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Date↓↑

Description

01/05/2022	SEALED COMPLAINT as to THOMAS UBERTO (1).	1
		1 Attachment ▼
01/05/2022	MOTION to Seal Case by USA as to THOMAS UBERTO.	3
		1 Attachment ▼
01/05/2022	ORDER granting 3 Motion to Seal Case as to THOMAS UBERTO (1). Signed by Magistrate Judge G. Michael Harvey on 1/5/2022. (zltf)	4
01/10/2022	Arrest Warrant, dated 1/5/2022, Returned Executed on 1/10/2022 as to THOMAS UBERTO.	5
01/11/2022	Magistrate case closed for defendant THOMAS UBERTO, pending deadlines, motions, and excludables. Merged Criminal Number 22-07 (TSC). (zhsj) (Text entry; no document attached.)	
01/10/2022	Case unsealed as to THOMAS UBERTO (Text entry; no document attached.)	
01/11/2022	Magistrate case closed for defendant THOMAS UBERTO, pending deadlines, motions, and excludables. Merged Criminal Number 22-07 (TSC). (zhsj) (Text entry; no document attached.)	

END OF MAGISTRATE CASE #22-mj-4 // BEGINNING OF NEW CASE #22-cr-7 BELOW

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Date↓↑

Description

01/11/2022	INFORMATION as to THOMAS UBERTO (1) count(s) 1, 2, 3, 4. (zhsj)	6
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01/13/2022

Set/Reset Hearings as to THOMAS UBERTO: Status Conference set for 1/19/2022 at 01:00 PM in Telephonic/VTC before Judge Tanya S. Chutkan. (Text entry; no document attached.)

[9](#)

01/13/2022

ORDER Setting Conditions of Release as to THOMAS UBERTO (1) Personal Recognizance. Signed by Magistrate Judge G. Michael Harvey on 1/13/2022.

[1 Attachment](#) ▼

01/13/2022

ORAL MOTION for Speedy Trial Waiver by USA as to THOMAS UBERTO (1). (Text entry; no document attached.)

01/13/2022

Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: VTC Initial Appearance/Detention Hearing/Arrestment as to THOMAS UBERTO (1) Count 1,2,3,4 held on 1/13/2022. Not Guilty Plea entered by THOMAS UBERTO (1) as to all counts. Government does not seek the Defendant's pretrial detention. Oral Motion by the Government for Speedy Trial Waiver as to THOMAS UBERTO (1) Heard and Granted. Time between 1/13/2022 and 1/19/2022 (6 Days) shall be excluded from calculation under the Speedy Trial Act in the interest of justice X-T. Status Hearing set for 1/19/2022 at 01:00 PM in Telephonic/VTC before Judge Tanya S. Chutkan. Bond Status of Defendant: Defendant Placed on Personal Recognizance; Court Reporter: FTR Gold FTR Time Frame: CTRM 6 [1:17:03-1:30:36], [1:33:39-1:45:15]; Defense Attorney: Richard Willstatter; US Attorney: Frederick Yette for Douglas Collyer; Pretrial Officer: Shay Holman; (Text entry; no document attached.)

01/13/2022

MINUTE ORDER as to THOMAS UBERTO (1). 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, adverse jury instructions, dismissal of charges and contempt proceedings. Signed by Magistrate Judge G. Michael Harvey on 1/13/2022. (Text entry; no document attached.)

[10](#)

01/14/2022

MOTION for Leave to Appear Pro Hac Vice Richard D. Willstatter Filing fee \$ 100, receipt number ADCDC-8981690. Fee Status: Fee Paid. by THOMAS UBERTO.

[2 Attachments](#) ▼

01/18/2022

MINUTE ORDER: Granting [10] Motion for Richard D. Willstatter to Appear Pro Hac Vice Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 44.5(a). Click for Instructions as to THOMAS UBERTO (1). SO ORDERED by Judge Tanya S. Chutkan on 01/18/2022. (Text entry; no document attached.)

[11](#)

01/18/2022

NOTICE OF ATTORNEY APPEARANCE: Richard D. Willstatter appearing for THOMAS UBERTO pro hac vice

[13](#)

01/19/2022

MOTION for Order to disclose 6(e) material by USA as to THOMAS UBERTO.

[14](#)

01/19/2022

Unopposed MOTION for Protective Order with respect to discovery by USA as to THOMAS UBERTO.

01/19/2022

Minute Entry: Status Conference as to THOMAS UBERTO held on 1/19/2022 before Judge Tanya S. Chutkan: re: Defendant's [15] Motion for Release of Brady Materials for Rule 5(f) Order by THOMAS UBERTO; order forthcoming. Parties discussed discovery. Status Conference set for 4/22/2022 at 03:00 PM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 01/19/2022 and 04/22/2022 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Richard Willstatter; US Attorney: Douglas Collyer. (Text entry; no document attached.)

[15](#)

01/19/2022

MOTION for Release of Brady Materials for Rule 5(f) order by THOMAS UBERTO.

[1 Attachment](#) ▼

[16](#)

01/20/2022

ORDER as to THOMAS UBERTO: The government's [14] Unopposed Motion for Protective Order Governing Discovery is GRANTED. Signed by Judge Tanya S. Chutkan on 01/19/2022.

01/20/2022

MINUTE ORDER: The government's [13] Unopposed Motion for Disclosure is hereby GRANTED and it is ordered that the government may provide in discovery materials protected by Federal Rule of Criminal Procedure 6(e), that the government may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery, and that this Order also applies to the disclosure of the materials described above to any co-defendants who may later be joined. SO ORDERED by Judge Tanya S. Chutkan on 01/19/2022. (Text entry; no document attached.)

[17](#)

01/24/2022

NOTICE of filing of discovery status memos by USA as to THOMAS UBERTO

[5 Attachments](#) ▼

[18](#)

01/26/2022

NOTICE of filing of protective order Attachment A executed by defendant by USA as to THOMAS UBERTO

[19](#)

01/31/2022

ORDER as to THOMAS UBERTO: Defendant's [15] Motion for Rule 5(f) Order is DENIED as moot. See order for further details. Signed by Judge Tanya S. Chutkan on 01/26/2022.

[20](#)

02/15/2022

STATUS REPORT with respect to discovery by USA as to THOMAS UBERTO

03/29/2022

Set/Reset Hearings as to THOMAS UBERTO: Status Conference reset for 5/4/2022 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (Text entry; no document attached.)

05/04/2022

Minute Entry: Status Conference as to THOMAS UBERTO held on 5/4/2022 before Judge Tanya S. Chutkan. Parties discussed discovery. Status Conference set for 7/18/2022 at 10:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time Nunc Pro Tunc between 4/22/2022 and 5/4/2022; and the time between 5/4/2022 and 7/18/2022 shall be excluded from the speedy trial calculation. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Richard Willstatter; US Attorney: Douglas Collyer. (Text entry; no document attached.)

[21](#)

07/15/2022

Unopposed MOTION to Continue status conference, Unopposed MOTION to Exclude speedy trial by USA as to THOMAS UBERTO.

[1 Attachment](#) ▼

07/15/2022

MINUTE ORDER as to THOMAS UBERTO: The government's [21] Unopposed Motion to Continue Status Hearing is GRANTED. The status hearing previously set for July 18, 2022, is hereby CONTINUED to August 19, 2022, at 10:00 am, via video teleconference before Judge Tanya S. Chutkan. The Court finds in the interest of justice (XT) that the time between 7/18/2022 and 8/19/2022 shall be excluded from the speedy trial calculation. Signed by Judge Tanya S. Chutkan on 7/15/2022. (Text entry; no document attached.)

[23](#)

08/11/2022

Joint MOTION to Continue Status Conference, Joint MOTION to Convert Hearing to a Plea Agreement Hearing, Joint MOTION to Exclude speedy trial by USA as to THOMAS UBERTO.

[1 Attachment](#) ▼

08/15/2022

JOINT STATUS REPORT by USA, THOMAS UBERTO as to THOMAS UBERTO. (See Docket Entry [23] to View Document) (zhshj)

08/16/2022

MINUTE ORDER: Defendant's [23] Joint Motion to Set Plea Hearing is GRANTED. The status hearing scheduled for 8/19/22 is VACATED. A plea hearing is hereby set for 9/2/2022, at 11:00am via video teleconference. The Court finds in the interest of justice (XT) that the time between 8/19/2022 and 9/2/2022, shall be excluded from the speedy trial calculation. SO ORDERED by Judge Tanya S. Chutkan on 08/16/2022. (Text entry; no document attached.)

08/16/2022

Set/Reset Hearings as to THOMAS UBERTO: Plea Agreement Hearing set for 9/2/2022 at 11:00 AM in Telephonic/VTC before Judge Tanya S. Chutkan. (Text entry; no document attached.)

09/02/2022

Minute Entry: Plea Agreement Hearing as to THOMAS UBERTO held on 9/2/2022 before Judge Tanya S. Chutkan: Plea of GUILTY entered by THOMAS UBERTO (1) as to Count 4. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to THOMAS UBERTO. Sentencing memoranda due by 12/5/2022. Sentencing set for

12/12/2022 at 10:00 AM in Courtroom 9- In Person before Judge Tanya S. Chutkan. Defendant remains on release. Court Reporter: Bryan Wayne; Defense Attorney: Richard Willstatter; US Attorney: Douglas Collyer. (Text entry; no document attached.)

[27](#)

09/02/2022

WAIVER of Trial by Jury as to THOMAS UBERTO. Signed by Judge Tanya S. Chutkan on 09/02/22.

[28](#)

09/02/2022

STATEMENT OF OFFENSE by USA and THOMAS UBERTO as to THOMAS UBERTO.

[29](#)

09/02/2022

PLEA AGREEMENT as to THOMAS UBERTO.

[30](#)

10/21/2022

Consent MOTION to Continue Sentencing by USA as to THOMAS UBERTO.

[1 Attachment](#) ▼

10/25/2022

Set/Reset Hearings as to THOMAS UBERTO: Sentencing REset for 12/16/2022 at 11:00 AM in Courtroom 9- In Person before Judge Tanya S. Chutkan. (Text entry; no document attached.)

[31](#)

10/21/2022

STATUS REPORT by USA as to THOMAS UBERTO. (See Docket Entry [30] to View Document). (zhsj)

10/24/2022

MINUTE ORDER as to THOMAS UBERTO (1): The [30] Consent Motion to Continue Sentencing is GRANTED. The sentencing hearing previously scheduled for December 12, 2022 shall be held on December 16, 2022 at 11:00 AM in person in Courtroom 9.e. SO ORDERED by Judge Tanya S. Chutkan on 10/24/22. (Text entry; no document attached.)

10/25/2022

Set/Reset Hearings as to THOMAS UBERTO: Sentencing REset for 12/16/2022 at 11:00 AM in Courtroom 9- In Person before Judge Tanya S. Chutkan. (Text entry; no document attached.)

[35](#)

11/25/2022

SENTENCING MEMORANDUM by THOMAS UBERTO

[36](#)

12/02/2022

SENTENCING MEMORANDUM by USA as to THOMAS UBERTO

[37](#)

12/05/2022

REPLY TO 36 Government's SENTENCING MEMORANDUM by THOMAS UBERTO Modified Text and Linkage on 12/5/2022 (zhsj).

12/13/2022

MINUTE ORDER: Defendants [40] Motion to Continue Sentencing Date is hereby GRANTED. The sentencing hearing scheduled for December 16, 2022 is CONTINUED until a date to be determined. By December 19, 2022, the parties shall confer and jointly propose a new date for the hearing. SO ORDERED by Judge Tanya S. Chutkan on 12/12/22. (Text entry; no document attached.)

12/13/2022

Set/Reset Deadlines as to THOMAS UBERTO: Joint propose a new date for the hearing due by 12/19/2022. (Text entry; no document attached.)

[40](#)

12/12/2022

MOTION to Continue sentencing proceedings by THOMAS UBERTO.

1 Attachment ▼

[41](#)

12/15/2022

Joint MOTION to Continue sentencing proceedings by THOMAS UBERTO.

12/23/2022

MINUTE ORDER as to THOMAS UBERTO. Upon consideration of the [41] Joint Motion to Continue Sentencing Proceedings, it is ORDERED that the [41] Motion is GRANTED to the extent that Sentencing in this matter is hereby CONTINUED to February 6, 2023, at 10:30 AM in Courtroom 9 (In Person) before Judge Tanya S. Chutkan. It is FURTHER ORDERED that Sentencing Memoranda from the parties are now due by 1/25/2023. Signed by Judge Tanya S. Chutkan on 12/23/2022. (Text entry; no document attached.)

12/23/2022

MINUTE ORDER as to THOMAS UBERTO. Upon consideration of the 41 Joint Motion to Continue Sentencing Proceedings, it is ORDERED that the 41 Motion is GRANTED to the extent that Sentencing in this matter is hereby CONTINUED to February 6, 2023, at 10:30 AM in Courtroom 9 (In Person) before Judge Tanya S. Chutkan. It is FURTHER ORDERED that Sentencing Memoranda from the parties are now due by 1/25/2023. Signed by Judge Tanya S. Chutkan on 12/23/2022. (Text entry; no document attached.)

[42](#)

01/30/2023

SENTENCING MEMORANDUM by THOMAS UBERTO

[43](#)

02/02/2023

NOTICE of filing of items incompatible with CM/ECF filing by USA as to THOMAS UBERTO

[44](#)

02/06/2023

JUDGMENT as to THOMAS UBERTO. Statement of Reasons Not Included. Signed by Judge Tanya S. Chutkan on 2/6/2023. (zhsj)

02/06/2023

Minute Entry for proceedings held before Judge Tanya S. Chutkan: Sentencing as to THOMAS UBERTO held on 2/6/2023. Count 4: Sentenced to Ten (10) Days Incarceration with no term of supervised release to follow. Defendant allowed to Self-Surrender when designated. Special Assessment of \$10.00. Restitution in the amount of \$500.00 was ordered. The Court strongly recommends that the Defendant serve his sentence at the USP Canaan Satellite Camp in Waymart, Pennsylvania and that he not be placed at the Metropolitan Detention Center (MDC) Brooklyn. Counts: 1, 2, 3, WERE DISMISSED ON ORAL MOTION BY THE GOVERNMENT. Bond Status of Defendant: Defendant Allowed to Self-Surrender when Designated; Court Reporter: Lisa Moreira; Defense Attorney: Richard D. Willstatter; US Attorney: Douglas Collyer; Probation Officer: Andre M. Wilson. (Text entry; no document attached.)

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02/06/2023

STATEMENT OF REASONS as to THOMAS UBERTO re 44 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 Tanya S. Chutkan on 2/6/2023. (zhsj) Modified filing date on 2/8/2023 (zhsj).

02/06/2023

Minute Entry for proceedings held before Judge Tanya S. Chutkan: Sentencing as to THOMAS UBERTO held on 2/6/2023. Count 4: Sentenced to Ten (10) Days Incarceration with no term of supervised release to follow. Defendant allowed to Self-Surrender when designated. Special Assessment of \$10.00. Restitution in the amount of \$500.00 was ordered. The Court strongly recommends that the Defendant serve his sentence at the USP Canaan Satellite Camp in Waymart, Pennsylvania and that he not be placed at the Metropolitan Detention Center (MDC) Brooklyn. Counts: 1, 2, 3, WERE DISMISSED ON ORAL MOTION BY THE GOVERNMENT. Bond Status of Defendant: Defendant Allowed to Self-Surrender when Designated; Court Reporter: Lisa Moreira; Defense Attorney: Richard D. Willstatter; US Attorney: Douglas Collyer; Probation Officer: Andre M. Wilson. (Text entry; no document attached.)