

Date↑

Description

02/24/2021

SEALED COMPLAINT as to RICHARD FRANKLIN BARNARD (1), JEFFREY SHANE WITCHER (2). [1:21-mj-00262-ZMF]

1 Attachment ▼

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02/24/2021

MOTION to Seal Case by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER. [1:21-mj-00262-ZMF]

1 Attachment ▼

02/24/2021

ORDER granting 3 Motion to Seal Case as to RICHARD FRANKLIN BARNARD (1), JEFFREY SHANE WITCHER (2). Signed by Magistrate Judge Zia M. Faruqui on 02/24/2021. (zstd) [1:21-mj-00262-ZMF]

02/25/2021

Arrest of RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER in US District Court for the Western District of Texas. (bb) [1:21-mj-00262-ZMF] (Text entry; no document attached.)

02/25/2021

Case unsealed as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER (bb) [1:21-mj-00262-ZMF] (Text entry; no document attached.)

02/25/2021

Case unsealed as to JEFFREY SHANE WITCHER (bb) [1:21-mj-00262-ZMF] (Text entry; no document attached.)

03/05/2021

Rule 5(c)(3) Documents Received as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER from US District Court for the Western District of Texas Case Number 1:21-159-ML (bb) [1:21-mj-00262-ZMF]

03/19/2021

INDICTMENT as to RICHARD FRANKLIN BARNARD (1) count(s) 2, 3, 4, 5, JEFFREY SHANE WITCHER (2) count(s) 1, 2, 3, 4, 5.

04/19/2021

MINUTE ORDER as to RICHARD FRANKLIN BARNARD (1) and JEFFREY SHANE WITCHER (2). As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence,

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adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 4/19/2021. (Text entry; no document attached.)

04/19/2021

JOINT ORAL MOTION for Speedy Trial Waiver by USA as to RICHARD FRANKLIN BARNARD (1). (Text entry; no document attached.)

04/19/2021

JOINT ORAL MOTION for Speedy Trial Waiver by JEFFREY SHANE WITCHER (2). (Text entry; no document attached.)

04/19/2021

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arrestment as to RICHARD FRANKLIN BARNARD (1) Count 2,3,4,5 held on 4/19/2021. Not Guilty Plea entered by RICHARD FRANKLIN BARNARD (1) as to all counts. Government does not seek the Defendant's pretrial detention. Defendant expresses intent to obtain retained counsel. The Federal Public Defender's office shall represent the Defendant for purposes of this hearing only. Joint Oral Motion by the Government for Speedy Trial Waiver as to RICHARD FRANKLIN BARNARD (1) Heard and Granted. Time between 4/19/2021 and 5/3/2021 (21 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing for Ascertainment of Counsel set for 5/3/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge Robin M. Meriweather. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:15:28 - 1:39:23], [2:24:14-2:49:10]; Defense Attorney: Tony Miles; US Attorney: Jacob Steiner for Brandon Regan; Pretrial Officer: Andre Sidbury; (Text entry; no document attached.)

04/19/2021

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arrestment as to JEFFREY SHANE WITCHER (2) Count 1,2,3,4,5 held on 4/19/2021. Not Guilty Plea entered by JEFFREY SHANE WITCHER (2) as to all counts. Government does not seek the Defendant's pretrial detention. Joint Oral Motion for Speedy Trial Waiver as to JEFFREY SHANE WITCHER (2) Heard and Granted. Time between 4/19/2021 and 7/19/2021 (61 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 7/19/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR-Gold FTR Time Frame: CTRM 6 [1:15:28 - 1:39:23], [2:24:14-2:49:10]; Defense Attorney: Sam Basset; US Attorney: Jacob Steiner for Brandon Regan; Pretrial Officer: Andre Sidbury; (zpt) Modified text on 4/19/2021 (Text entry; no document attached.)

04/19/2021

Set/Reset Hearings as to JEFFREY SHANE WITCHER :Status Hearing set for 7/19/2021 at 01:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. (Text entry; no document attached.)

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04/19/2021

ORDER Setting Conditions of Release as to RICHARD FRANKLIN BARNARD (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/19/2021.

[1 Attachment](#) ▼

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04/19/2021

ORDER Setting Conditions of Release as to JEFFREY SHANE WITCHER (2) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 4/19/2021.

[1 Attachment](#) ▼

05/03/2021

ORAL MOTION by USA for an Exclusion of Time Under the Speedy Trial Act from 5/3/2021 to 5/17/2021 as to Defendant RICHARD FRANKLIN BARNARD (1). (Text entry; no document attached.)

05/03/2021

Minute Entry for Status Hearing regarding Ascertainment of Counsel as to RICHARD FRANKLIN BARNARD (1) held by video before Magistrate Judge Robin M. Meriweather on 5/3/2021 : The financial affidavit submitted for the defendant is approved. The Federal Public Defender in the Western District of Texas, Austin Division, Jesus Salinas, is appointed to represent RICHARD FRANKLIN BARNARD (1). Counsel directed to reach out to Judge Leon's Chambers to receive a next court date. Oral Motion by USA for an Exclusion of Time Under the Speedy Trial Act from 5/3/2021 to 5/17/2021, heard and granted in the interest of justice. Bond Status of Defendant: Defendant continued on Personal Recognizance Bond. Court Reporter: FTR Gold - Ctrm. 7; FTR Time Frame: 1:17:30 - 1:25:04. Defense Attorneys: Tony Miles and Jesus Salinas; U.S. Attorney: Brandon Regan; Pretrial Officer: Andre Sidbury. (Text entry; no document attached.)

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05/06/2021

Unopposed MOTION to Docket Status Hearing by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER. Modified relief on 5/10/2021 (znmw).

07/15/2021

MINUTE ORDER as to Defendant JEFFREY SHANE WITCHER (2) : The status hearing currently scheduled for July 19, 2021 at 1:00 p.m. before Magistrate Judge G. Michael Harvey is hereby VACATED, as the Defendant has been charged by Indictment. As such, this case has been assigned to a District Judge and there are no pending matters necessitating action by a Magistrate Judge. The parties are directed to contact the assigned District Judge to schedule a status hearing, if one has not yet been set. The parties shall address any requests to toll the Speedy Trial Act to the assigned District Judge; So Ordered by Magistrate Judge G. Michael Harvey on 7/15/2021. (Text entry; no document attached.)

07/15/2021

Terminate 7/19/2021 Status Hearing before Magistrate Judge G. Michael Harvey as to Defendant JEFFREY SHANE WITCHER (2). (Text entry; no document attached.)

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08/19/2021

NOTICE OF ATTORNEY APPEARANCE: Jesus M. Salinas, Jr appearing for RICHARD FRANKLIN BARNARD

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09/22/2021

Unopposed MOTION for Hearing Joint Motion to Docket Plea Hearing by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER. Modified event title on 10/6/2021 (znmw).

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10/12/2021

Case as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER randomly reassigned to Judge Rudolph Contreras. Judge Richard J. Leon is no longer assigned to the case.

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10/12/2021

NOTICE OF ATTORNEY APPEARANCE: Samuel Bassett appearing for JEFFREY SHANE WITCHER

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10/12/2021

NOTICE OF ATTORNEY APPEARANCE: David Francis Minton appearing for JEFFREY SHANE WITCHER

10/12/2021

MINUTE ORDER as to RICHARD FRANKLIN BARNARD AND JEFFREY SHANE WITCHER: Plea Hearing is set for 10/20/2021 at 2:00 PM before Judge Rudolph Contreras via zoom video. All parties appearing in this case will receive an invitation prior to the scheduled hearing. (So Ordered Judge Rudolph Contreras on 10/12/2021). (Text entry; no document attached.)

10/20/2021

Minute Entry for proceedings held before Judge Rudolph Contreras:Plea Agreement Hearing as to JEFFREY SHANE WITCHER held on 10/20/2021. Defendant enters a plea of GUILTY to Count 2 of the indictment filed on 3/19/2021. Case REFERRED TO THE U.S. PROBATION OFFICE for Presentence Investigation Report. Sentencing is set for 2/4/2022 at 2:00 PM before Judge Rudolph Contreras via Zoom Video. Bond Status of Defendant: Personal Recognizance with consent to appear by video; Court Reporter: Lorraine Herman; Defense Attorney: Samuel Bassett and David Minton; US Attorney: Brandon Regan; (Text entry; no document attached.)

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10/20/2021

WAIVER of Trial by Jury as to JEFFREY SHANE WITCHER. (Approved by Judge Rudolph Contreras on 10/20/2021).

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10/20/2021

STATEMENT OF OFFENSE by JEFFREY SHANE WITCHER.

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10/20/2021

PLEA AGREEMENT as to JEFFREY SHANE WITCHER.

10/20/2021

Minute Entry for proceedings held before Judge Rudolph Contreras:Plea Agreement Hearing as to RICHARD FRANKLIN BARNARD held on 10/20/2021. Defendant enters a plea of GUILTY to count 5 of the indictment. CASE IS REFERRED TO THE PROBATION OFFICE for Presentence Investigation Report. Sentencing is set for 2/4/2022 at 2:00 PM before Judge Rudolph Contreras via Zoom Video. Bond Status of Defendant: Personal Recognizance with consent to appear by video; Court Reporter: Lorraine Herman; Defense Attorney: Jesus Salinas; US Attorney: Brandon Regan; (Text entry; no document attached.)

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10/20/2021

WAIVER of Trial by Jury as to RICHARD FRANKLIN BARNARD (Approved by Judge Rudolph Contreras on 10/20/2021)

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10/20/2021

STATEMENT OF OFFENSE by RICHARD FRANKLIN BARNARD

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10/20/2021

PLEA AGREEMENT as to RICHARD FRANKLIN BARNARD.

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10/21/2021

SENTENCING SCHEDULING ORDER as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER. See document for details. Signed by Judge Rudolph Contreras on 10/21/2021. (lcrc3)

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11/08/2021

NOTICE of Memorandum Regarding Status of Discovery as of November 5, 2021 by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER

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12/20/2021

Unopposed MOTION for Protective Order Governing Discovery by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER.

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12/20/2021

Unopposed MOTION for Disclosure of 6(e) and Sealed Materials by USA as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER.

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12/21/2021

ORDER granting 28 Unopposed Motion for Protective Order as to RICHARD FRANKLIN BARNARD (1), JEFFREY SHANE WITCHER (2). See document for details. Signed by Judge Rudolph Contreras on 12/21/2021. (lcrc3)

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12/21/2021

ORDER granting 29 Motion for Disclosure as to RICHARD FRANKLIN BARNARD (1), JEFFREY SHANE WITCHER (2). See document for details. Signed by Judge Rudolph Contreras on 12/21/2021. (lcrc3)

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01/24/2022

SENTENCING MEMORANDUM by RICHARD FRANKLIN BARNARD

[2 Attachments](#) ▼

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01/24/2022

SENTENCING MEMORANDUM by USA as to RICHARD FRANKLIN BARNARD

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01/24/2022

SENTENCING MEMORANDUM by USA as to JEFFREY SHANE WITCHER

01/31/2022

SENTENCING MEMORANDUM by JEFFREY SHANE WITCHER

2 Attachments ▼

01/31/2022

RESPONSE by RICHARD FRANKLIN BARNARD re [38] Sentencing Memorandum

1 Attachment ▼

02/03/2022

ORDER as to RICHARD FRANKLIN BARNARD and JEFFREY SHANE WITCHER: Upon the consent of the parties, sentencing currently scheduled for 2:00pm on 2/4/2022 is hereby RESCHEDULED for 2:30 PM on the same date before Judge Rudolph Contreras via zoom video. (So Ordered Judge Rudolph Contreras on 2/3/22). (Text entry; no document attached.)

02/04/2022

Minute Entry for proceedings held before Judge Rudolph Contreras: Sentencing held on 2/4/2022 as to JEFFREY SHANE WITCHER (2). Count 2: Defendant is sentenced to Twelve (12) Months of Probation with conditions. Special Assessment: \$25.00. Restitution: 500.00. Count(s) 1, 3, 4 and 5 are dismissed on the Government's Motion. Bond Status of Defendant: Defendant placed on Probation (with consent to appear virtually); Court Reporter: Nancy Meyer; Defense Attorney: Samuel Bassett; US Attorney: Brandon Regan; Prob Officer: Aidee Gavito; (Text entry; no document attached.)

02/04/2022

Minute Entry for proceedings held before Judge Rudolph Contreras: Sentencing held on 2/4/2022 as to RICHARD FRANKLIN BARNARD. Count 5: Defendant is sentenced to Twelve (12) Months of Probation and 1 month of home confinement (with conditions). Special Assessment: \$10.00. Restitution: \$500.00. Open Count(s) 2, 3 and 4 are dismissed on the Motion of the Government. Bond Status of Defendant: Defendant placed on Probation (consent to appear virtually); Court Reporter: Nancy Meyer; Defense Attorney: Jesus Salinas; US Attorney: Brandon Regan; Prob Officer: Aidee Gavito; (Text entry; no document attached.)

02/04/2022

Minute Entry for proceedings held before Judge Rudolph Contreras: Sentencing held on 2/4/2022 as to RICHARD FRANKLIN BARNARD. Count 5: Defendant is sentenced to Twelve (12) Months of Probation and 1 month of home confinement (with conditions). Special Assessment: \$10.00. Restitution: \$500.00. Open Count(s) 2, 3 and 4 are dismissed on the Motion of the Government. Bond Status of Defendant: Defendant placed on Probation (consent to appear virtually); Court Reporter: Nancy Meyer; Defense Attorney: Jesus Salinas; US Attorney: Brandon Regan; Prob Officer: Aidee Gavito; (Text entry; no document attached.)

02/04/2022

Minute Entry for proceedings held before Judge Rudolph Contreras: Sentencing held on 2/4/2022 as to JEFFREY SHANE WITCHER (2). Count 2: Defendant is sentenced to Twelve (12) Months of Probation with conditions. Special Assessment: \$25.00. Restitution: 500.00. Count(s) 1, 3, 4 and 5 are dismissed on the Government's Motion. Bond Status of Defendant: Defendant placed on Probation (with consent to appear virtually); Court Reporter: Nancy Meyer; Defense Attorney: Samuel Bassett; US Attorney: Brandon Regan; Prob Officer: Aidee Gavito; (Text entry; no document attached.)

02/07/2022

JUDGMENT as to JEFFREY SHANE WITCHER. Statement of Reasons Not Included. Signed by Judge Rudolph Contreras on 2/7/2021. (zhsj)

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02/07/2022

STATEMENT OF REASONS as to JEFFREY SHANE WITCHER re 48 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Rudolph Contreras on 2/7/2021. (zhsj)

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02/08/2022

JUDGMENT as to RICHARD FRANKLIN BARNARD. Statement of Reasons Not Included. Signed by Judge Rudolph Contreras on 2/8/2022. (zhsj)

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02/08/2022

STATEMENT OF REASONS as to RICHARD FRANKLIN BARNARD re 50 Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Rudolph Contreras on 2/8/2022. (zhsj)

[Transcript Order Form">53](#)

02/24/2022

TRANSCRIPT OF SENTENCING (held remotely) in case as to RICHARD FRANKLIN BARNARD, JEFFREY SHANE WITCHER before Judge Rudolph Contreras held on 02/04/2022. Page Numbers: 1-65. Date of Issuance: 02/20/2022. Stenographic Court Reporter: Nancy J. Meyer. Telephone Number: 202-354-3118. Transcripts may be ordered by submitting the Transcript Order Form