

#Date ↓ ↑ Description

5 10/27/2022 Arrest Warrant, dated 10/25/2022, Returned Executed on 10/27/2022 as to MACSEN RUTLEDGE.

10/27/2022 Arrest of MACSEN RUTLEDGE in Lansing, NY. (Text entry; no document attached.)

10/27/2022 Case unsealed as to MACSEN RUTLEDGE (Text entry; no document attached.)

10/27/2022 Redacted due to sealed restriction. Docket text can be viewed via the unredacted NEF receipt available here. (Requires CM/ECF login) (Text entry; no document attached.)

10/28/2022 MINUTE ORDER as to Defendant: It is hereby ORDERED that Defendant appear for an initial appearance on 11/03/2022 at 1:00 p.m. before Magistrate Judge Moxila A. Upadhyaya. The hearing will be conducted by video teleconference; call-in instructions will be provided to counsel prior to the hearing. Counsel for the United States is directed to ensure that counsel for Defendant has received this Order and will provide the information to Defendant. If Defendant does not have counsel, counsel for the United States is directed to contact the Office of the Federal Public Defender for the District of Columbia and provide their office with the information contained in this Order. If the parties have questions about this Order or the scheduled hearing, please contact the Courtroom Deputy at 202-354-3173. SO ORDERED. Signed by Magistrate Judge Moxila A. Upadhyaya on 10/28/2022. (zcll) (Text entry; no document attached.)

6 10/28/2022 Rule 5(c)(3) Documents Received as to MACSEN RUTLEDGE from Northern District of New York - Main Office (Syracuse) Case Number 5:22-mj-00651-ATB

11/03/2022 MINUTE ORDER: 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 Moxila A. Upadhyaya on 11/03/2022. (zcll) (Text entry; no document attached.)

11/03/2022 ORAL MOTION to Appoint Counsel by MACSEN RUTLEDGE. (zcll) (Text entry; no document attached.)

11/03/2022 ORAL MOTION for Speedy Trial by USA as to MACSEN RUTLEDGE. (zcll) (Text entry; no document attached.)

11/03/2022 Minute Entry for proceedings held before Magistrate Judge Moxila A. Upadhyaya: First Appearance in the District as to MACSEN RUTLEDGE held on 11/3/2022. Defendant present by video. The Court advised the Government of its due process obligation under Rule 5(f). Oral Motion to Appoint Counsel by MACSEN RUTLEDGE; heard and granted. Oral Motion by the Government for Speedy Trial as to MACSEN RUTLEDGE; heard and granted. Speedy trial is excluded from 11/03/2022 to 01/17/2023 in the Interest of Justice (XT). Defendant waives the right to a preliminary hearing. Status hearing set for 1/17/2022 at 1:00 PM by Telephonic/VTC before Magistrate Judge Zia M. Faruqui. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: FTR GOLD; FTR Time Frame: CTRM 5 [1:49:43 - 2:10:26]; Defense Attorney: Heather Shaner; US Attorney: Fred Yette for Douglas Collyer; Pretrial Officer: Christine Shuck. (zcll) (Text entry; no document attached.)

11/03/2022 NOTICE OF ERROR as to MACSEN RUTLEDGE regarding [8] Notice of Attorney Appearance - Defendant. The following error(s) need correction: Incorrect document or case. Please refile. (Text entry; no document attached.)

8 11/03/2022 NOTICE OF ATTORNEY APPEARANCE: H. Heather Shaner appearing for MACSEN RUTLEDGE (Shaner, H.)

9 11/04/2022 NOTICE OF ATTORNEY APPEARANCE: H. Heather Shaner appearing for MACSEN RUTLEDGE (Shaner, H.)

10 11/03/2022 ORDER Setting Conditions of Release as to MACSEN RUTLEDGE (1) Personal Recognizance Bond. Signed by Magistrate Judge Moxila A. Upadhyaya on 11/3/2022.

1 Attachment ▼

11 11/23/2022 Unopposed MOTION for Protective Order with respect to discovery by USA as to MACSEN RUTLEDGE.

12 11/23/2022 MOTION for Order to disclose 6(e) material by USA as to MACSEN RUTLEDGE.

13 11/27/2022 PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal as to MACSEN RUTLEDGE. Signed by Magistrate Judge Zia M. Faruqui on 11/27/2022.

11/28/2022 MINUTE ORDER (paperless) as to MACSEN RUTLEDGE, GRANTING the government's unopposed [12] Motion for an Order to Disclose Items Protected by Federal Rule of Criminal Procedure 6(e) and Sealed Materials and AUTHORIZING the government, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i) and the previously entered [13] Protective Order governing discovery in this case, to provide to defendant, and any co-defendants who

may later be joined, materials protected by Federal Rule of Criminal Procedure 6(e), insofar as such disclosure is necessary for the government to comply with its discovery and disclosure obligations. Signed by Chief Judge Beryl A. Howell on November 28, 2022. (lcbah1) (Text entry; no document attached.)

**15**01/12/2023Unopposed MOTION to Continue status conference, Unopposed MOTION to Exclude speedy trial by USA as to MACSEN RUTLEDGE.

**1 Attachment ▼**

**16**01/12/2023ORDER granting 15 Motion to Continue Status Hearing and to Exclude Time as to MACSEN RUTLEDGE (1). Status Hearing set for 2/14/2023 at 1:00 PM by Telephonic/VTC before Magistrate Judge Moxila A. Upadhyaya. Signed by Magistrate Judge Moxila A. Upadhyaya on 1/12/2023.

**17**01/12/2023STATUS REPORT by USA as to MACSEN RUTLEDGE. (See docket entry 15 to view document.) (zltp)

**19**02/09/2023Unopposed MOTION to Continue status conference, Unopposed MOTION to Exclude speedy trial by USA as to MACSEN RUTLEDGE.

**1 Attachment ▼**

**20**02/09/2023STATUS REPORT by USA as to MACSEN RUTLEDGE. (See docket entry 19 to view document.) (zltp)

**21**02/10/2023ORDER granting 19 Motion to Continue Status Hearing and to Exclude Time as to MACSEN RUTLEDGE (1). Status Hearing continued to 4/18/2023 at 1:00 PM by Telephonic/VTC before Magistrate Judge Moxila A. Upadhyaya. Signed by Magistrate Judge Robin M. Meriweather on 2/10/2023. (znjb)

**22**04/12/2023Unopposed MOTION to Continue Status Conference, Unopposed MOTION to Exclude speedy trial by USA as to MACSEN RUTLEDGE.

**1 Attachment ▼**

**23**04/12/2023STATUS REPORT by USA as to MACSEN RUTLEDGE. (See docket entry [22] to view document.) (zltp)

**24**04/13/2023ORDER granting 22 Motion to Continue Status Hearing and Exclude Time as to MACSEN RUTLEDGE (1). Status hearing continued to 6/20/2023 at 1:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey. Signed by Magistrate Judge Moxila A. Upadhyaya on 4/13/2023. (zcll)

05/05/2023Magistrate case closed for defendant MACSEN RUTLEDGE, pending deadlines, motions, and excludables. Merged Criminal Number 23-151 (CRC). (zstd) (Text entry; no document attached.)

## END OF MAGISTRATE CASE #22-mj-229// BEGINNING OF NEW CASE #23-cr-151 BELOW

#Date ⬆️⬆️ Description

**25**05/05/2023INFORMATION as to MACSEN RUTLEDGE (1) count(s) 1, 2, 3, 4. (zstd)

05/05/2023MINUTE ORDER: The hearing currently scheduled for 6/20/2023 before Magistrate Judge G. Michael Harvey is hereby VACATED, as MACSEN RUTLEDGE: has been charged by Information. As such, 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 and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge G. Michael Harvey on 5/5/2023. (znjb) (Text entry; no document attached.)

05/05/2023Terminate Deadlines and Hearings as to MACSEN RUTLEDGE: Status hearing continued to 6/20/2023 at 1:00 PM by Telephonic/VTC before Magistrate Judge G. Michael Harvey is hereby VACATED. (znjb) (Text entry; no document attached.)

05/09/2023MINUTE ORDER as to MACSEN RUTLEDGE: The parties are directed to appear for an Arraignment and Plea Agreement Hearing set for 5/18/2023 at 10:00 AM in Courtroom 27A (in person) before Judge Christopher R. Cooper. SO ORDERED by Judge Christopher R. Cooper on 5/9/2023. (Text entry; no document attached.)

**27**05/10/2023Consent MOTION to Convert Hearing from In Person to Remote by MACSEN RUTLEDGE. (Shaner, H.)

05/11/2023MINUTE ORDER as to MACSEN RUTLEDGE (1): The Court grants Defendant's [27] Motion to Convert in Person Hearing Scheduled for May 18th, 2023 to a Remote Hearing. The parties may appear by VTC for the Arraignment and Plea Hearing scheduled for May 18, 2023 at 10:00 AM. Video connection information will be provided to the parties separately. Signed by Judge Christopher R. Cooper on 5/11/2023. (lccrc1) (Text entry; no document attached.)

**29**05/13/2023MOTION to Vacate and Reschedule Plea Hearing by MACSEN RUTLEDGE. (Shaner, H.)

**30**05/13/2023MOTION to Reschedule by MACSEN RUTLEDGE. (See docket entry [29] to view document.) (zstd)

05/16/2023MINUTE ORDER as to MACSEN RUTLEDGE (1): The Court grants Defendant's [29] and [30] Motion to Vacate and Reschedule Change of Plea Hearing. The Arraignment and Plea Hearing scheduled for May 18, 2023 are hereby vacated and reset for May 22, 2023 at 11:00 AM via VTC before Judge Christopher R. Cooper. Video connection information will be provided to the parties separately. Signed by Judge Christopher R. Cooper on 5/16/2023. (lccrc1) (Text entry; no document attached.)

05/22/2023Minute Entry for Plea Agreement Hearing held before Judge Christopher R. Cooper as to MACSEN RUTLEDGE on 5/22/23. Defendant consents to proceed by video and sworn. Plea of Guilty entered by MACSEN RUTLEDGE on Count 4 of the Information. Case referred to the Probation Officer for presentence investigation. Sentencing set for 9/5/2023 at 2:00 PM in Courtroom 27A- In Person before Judge Christopher R. Cooper. Bond Status of Defendant: personal recognizance; US Attorney: Douglas Collyer; Defense Attorney: H. Heather Shaner; Court Reporter: Christine Asif. (Text entry; no document attached.)

[31](#)05/22/2023PLEA AGREEMENT as to MACSEN RUTLEDGE.

[32](#)05/22/2023STATEMENT OF OFFENSE by USA as to MACSEN RUTLEDGE.

[33](#)05/22/2023WAIVER of Trial by Jury as to MACSEN RUTLEDGE. Approved by Judge Christopher R. Cooper on 5/22/23.

06/09/2023NOTICE as to MACSEN RUTLEDGE: The Court will rule on Defendant's [34] Consent Motion to Convert the Sentencing Hearing to a Remote Hearing after reviewing the Presentence Investigation Report in this case. If the Court grants the motion, Defendant will need to file a signed waiver of his right to appear in person at the sentencing hearing. Signed by Judge Christopher R. Cooper on 6/9/2023. (lccrc1) (Text entry; no document attached.)

[34](#)06/08/2023Consent MOTION to Convert Hearing In Person Sentencing to Remote Hearing by MACSEN RUTLEDGE. (Shaner, H.)

08/16/2023MINUTE ORDER denying [34] Motion to Convert Hearing as to MACSEN RUTLEDGE (1). If the parties are unable to appear in person for the scheduled September 5, 2023, sentencing hearing, they are directed to contact the Courtroom Deputy to re-schedule the hearing for a date convenient for both parties. Signed by Judge Christopher R. Cooper on 8/16/2023. (lccrc1) (Text entry; no document attached.)

[38](#)08/18/2023Consent MOTION to Continue Sentencing to End of October or thereafter by MACSEN RUTLEDGE. (Shaner, H.)

08/25/2023MINUTE ORDER granting [38] Motion to Continue Sentencing Hearing as to MACSEN RUTLEDGE (1). The Sentencing Hearing set for September 5, 2023, is hereby continued to October 26, 2023, at 10:00 AM in Courtroom 27A (In Person) before Judge Christopher R. Cooper. Sentencing memoranda are due one week before the hearing. Signed by Judge Christopher R. Cooper on 8/25/2023. (lccrc1) (Text entry; no document attached.)

[39](#)10/16/2023SENTENCING MEMORANDUM by USA as to MACSEN RUTLEDGE

[42](#)10/19/2023SENTENCING MEMORANDUM by MACSEN RUTLEDGE

[9 Attachments ▼](#)

10/26/2023Minute Entry for Sentencing held before Judge Christopher R. Cooper on 10/26/2023 as to MACSEN RUTLEDGE. It is the judgment of the Court, as to Count 4 of the Information, the Defendant is hereby sentenced to a term of 24 months of probation. The Defendant is further ordered to pay a \$10 special assessment and \$500 in restitution. Government's oral motion dismiss the remaining counts (1-3) of the Information is GRANTED. Bond Status of Defendant: remains on personal recognizance; Court Reporter: Lisa Moreira; Defense Attorney: H. Heather Shaner; US Attorney: Douglas Collyer; Prob Officer: Darryl Hughes; Defense Witness: Lawrence Rutledge. (Text entry; no document attached.)

[44](#)10/26/2023JUDGMENT as to MACSEN RUTLEDGE. Statement of Reasons Not Included. Signed by Judge Christopher R. Cooper on 10/26/2023. (zstd)

[45](#)10/26/2023STATEMENT OF REASONS as to MACSEN RUTLEDGE 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 Christopher R. Cooper on 10/26/2023. (zstd)