White

U.S. District Court
Northern District of Ohio (Akron)
CRIMINAL DOCKET FOR CASE #: 5:11-cr-00594-DAP-1

Case title: United States of America v. Mullet et al
Date Filed: 12/20/2011
Magistrate judge case number: 4:11-mj-06133-GJL

Assigned to: Judge Dan Aaron Polster

Appeals court case number: 12-3096 6th Circuit

Defendant (1)

Samuel Mullet, Sr. represented by **Edward G. Bryan**
Office of the Federal Public Defender - Cleveland
Northern District of Ohio
750 Skylight Office Tower
1660 West Second Street
Cleveland, OH 44113
216-522-4856
Fax: 216-522-4321
Email: edward_bryan@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Wendi L. Overmyer

Office of the Federal Public Defender - Akron
Northern District of Ohio
700 Akron Centre Plaza
50 South Main Street
Akron, OH 44308
330-375-5739
Fax: 375-5738
Email:
wendi_overmyer@fd.org
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts	**Disposition**
18 U.S.C. § 371 Conspiracy (1)	
18 U.S.C. § 249(a)(2) and 2 Hate Crime (4-5)	
18 U.S.C. § 1512(c)(1) and 2 Obstruction (7)	

Highest Offense Level (Opening)

Felony

Terminated Counts	**Disposition**
None	

Highest Offense Level (Terminated)

None

Complaints	Disposition
18:371-Conspiracy; 18:249-Hate Crime Acts; 18:2-Aiding and Abetting Hate Crime Acts	

Plaintiff

United States of America represented by **Bridget M. Brennan**
Office of the U.S. Attorney - Cleveland
Northern District of Ohio
Ste. 400
801 Superior Avenue, W
Cleveland, OH 44113
216-622-3810
Fax: 216-522-8355
Email: Bridget.Brennan@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kristy L. Parker
U.S. Department of Justice
Criminal Section
Ste. 5528
601 D Street, NW
Washington, DC 20005
202-353-8260
Fax: 202-514-8336
Email: kristy.parker@usdoj.gov
ATTORNEY TO BE NOTICED

Thomas E. Getz
Office of the U.S. Attorney - Cleveland
Ste. 400
801 Superior Avenue, W
Cleveland, OH 44113
216-622-3840
Fax: 216-685-2378
Email: Thomas.Getz@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/14/2012		Notice [non-document]: The Court will address 69 Defendants' Joint Motion to Declare Case Complex, Extend Motion Deadline, and Continue Trial at the 3/2/12 Pretrial Conference. (P,R) (Entered: 02/14/2012)
02/13/2012	70	**Response** by United States of America in opposition to Joint **Motion** to continue Motion Deadline and Trial 69 as to Samuel Mullet, Sr, Johnny S. Mullet, Daniel S. Mullet, Lester S. Mullet, Levi F. Miller, Eli M. Miller, Emanuel Schrock, Lester M Miller, Raymond Miller, Freeman Burkholder, Anna Miller, Linda Schrock *Extend Motion Deadline, and Continue Trial Date* (Brennan, Bridget) (Entered: 02/13/2012)
02/09/2012	69	Joint **Motion** to continue Motion Deadline and Trial by Samuel Mullet, Sr. (Bryan, Edward) (Entered: 02/09/2012)
02/03/2012	65	Notice of Appearance of Attorney - Wendi L. Overmyer appearing for Samuel Mullet, Sr *as co-counsel* (Overmyer, Wendi) (Entered: 02/03/2012)

02/02/2012	64	Non-Appeal Transcript Request by United States of America as to Samuel Mullet, Sr, Johnny S. Mullet, Daniel S. Mullet, Lester S. Mullet, Levi F. Miller, Eli M. Miller, Emanuel Schrock, Lester M Miller, Raymond Miller, Freeman Burkholder, Anna Miller, Linda Schrock for proceedings held on January 11, 2012 before Judge Polster. Court Reporter: Judith Gage. Requested completion date: March 5, 2012 (Brennan, Bridget) (Entered: 02/02/2012)
02/02/2012	63	Transcript of Arraignments and Continued Detention Hearing as to Samuel Mullet, Sr, Johnny S. Mullet, Daniel S. Mullet, Lester S. Mullet, Levi F. Miller, Eli M. Miller, Emanuel Schrock, Lester M Miller, Raymond Miller, Freeman Burkholder, Anna Miller, Linda Schrock held on January 11, 2012 before Judge Dan Aaron Polster. To obtain a bound copy of this transcript please contact court reporter Judith Gage at 216-357-7238. [39 pages] Related Document 56 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. Parties requesting that privacy information be redacted must file a notice of intent to redact with the court by 2/9/2012. Redaction Request due 2/23/2012. Redacted Transcript Deadline set for 3/5/2012. Release of Transcript Restriction set for 5/2/2012. (G,Ju) (Entered: 02/02/2012)
01/31/2012	62	Appeal Order from the USCA for the Sixth Circuit: The appeal as to Samuel Mullet, Sr is expedited for briefing and submission re 53 (USCA# 12-3096). Date issued by USCA 1/30/12 (H,SP) (Entered: 01/31/2012)
01/27/2012	58	Acknowledgment from USCA for the 6th Circuit of receipt of 53 Notice of Appeal as to Samuel Mullet, Sr. (USCA# 12-3096). Date filed in USCA 1/26/12. (H,SP) (Entered: 01/27/2012)

01/24/2012		Transmission of Notice of Appeal as to Samuel Mullet, Sr emailed to US Court of Appeals re 53 (H,SP) (Entered: 01/24/2012)
01/24/2012	56	Non-Appeal Transcript Request by Samuel Mullet, Sr for proceedings held on January 13, 2012 before Judge Dan Aaron Polster. Court Reporter: Judy Gage. Requested completion date: February 24, 2012 (Bryan, Edward) (Entered: 01/24/2012)
01/24/2012	55	Notice of Discovery Request as to Samuel Mullet, Sr (Attachments: # 1 Exhibit A, # 2 Exhibit A)(Bryan, Edward) (Entered: 01/24/2012)
01/23/2012	53	**NOTICE OF APPEAL** of conditions of release to the Sixth Circuit Court of Appeals from the 52 Order of 1/23/12, filed by Samuel Mullet, Sr. Attorney is court appointed (Bryan, Edward). Modified text on 1/24/2012 (H,SP). (Entered: 01/23/2012)
01/23/2012	52	**Marginal Entry Order** denying 43 Motion for Reconsideration of Order Denying Motion to Revoke Detention Order as to Samuel Mullet Sr. (1). Judge Dan Aaron Polster on 1/23/12. (P,R) (Entered: 01/23/2012)
01/23/2012	51	**Reply** to response to **Motion** for Reconsideration *Order Denying Motion to Revoke Detention Order* 43 as to Samuel Mullet, Sr (Bryan, Edward) (Entered: 01/23/2012)
01/20/2012	49	**Response** by United States of America in opposition to **Motion** for Reconsideration *Order Denying Motion to Revoke Detention Order* 43 as to Samuel Mullet, Sr (Brennan, Bridget) (Entered: 01/20/2012)
01/19/2012	44	**Criminal Jury Trial Order** as to Samuel Mullet, Sr, et al. Pretrial Conference set for 3/2/2012 at 2:00 PM, Final Pretrial Conference set for 3/12/2012 at 12:00 PM, Jury Trial set for 3/19/2012 at 09:00 AM, all in Courtroom 18B before Judge Dan Aaron Polster. Judge Dan Aaron Polster on 1/19/12. (P,R) (Entered: 01/19/2012)

01/18/2012	43	**Motion** for Reconsideration *Order Denying Motion to Revoke Detention Order* by Samuel Mullet, Sr. (Bryan, Edward) (Entered: 01/18/2012)
01/13/2012	26	**Minutes of proceedings** before Judge Dan Aaron Polster.Arraignment as to Samuel Mullet Sr. (1) Counts 1,4-5,7 held on 1/11/2012. Not guilty plea entered. Final Pretrial Conference set for 3/12/2012 at 12:00 PM, Jury Trial set for 3/19/2012 at 09:00 AM and Pretrial Conference set for 3/2/2012 at 02:00 PM, all in courtroom 18B. **Motion** 14 to Revoke detention order is denied. (Court Reporter: Judy Gage) Time: 10 minutes. (C,KA) (Entered: 01/13/2012)
01/10/2012	21	**Response** by United States of America in opposition to **Motion** to Revoke *Detention Order* 14 as to Samuel Mullet, Sr (Getz, Thomas) Modified text on 1/12/2012 (B,B). (Entered: 01/10/2012)
01/05/2012	15	Notice of Appearance of Attorney Kristy L. Parker appearing for USA. (Parker, Kristy) (Entered: 01/05/2012)
01/05/2012	14	**Motion** to Revoke *Detention Hearing* by Samuel Mullet, Sr. (Bryan, Edward) (Entered: 01/05/2012)
01/03/2012	13	Notice of Appearance of Attorney Thomas E. Getz appearing for USA. *as Co-Counsel* (Getz, Thomas) (Entered: 01/03/2012)
12/21/2011	11	Notice of Hearing as to Samuel Mullet, Sr, Johnny S. Mullet, Daniel S. Mullet, Lester S. Mullet, Levi F. Miller, Eli M. Miller, Emanuel Schrock, Lester M Miller, Raymond Miller, Freeman Burkholder, Anna Miller, Linda Schrock. Arraignment set for 1/11/2012 at 2:00 PM in Courtroom 18B before Judge Dan Aaron Polster.(P,R) (Entered: 12/21/2011)
12/20/2011		Random Assignment of Magistrate Judge pursuant to Local Criminal Rule 57.9. In the event of a referral, case will be assigned to Magistrate Judge Greg White. (K,K)

		(Entered: 12/20/2011)
12/20/2011	10	**Indictment** filed by USA as to Samuel Mullet, Sr (1) counts 1, 4-5, 7; Johnny S. Mullet (2) counts 1, 4-5; Daniel S. Mullet (3) counts 1, 4-5; Lester S. Mullet (4) counts 1, 4-5, 7; Levi F. Miller (5) counts 1, 3-5, 7; Eli M. Miller (6) counts 1, 3-5; Emanuel Schrock (7) counts 1, 3, 6; Lester M Miller (8) counts 1, 2, 4-5, 7; Raymond Miller (9) counts 1, 2; Freeman Burkholder (10) counts 1, 2; Anna Miller (11) counts 1, 2; Linda Schrock (12) counts 1, 6. (Attachments: # 1 Certificate of the Assistant Attorney General, # 2 Designation Form and Signature Page) (K,K) (Entered: 12/20/2011)
12/20/2011	9	Transcript of Preliminary Examination/Detention Hearing Proceedings as to Samuel Mullet, Sr., held on 11/30/11 before Magistrate Judge Limbert. To obtain a bound copy of this transcript, please contact court reporter Mary L. Uphold at (330) 884-7424. [211 pages] Related Document 8 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. Parties requesting that privacy information be redacted must file a notice of intent to redact with the court by 12/27/2011. Redaction Request due 1/10/2012. Redacted Transcript Deadline set for 1/20/2012. Release of Transcript Restriction set for 3/19/2012. (Uphold, Mary) [4:11-mj-06133-GJL] (Entered: 12/20/2011)
12/19/2011	8	Non-Appeal Transcript Request by Samuel Mullet, Sr for proceedings held on November 30, 2011 before Judge Limbert. Court Reporter: Mary Uphold. Requested completion date: January 19, 2011 (Bryan, Edward) [4:11-mj-06133-GJL] (Entered: 12/19/2011)
12/19/2011	7	Notice of Appearance of Attorney - Edward G. Bryan appearing for Samuel Mullet, Sr (Bryan, Edward) [4:11-

		mj-06133-GJL] (Entered: 12/19/2011)
12/09/2011	6	Arrest Warrant Returned Executed on 11/23/2011 in case as to Samuel Mullet, Sr. (B,R) [4:11-mj-06133-GJL] (Entered: 12/14/2011)
12/02/2011	5	**Order** of Detention as to defendant Samuel Mullet, Sr.; defendant ordered detained; further, defendant probable cause found; defendant to be bound over to the grand jury. Signed by Magistrate Judge George J. Limbert on 12/2/11. (S,AA) [4:11-mj-06133-GJL] (Entered: 12/02/2011)
11/30/2011		**Minutes of proceedings** [non-document] before Magistrate Judge George J. Limbert; preliminary examination and detention hearing as to defendant Samuel Mullet, Sr. held on 11/30/11; Bridget M. Brennan was present as counsel for plaintiff; Edward G. Bryan was present as counsel for defendant; U.S. Pretrial Services Officer Marsha Tetrick was also present; opening statements waived; Michael S. Siirohman and Fred J. Abdalla were called as witnesses; closing arguments made; probable cause found by the Court; defendant to be bound over to the grand jury; defendant ordered detained and remanded to the custody of the U.S. Marshal; (Court Reporter: Mary Uphold); Time: 1 hour 30 minutes. (S,AA) [4:11-mj-06133-GJL] (Entered: 11/30/2011)
11/23/2011	4	**Order** of Detention pending hearings as to defendant Samuel Mullet, Sr.; preliminary examination and detention hearing scheduled before Magistrate Judge George J. Limbert on 11/30/11 at 2:00 p.m. Signed by Magistrate Judge George J. Limbert on 11/23/11. (S,AA) [4:11-mj-06133-GJL] (Entered: 11/23/2011)
11/23/2011	3	CJA 23 Financial Affidavit by defendant Samuel Mullet, Sr. (S,AA) [4:11-mj-06133-GJL] (Entered: 11/23/2011)
11/23/2011		**Minutes of proceedings** [non-document] before Magistrate Judge George J. Limbert; initial appearance as

		to defendant Samuel Mullet, Sr. held on 11/23/11; Bridget M. Brennan present as counsel for plaintiff; Edward G. Bryan was present as counsel for defendant for this hearing only; U.S. Pretrial Services Officer Kenneth Reid was also present; defendant was instructed to retain an attorney for all further hearings; defendant waived a reading of the complaint; plaintiff moved for detention of defendant; a preliminary examination and detention hearing are scheduled before Magistrate Judge Limbert on 11/30/11 at 2:00 p.m.; defendant ordered detained and remanded to the custody of the U.S. Marshal, pending further hearings; (Tape #ECRO-J. Guyer); Time: 12 minutes. (S,AA) [4:11-mj-06133-GJL] (Entered: 11/23/2011)
11/23/2011		Case unsealed as to Samuel Mullet, Sr. (S,S) [4:11-mj-06133-GJL] (Entered: 11/23/2011)
11/23/2011		Arrest of Samuel Mullet, Sr. on 11/23/2011. (S,S) [4:11-mj-06133-GJL] (Entered: 11/23/2011)
11/22/2011	1	**Complaint** signed by Magistrate Judge Greg White on 11/22/2011 as to Samuel Mullet, Sr. (Attachments: # 1 Affidavit) (S,S) [4:11-mj-06133-GJL] (Entered: 11/23/2011)

PACER Service Center			
Transaction Receipt			
03/01/2012 14:02:47			
PACER Login:	tm2439	**Client Code:**	
Description:	Docket Report	**Search Criteria:**	5:11-cr-00594-DAP
Billable Pages:	5	**Cost:**	0.40

ATTACHMENT B

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	CASE NO.
Plaintiff,	)	
	)	JUDGE
v.	)	
	)	
SAMUEL MULLET, SR.,	)	
JOHNNY S. MULLET,	)	
DANNY S. MULLET,	)	
LESTER S. MULLET,	)	
LEVI F. MILLER,	)	
ELI M. MILLER, and	)	
EMANUEL SCHROCK	)	
	)	
Defendants.	)	

CERTIFICATE OF THE ASSISTANT ATTORNEY GENERAL

I, Thomas E. Perez, hereby certify that in my judgment, prosecution by the United States of the above-named subjects, for violations of Title 18, United States Code, Section 249 [subsections (a)(2)(A) and (B)], is in the public interest and necessary to secure substantial justice. This certification is made pursuant to Title 18, United States Code, Section 249(b)(1)(D).

Signed the 21st day of November, 2011.

Thomas E. Perez
Assistant Attorney General