

U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE # 3:16-cr-00051-BR All Defendants

Case title: USA v. Bundy et al

Magistrate judge case numbers: 3:16-mj-00004

3:16-mj-00006

Date Filed: 02/03/2016

Date Filed	#	Docket Text
09/01/2016	<u>1170</u>	Reply to Response to Motion by David Lee Fry regarding Motion to Suppress <i>Evidence (Facebook Accounts)</i> <u>741</u> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Olson, Per) (Entered: 09/01/2016)
09/01/2016	<u>1171</u>	ORDER Re: Final Pretrial Conference. Signed on 09/01/2016 by Judge Anna J. Brown. See attached 26 page Order. (bb) (Entered: 09/01/2016)
09/01/2016	1172	Order by Judge Anna J. Brown. Based on the Court's Order <u>1171</u> Re: Final Pretrial Conference, the Court GRANTS in part and DENIES in part the government's Motion <u>959</u> in Limine to Exclude the Defense of Adverse Possession; GRANTS in part and DENIES in part Defendant Kenneth Medenbach's Motions 995 , 999 in Limine; GRANTS in part and DENIES in part Defendant David Lee Fry's Motion 1000 in Limine; GRANTS in part and DENIES in part Defendant Peter Santilli's Motion 1006 in Limine; DENIES Defendant Neil Wampler's Motion 1014 in Limine; DENIES as moot Defendant Shawna Cox's Motion 1046 in Limine. (bb) (Entered: 09/01/2016)
09/01/2016	<u>1173</u>	Response to Motion by USA as to Ammon Bundy, Ryan Bundy, Shawna Cox, Peter Santilli, Jason Patrick, Duane Leo Ehmer, Dylan Anderson, Sean Anderson, David Lee Fry, Jeff Wayne Banta, Sandra Lynn Anderson, Kenneth Medenbach, Neil Wampler, Darryl William Thorn, Jake Ryan regarding Motion to Dismiss <u>1155</u> filed by Defendant Ammon Bundy (Knight, Ethan) (Entered: 09/01/2016)
09/02/2016	1174	Order by Judge Anna J. Brown. At the request of government counsel, the Motion for Order Providing Video Teleconferencing for Crime Victims filed by USA <u>1072</u> is WITHDRAWN. (bb) (Entered: 09/02/2016)
09/02/2016	<u>1175</u>	Second Motion in Limine <i>Re Exhibits on Government's Second Amended Exhibit List</i> Oral Argument requested. by Defendant Peter Santilli. (Coan, Thomas) (Entered: 09/02/2016)
09/02/2016	<u>1176</u>	Order Maintaining Defendant Ryan Bundy's Status as a Pro Se Litigant. Signed on 09/02/2016 by Judge Anna J. Brown. See attached 3 page Order. (bb) (Entered: 09/02/2016)
09/02/2016	<u>1177</u>	Order Maintaining Defendant Kenneth Medenbach's Status as a Pro Se Litigant. Signed on 09/02/2016 by Judge Anna J. Brown. See attached 3 page Order. (bb) (Entered: 09/02/2016)
09/02/2016	<u>1178</u>	Reply to Response to Motion by Ammon Bundy regarding Motion to Dismiss <i>For Lack of Subject Matter Jurisdiction Re: Adverse Possession And Memorandum In Support</i> <u>1155</u> (Mumford, Marcus) (Entered: 09/02/2016)
09/02/2016	1179	Order by Judge Anna J. Brown. The Court notes Defendant Peter Santilli's untimely filing of a Second Motion <u>1175</u> in Limine. The government included the exhibits that Santilli seeks to exclude in each of the government's Exhibit Lists (#957, #993, #1083, #1158), the first of which was filed on July 29, 2016. Defendants' motions in limine were due on August 10, 2016. The Court conducted a Pretrial Conference on August 22, 23, 24, and 25, 2016. The Court resolved the vast majority of the evidentiary issues raised at the Pretrial Conference in its Order <u>1171</u> Re: Final Pretrial Conference issued September 1, 2016. Santilli filed his Motion on September 2, 2016. The Court notes the admissibility of at least some of the specific exhibits that Santilli now seeks to exclude can be resolved pursuant to

		the principles that the Court expressed in its Order <u>1171</u> in resolving Santilli's Motion <u>1006</u> in Limine and Memorandum <u>1011</u> in Opposition to the Government's Trial Memorandum. The Court, therefore, directs the parties to confer and to file a single, joint statement no later than 9:00 a.m., Tuesday, September 6, 2016, specifying the particular remaining disputes and concisely setting out the parties positions. The Court will resolve any remaining disputes on the record at the hearing on Tuesday, September 6, 2016. In addition, the Court directs Santilli to be prepared to show good cause for the untimely filing of this Motion at the September 6, 2016, hearing. (bb) (Entered: 09/02/2016)
09/02/2016	<u>1180</u>	Motion to Dismiss <i>Based on Entrapment</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1181</u>	Motion for Disqualification of Counsel by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1182</u>	Motion to Dismiss <i>With Prejudice for 4th Amendment Violations</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1183</u>	Motion for Extension of Time To File PreTrial Motions by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1184</u>	Motion to Compel <i>Rule Book</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1185</u>	Motion to Produce <i>Evidence Favorable to the Accused</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/02/2016)
09/02/2016	<u>1186</u>	Motion for Order to Dismiss IN ACCORDANCE WITH USC AMENDMENTS 1, 2, 4,5 &6, by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)
09/06/2016	<u>1187</u>	Order of USCA-9th Circuit as to Shawna Cox regarding Notice of Appeal – Interlocutory <u>1088</u> USCA # 16-30193. Appellant's emergency motion for a stay (Docket Entry No. 2) is denied. See <i>Hilton v. Braunskill</i> , 481 U.S. 770, 776 (1987). Further, a review of the record suggests that this court may lack jurisdiction over the appeal because the district court's August 15, 2016 order does not appear to be appealable as a final judgment or an order that comes within the collateral order doctrine. See 28 U.S.C. § 1291; <i>Midland Asphalt Corp. v. United States</i> , 489 U.S. 794, 798 (1989) (stating that finality requirement generally "prohibits appellate review until after conviction and imposition of sentence"). Within 21 days after the date of this order, appellant shall move for voluntary dismissal of the appeal or show cause why it should not be dismissed for lack of jurisdiction. See 9th Cir. R. 27-9.1 (motion for voluntary dismissal must be accompanied by appellants written consent or counsel's explanation of why appellant's consent was not obtained). If appellant elects to show cause, a response may be filed within 10 days after service of the memorandum. If appellant does not comply with this order, the appeal may be dismissed without further notice to appellant. See 9th Cir. R. 42-1. Briefing is suspended pending further order of the court. (jtj) (Entered: 09/06/2016)
09/06/2016	<u>1188</u>	Motion for Order for Production of Evidence Favorable to the Accused by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)
09/06/2016	<u>1189</u>	Motion for Order to Dismiss based on Entrapment by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)
09/06/2016	<u>1191</u>	Motion to Suppress ALL EVIDENCE PURPORTEDLY FOUND IN FLASHDRIVES OR OTHER MOBILE DEVICES ON DEFENDANT'S PERSON AT THE TIME OF ARREST by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)
09/06/2016	<u>1192</u>	Motion for Extension of Time to file Pretrial Motions by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)
09/06/2016	<u>1196</u>	Notice of Motion to Dismiss for Lack of Subject Matter Jurisdiction and Memorandum in Support of Motion to Quash Jury Venire Drawn from Wrong District-Division and/or Vicinage and Venue by Defendant Shawna Cox. (schm) (Entered: 09/06/2016)

09/06/2016	<u>1197</u>	Notice by USA as to Kenneth Medenbach <i>Factual Stipulation Regarding Count 4</i> (Gabriel, Craig) (Entered: 09/06/2016)
09/06/2016	<u>1198</u>	<i>Defendant's Challenge to Count 5</i> Proposed Jury Instructions by Ryan Bundy (Ludwig, Lisa) (Entered: 09/06/2016)
09/06/2016	<u>1199</u>	Unopposed Motion to Dismiss <i>Without Prejudice</i> filed by USA as to Defendant Peter Santilli. (Knight, Ethan) (Entered: 09/06/2016)
09/06/2016	<u>1200</u>	ORDER Granting <u>1199</u> Motion to Dismiss Indictments as to Peter Santilli (8) only.Signed on 9/6/2016 by Judge Anna J. Brown. (sss) (Entered: 09/06/2016)
09/06/2016	<u>1201</u>	Brief by Ammon Bundy <i>Trial Clothing</i> (Philpot, J.) (Entered: 09/06/2016)
09/06/2016	<u>1202</u>	Memorandum in Opposition to Motion by USA as to Ammon Bundy, Ryan Bundy, David Lee Fry (<i>titled Government's Opposition to Memorandum Regarding Defendants' Trial Clothing <u>1201</u></i>) (Knight, Ethan) (Entered: 09/06/2016)
09/06/2016	1205	Minutes of Proceedings: Pretrial Conference before Judge Anna J. Brown as to Ammon Bundy, Ryan Bundy, Shawna Cox, Peter Santilli, David Lee Fry, Jeff Wayne Banta, Kenneth Medenbach and Neil Wampler. Rulings placed on the record. Order to issue.Counsel Present for Plaintiff: Ethan Knight, Geoffrey Barrow, Craig Gabriel, Scott Bradford.Counsel Present for Defendant: Marcus Mumford, J. Morgan Philpot, Per Olson, Thomas Coan, Tiffany Harris, Robert Salisbury, Lisa Maxfield, Matthew Schindler and Lisa Ludwig.(Court Reporter Amanda Legore) (bb) Modified on 9/7/2016 adding Lisa Ludwig (bb). (Entered: 09/07/2016)
09/07/2016	<u>1203</u>	Motion to Dismiss/Speedy Trial <i>Motion To Dismiss For Impermissible Delay</i> Oral Argument requested. by Defendant Ammon Bundy. (Mumford, Marcus) (Entered: 09/07/2016)
09/07/2016	<u>1204</u>	Order Regarding Media Access to Court Proceedings. Signed on 09/06/2016 by Judge Anna J. Brown. (bb) (Entered: 09/07/2016)
09/07/2016	<u>1206</u>	Motion for Discovery <i>Motion for Additional Discovery</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1207</u>	Motion for Disclosure <i>Of Informants</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1208</u>	Motion for Discovery <i>of Statements</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1209</u>	Motion for Discovery <i>Motion for Preservation of Tapes and Notes</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1210</u>	Motion for Hearing <i>to Determine Existence of Conspiracy</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1211</u>	Motion to Produce <i>and Inspect Grand Jury Notes</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1212</u>	Motion to Produce <i>Jencks Act Material</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1213</u>	Motion for Discovery <i>Omnibus Motion</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/07/2016)
09/07/2016	<u>1214</u>	Unopposed Motion for Order Allowing the Government to Exceed Page Limit for Its Sur-Reply filed by USA as to Defendant Ammon Bundy, Ryan Bundy, Shawna Cox, Jason Patrick, Duane Leo Ehmer, Sean Anderson, David Lee Fry, Sandra Lynn Anderson, Darryl William Thorn. (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1215</u>	Reply to Response to Motion by USA as to Ammon Bundy, Ryan Bundy, Shawna Cox, Jason Patrick, Duane Leo Ehmer, Sean Anderson, David Lee Fry, Sandra Lynn Anderson, Darryl William Thorn regarding Motion to Reopen Motion re Motion to Suppress <i>Evidence (Facebook Accounts) <u>741</u></i> 1040 , Motion to Suppress <i>Evidence (Facebook Accounts) <u>741</u></i> (Attachments: # <u>1</u> Exhibit 1) (Bradford, Scott) (Entered: 09/07/2016)

09/07/2016	<u>1216</u>	Declaration by Peter L. Summers regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1217</u>	Declaration by Richard A. Baltzersen, Jr. regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1218</u>	Declaration by Claudia I. Bonilla regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1219</u>	Declaration by J. Matthew Yeager regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1220</u>	Declaration by Matthew D. Hiemstra regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Attachments: # <u>1</u> Attachment) (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1221</u>	Declaration by Travis J. Welter regarding Reply to Motion, <u>1215</u> filed by Plaintiff USA (Bradford, Scott) (Entered: 09/07/2016)
09/07/2016	<u>1222</u>	Motion for Judicial Notice Regarding Hammond Case filed by USA as to Defendant Ammon Bundy, Ryan Bundy, Shawna Cox, Jason Patrick, Duane Leo Ehmer, Dylan Anderson, Sean Anderson, David Lee Fry, Jeff Wayne Banta, Sandra Lynn Anderson, Kenneth Medenbach, Neil Wampler, Darryl William Thorn, Jake Ryan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6) (Gabriel, Craig) (Entered: 09/07/2016)
09/07/2016	<u>1223</u>	Response to Motion by USA as to Ammon Bundy, Ryan Bundy, Shawna Cox, Jason Patrick, Duane Leo Ehmer, Dylan Anderson, Sean Anderson, David Lee Fry, Jeff Wayne Banta, Sandra Lynn Anderson, Kenneth Medenbach, Neil Wampler, Darryl William Thorn, Jake Ryan regarding Motion for Order 1186 filed by Defendant Shawna Cox, Motion for Order 1189 filed by Defendant Shawna Cox, Motion for Order 1196 filed by Defendant Shawna Cox, Motion to Suppress 1191 filed by Defendant Shawna Cox, Motion for Extension of Time 1192 filed by Defendant Shawna Cox, Motion for Order 1188 filed by Defendant Shawna Cox (Barrow, Geoffrey) (Entered: 09/07/2016)
09/07/2016	<u>1226</u>	ORDER by Judge Anna J. Brown. The Court DENIES Defendant Ryan Bundys Motion 1180 to Dismiss Based on Entrapment. The Court DENIES Defendant Ryan Bundys Motion 1181 for Disqualification of Counsel in which Bundy seeks todisqualify his standby counsel. The Court DENIES Defendant Ryan Bundys Motion 1182 entitled Petition to Dismiss with Prejudice for Fourth AmendmentViolations. The Court DENIES Defendant Ryan Bundys Motion 1183 forExtension of Time to File Pretrial Motions to the extent that he seeks a continuance of the trial date. The Court GRANTS Defendant Ryan Bundys Motion 1184 to Compel Rule Book. The Court DENIES Defendant Ryan Bundys Motion 1185 for Production of Evidence Favorable to the Defendant. The government may file responses to Defendant Shawna Cox's Motions 1188 for Order for Production of Evidence Favorable to the Accused, Motion 1189 for Order to Dismiss Based on Entrapment, Motion 1191 to Suppress, Motion 1192 for Extension of Time, and Motion 1196 to Dismiss for Lack of Subject Matter Jurisdiction no later than 5:00 p.m., 9/8/2016. If the government files a response to any such Motion, Cox may file a reply memorandum related to that Motion no later than 5:00 p.m., 9/12/2016. SEE Order re additional deadlines regarding jury instructions. (bb) (Entered: 09/08/2016)
09/08/2016	<u>1224</u>	Motion for Discovery <i>and Inspection – List of Government Witnesses</i> by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/08/2016)
09/08/2016	<u>1225</u>	Motion for Writ of Habeas Corpus ad testificandum by Defendant Ryan Bundy. (Ludwig, Lisa) (Entered: 09/08/2016)
09/08/2016	<u>1227</u>	Response to Motion by USA as to Ammon Bundy, Ryan Bundy, Shawna Cox, Jason Patrick, Duane Leo Ehmer, Dylan Anderson, Sean Anderson, David Lee Fry, Jeff Wayne Banta, Sandra Lynn Anderson, Kenneth Medenbach, Neil Wampler, Darryl William Thorn, Jake Ryan regarding Motion to Dismiss/Speedy Trial <u>1203</u> filed by Defendant Ammon Bundy (Knight, Ethan) (Entered: 09/08/2016)