, Candina) (Entered: 08/07/2013)
07/31/2013	<u>43</u>	MOTION to Continue <i>Trial and Pretrial Dates</i> filed by Barrett Lancaster Brown (Attachments: # <u>1</u> Exhibit(s) Defendant Barrett Brown's Letter of July 1, 2013, # <u>2</u> Exhibit(s) Government's Letter of July 12, 2013 Regarding Discovery, # <u>3</u> Exhibit(s) Government's Letter of July 12, 2013 Regarding Bill of Particulars) (Ghappour, Ahmed) (Entered: 07/31/2013)

07/03/2013	<u>39</u>	ORDER granting <u>36</u> Motion to Continue Pretrial Deadlines as to Barrett Lancaster Brown (1): Motions due by 8/9/2013. Responses due by 8/23/2013. (Ordered by Judge Sam A Lindsay on 7/3/2013) (axm) (Entered: 07/03/2013)
07/02/2013	<u>37</u>	FIRST SUPERSEDING INDICTMENT as to Barrett Lancaster Brown (1) count(s) 1s, 2s, 3s–12s. (axm) (Entered: 07/03/2013)
06/21/2013	<u>36</u>	Agreed MOTION to Continue <i>Pretrial Deadlines</i> filed by Barrett Lancaster Brown (Ghappour, Ahmed) (Entered: 06/21/2013)
06/20/2013	<u>35</u>	AGREED PROTECTIVE ORDER as to Barrett Lancaster Brown (1). (Ordered by Judge Sam A Lindsay on 6/20/2013) (axm) (Entered: 06/20/2013)
06/18/2013	<u>34</u>	Unopposed MOTION for Protective Order filed by USA as to Barrett Lancaster Brown (Attachments: # <u>1</u> Proposed Order Agreed Protective Order) (Heath–DOJ, Candina) (Entered: 06/18/2013)
05/30/2013	<u>33</u>	ORDER DENYING GOVERNMENT'S MOTION TO DIRECT FUNDS BE PAID as to Barrett Lancaster Brown. (Ordered by Magistrate Judge Paul D Stickney on 5/30/2013) (skt) (Entered: 05/30/2013)
05/07/2013	<u>32</u>	ORDER granting <u>27</u> , <u>28</u> Defendant's Motions to Substitute Attorney as to Barrett Lancaster Brown. Accordingly, the court allows Douglas Morris to withdraw as counsel for Defendant Barrett Lancaster Brown, and he is relieved of any further obligation to or representation of Defendant in the above cases. Mr. Charles Davidson Swift and Mr. Ahmed Ghappour are hereby substituted as new counsel for Defendant Barrett Lancaster Brown. (Ordered by Judge Sam A Lindsay on 5/7/2013) (axm) (Entered: 05/07/2013)
05/07/2013	31	ELECTRONIC ORDER granting <u>24</u> Application for Admission Pro Hac Vice of Charles Davidson Swift. If not already done, Applicant must register as an ECF User within 14 days (LCrR 49.2(g)). as to Barrett Lancaster Brown (1) (Ordered by Judge Sam A Lindsay on 5/7/2013) (chmb) (Entered: 05/07/2013)
05/06/2013	30	ELECTRONIC ORDER granting <u>25</u> Application for Admission Pro Hac Vice of Ahmed Ghappour. If not already done, Applicant must register as an ECF User within 14 days (LCrR 49.2(g)). as to Barrett Lancaster Brown (1) (Ordered by Judge Sam A Lindsay on 5/6/2013) (chmb) (Entered: 05/06/2013)
05/01/2013	<u>29</u>	NOTICE OF ATTORNEY APPEARANCE by Marlo P Cadeddu appearing for Barrett Lancaster Brown. (cea) (Entered: 05/01/2013)
05/01/2013	<u>28</u>	MOTION to Substitute Attorney. Added attorney Charles Swiftas to Barrett Lancaster Brown. (cea) (Entered: 05/01/2013)
05/01/2013	<u>27</u>	MOTION to Substitute Attorney. Added attorney Ahmed Ghappour as to Barrett Lancaster Brown. (cea) (Entered: 05/01/2013)
05/01/2013	26	ELECTRONIC Minute Entry for proceedings held before Magistrate Judge Paul D Stickney: Status Conference as to Barrett Lancaster Brown held on 5/1/2013. Order to enter. Attorney Appearances: AUSA – Candy Heath; Defense – Doug Morris. (Court Reporter: Digital File) (No exhibits) Time in Court – :11. (mcrd) (Entered: 05/01/2013)
05/01/2013	<u>25</u>	Application for Admission Pro Hac Vice with Cert. of Good Standing for Attorney Ahmed Ghappour (Filing fee \$25; Receipt number 66161) filed by Barrett Lancaster Brown. (tln) (Entered: 05/01/2013)
05/01/2013	<u>24</u>	Application for Admission Pro Hac Vice with Cert. of Good Standing for Attorney Charles Swift (Filing fee \$25; Receipt number 66160) filed by Barrett Lancaster Brown. (tln) (Entered: 05/01/2013)
04/30/2013	<u>23</u>	ORDER RESETTING HEARING as to Barrett Lancaster Brown: Status Conference reset for 5/1/2013 11:30 AM before Magistrate Judge Paul D Stickney. (Ordered by Magistrate Judge Paul D Stickney on 4/30/2013) (axm) (Entered: 04/30/2013)
04/17/2013	<u>22</u>	ORDER as to Barrett Lancaster Brown: Status Conference set for 5/1/2013 at 09:30 AM before Magistrate Judge Paul D Stickney. (Ordered by Magistrate Judge

		Paul D Stickney on 4/17/2013) (cea) (Entered: 04/17/2013)
04/16/2013	<u>21</u>	ORDER as to Barrett Lancaster Brown re: <u>20</u> CJA 23 Financial Affidavit. The court refers this matter to United States Magistrate Judge Paul D. Stickney for review and any determination to be made regarding his appointment of counsel. (Ordered by Judge Sam A Lindsay on 4/16/2013) (ctf) (Entered: 04/16/2013)
04/15/2013	<u>20</u>	(Document Restricted) CJA 23 Financial Affidavit by Barrett Lancaster Brown. (ndt) (Entered: 04/16/2013)
03/06/2013	<u>18</u>	ORDER granting <u>17</u> Motion to Continue as to Barrett Lancaster Brown (1) Motions due by 7/12/2013. Responses due by 7/26/2013 Jury Trial reset for 9/23/2013 09:00 AM in Courtroom 1546 before Judge Sam A Lindsay. (Ordered by Judge Sam A Lindsay on 3/6/2013) (chmb) (Entered: 03/06/2013)
03/04/2013	<u>17</u>	Unopposed MOTION to Continue filed by Barrett Lancaster Brown (Morris, Douglas) (Entered: 03/04/2013)
02/04/2013	<u>11</u>	AMENDED CRIMINAL TRIAL SCHEDULING ORDER as to Barrett Lancaster Brown: Jury Trial set for 5/6/2013 at 09:00 AM before Judge Sam A Lindsay. Motions due by 3/15/2013. Responses due by 3/29/2013. (Ordered by Judge Sam A Lindsay on 2/4/2013) (tln) (Entered: 02/05/2013)
02/04/2013	<u>10</u>	ORDER as to Barrett Lancaster Brown in criminal cases 3:12-CR-317-L; 3:12-CR-413-L; and 3:13-CR-030-L. On 1/30/2013, the court held a hearing pursuant to 18 U.S.C. §§ 4241(e) and 4247(d) to determine Defendant Barrett Lancaster Brown's competency to stand trial in his criminal cases. Based on the court's observations at the hearing, the statements of Mr. Morris, the statements of Mr. Brown, and the findings and conclusions set forth in the Psychological Evaluation, the court determines that Mr. Brown is able to understand the nature and consequences of the proceedings against him and that he can properly assist his attorney in preparing a defense to the charges against him in all three cases. (Ordered by Judge Sam A Lindsay on 2/4/2013) (tln) (Entered: 02/05/2013)
01/30/2013		ELECTRONIC Minute Entry for proceedings held before Judge Sam A Lindsay: Competency Hearing as to Barrett Lancaster Brown held on 1/30/2013. Attorney Appearances: AUSA – Candina Heath; Defense – Douglas Morris. (Court Reporter: Charyse Crawford) (Exhibits admitted – Court's Exhibit #1..placed in court's copy file of case 3:12-cr-317-L) Time in Court – 0:50. (chmb) (Entered: 01/30/2013)
01/23/2013		Judge update in case as to Barrett Lancaster Brown. Judge Sam A Lindsay added. Judge Jane J Boyle no longer assigned to case. (skt) (Entered: 01/23/2013)
12/21/2012	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE by Douglas A Morris appearing for Barrett Lancaster Brown (Filer confirms contact info in ECF is current.) (Morris, Douglas) (Entered: 12/21/2012)
12/19/2012	<u>6</u>	AMENDED ELECTRONIC NOTICE OF HEARING as to Barrett Lancaster Brown: Jury Trial set for 2/19/2013 at 9:00 AM in US Courthouse, Courtroom 1306, 1100 Commerce St., Dallas, TX 75242-1310 before Judge Jane J Boyle. (chmb) (Entered: 12/19/2012)
12/18/2012	<u>5</u>	SCHEDULING ORDER as to Barrett Lancaster Brown: Discovery due by 12/27/2012. Motions due by 1/3/2013. Pretrial Conference set for 2/15/2013 at 10:00 AM before Judge Jane J Boyle. Pretrial Materials due by 2/8/2013. Responses due by 1/11/2013. Jury Trial set for 2/18/2013 at 9:00 AM before Judge Jane J Boyle. (Ordered by Judge Jane J Boyle on 12/18/2012) (chmb) Modified on 12/18/2012 (ndt). (Entered: 12/18/2012)
12/17/2012	<u>4</u>	<i>Corrected</i> Certificate of Service by Barrett Lancaster Brown re <u>3</u> Unopposed Notice of Waiver of Arraignment Hearing and Entry of Plea of not Guilty. (Morris, Douglas) Modified text on 12/18/2012 (axm). (Entered: 12/17/2012)
12/17/2012	<u>3</u>	Unopposed NOTICE of Waiver of Arraignment Hearing and Entry of Plea of not Guilty by Barrett Lancaster Brown (Morris, Douglas) Modified text on 12/18/2012 (axm). (Entered: 12/17/2012)

12/04/2012	<u>1</u>	INDICTMENT as to Barrett Lancaster Brown (1) count(s) 1, 2, 3-12. (skt) (Entered: 12/06/2012)
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