

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,)
)
v.) Crim. No. 01-50-B-S
) Crim. No. 02-12-B-S
) Civil No. 03-86-B-S
JILL M. VEILLEUX,)
)
Defendant)

RECOMMENDED DECISION ON 28 U.S.C. § 2255 MOTION

Jill Veilleux is currently serving a seventy-six month prison term for federal convictions stemming from her involvement in an armed robbery of prescription drugs from her employer, an Augusta, Maine drugstore. Veilleux has filed a 28 U.S.C. § 2255 motion collaterally challenging her convictions. (Docket No. 45.)¹ On October 8, 2003, I held an evidentiary hearing on Veilleux’s claim that she and her family expressly instructed her attorney to file a notice of appeal but that he failed to do so. I conclude that there is no merit to this claim or the remainder of her § 2255 motion and I therefore recommend that the Court **DENY** Veilleux § 2255 relief.

Prosecution Version

The revised prosecution’s version of Veilleux’s offense (Docket No. 33) contains the following relevant facts. At the time of the robbery Veilleux was an employee of the CVS pharmacy and the live-in girlfriend/fiancé of Zachary Gagon. On Friday, February 9, 2001, the day of the robbery, Veilleux had punched out for lunch at 12:05 p.m. and had punched back in at approximately 1:07 p.m. At 1:30 p.m. that day a white male, not wearing a mask, entered the store, approached Veilleux and then the store’s pharmacist,

¹ All record citations are to the record in Crim. No. 01-50-B-S.

pulled a handgun part way out of his pants, and demanded all of the store's Oxycontin. The pharmacist handed over to the gunman 2,400 dosage units of Oxycontin in a variety of strengths and the gunman left the store. That afternoon the pharmacist identified a picture of the gunman, an individual who, according to police records, was Oscar Gagon (Zachary's brother). On the day of the robbery another employee of CVS pharmacy present during the robbery occurred picked Oscar Gagnon out of the photo spread as the person who had robbed the store.

In the evening of February 9, Jill Veilleux was driving her Dodge Durango with Zachary as a passenger; when she was stopped and the vehicle was seized as evidence of the robbery. In connection with this stop Veilleux was shown a photo line-up which included a picture of Oscar. She initially denied knowing anyone in the lineup. However, when confronted with the fact that two co-workers had identified one of the individuals, she identified Oscar as her fiancé's brother but at the same time indicated that Oscar had not committed the robbery.

On February 10, 2001, a search warrant was executed on the residence of Oscar and Zachary, where Veilleux was also residing. At this juncture, an agent spoke with Veilleux and she told the agent that Oscar was the person that robbed the store and that she had not previously made this identification because she was scared. A detective also spoke with Zachary who relayed that he knew where the gun had been thrown out of the vehicle and he agreed to direct the police to this spot. The gun was eventually found within a half mile of the spot identified by Zachary. This 9mm semi-automatic Ruger handgun was sold to Zachary by a cousin on February 4, 2001.

Also a product of the investigation was a statement prepared by Johanna Healey who had met Veilleux in Pennsylvania in February of 2001. Veilleux had explained to Healey that she had worked the day of the robbery and had gone to Zachary's for lunch. Later that day Zachary and Oscar went to the CVS and Zachary had remained in the vehicle while Oscar went into the CVS. Oscar had walked up to Veilleux and said that he had a gun and asked that he be given the Oxycontins. Jill told the pharmacist of the demand, the pharmacist approached Oscar, Oscar repeated his demand, and the pharmacist complied. Veilleux relayed to Healey her disbelief that Oscar had not worn a mask. She also indicated that when police asked her to identify the robber, Veilleux did not pick him out of the line-up.

During the investigation the pharmacist told a detective that the pharmacy had received a large order of Oxycontin on February 6, 2001, and that he had about three times the amount of the drug on hand than normal. The pharmacist indicated that Veilleux was fully aware of the order and its size because she handled the paperwork for class 2 drugs and logged them into the book.

During the investigation one detective interviewed a person named Ryan Burns who reported that Zachary had given him the details of the robbery after Burns had seen an article about the robbery the day after. Zachary told Burns that Oscar had robbed the pharmacy and that he had driven the truck with Oscar in it and that he had parked in a nearby lot. Oscar went into the pharmacy and was supposed to wear a mask but only zipped up his jacket, believing he did not need a mask, and entered the pharmacy, showed a gun, and asked for pills. Zachary told Burns that they had planned the incident for a

day when there would be the fewest employees and people in the store. He said that the stolen pills were in the cemetery.

On February 13, a Mason jar was recovered from an Augusta cemetery. The jar included nearly 1300 Oxycontin tablets of various strengths. The location of the jar was within sight of the Gagon residence.

Veilleux was indicted on four counts on September 25, 2001. (Crim No. 01-50-B-S.) Later, an information with a new count related to the robbery was also filed against her on February 12, 2002. (Crim No. 02-12-B-S.) There was a plea agreement involving both cases and a judgment entered May 16, 2002.

Discussion

There are essentially two grounds before the Court: Veilleux claims that her attorney disregarded a directive to file a notice of appeal and that he rendered ineffective assistance of counsel when he advised her to plead guilty to two firearm counts.²

Disregard of Directive to File a Notice of Appeal

In her reply to the United States' response to her § 2255 motion, Veilleux stated that she and her family "requested Defense Counsel to appeal following the pronouncement of the sentence." (Reply at 3.) "In this case," Veilleux stated, "Defense Counsel never said he would not file the notice of appeal; he just failed to file the notice. Even if he just plainly refused to file the notice of appeal, he was in error." Veilleux elaborated:

² As I indicated in my prior order, Veilleux in her 28 U.S.C. § 2255 motion alleged that the attorney who represented her had a conflict of interest stemming from his concurrent representation of her domineering boyfriend/codefendant, Zachary. The Court's docket clearly indicates that Gagnon had different counsel and Veilleux's counsel never appeared on his behalf. Nothing in Veilleux's reply to the United States' response suggests otherwise nor did she raise the issue during the evidentiary hearing.

Petitioner and Petitioner's family told retained counsel to appeal. [The United States Attorney] attempts to project what transpired during the exchange between Petitioner, Petitioner's family and retained counsel. However, [the United States Attorney] was not there. Retained counsel ... was there and he was obligated, whether he liked it or not, to follow his client's wishes. The decision to settle litigation belongs to the client, not the lawyer. Civil or criminal makes no difference. The client, in the case at bar, included Petitioner's parents who were paying [retained counsel]."

(Reply at 3, citation omitted; see also id. at 4.) Veilleux's § 2255 pleadings raised enough of a concern in my eyes under Roe v. Flores-Ortega, 528 U.S. 470 (2000) and Strickland v. Washington, 466 U.S. 668 (1984) that I held the evidentiary hearing.

However, the testimony given does not bear out Veilleux's claim that she or her family instructed her attorney to file an appeal. I propose the following findings of fact.

Jill Veilleux was in her early twenties at the time of the robbery. She had graduated fourth in her high school class and had three semesters of college. When faced with her prosecution, Veilleux's family retained her attorney and paid him \$20,000 for his defense work.

At Veilleux's sentencing the Court explained her right to appeal, indicated that the appeal right was limited, and informed her that the clerk would assist her to file the appeal:

The Court: All right. Ms. Veilleux I must advise you that you have a right to appeal this conviction and the sentence and if you wish to do so, to effectively exercise that right of appeal, you must cause to be filed with the clerk of this court within ten days of today[,] and not after that[,] a written notice of appeal. And if you fail to timely file that written notice of appeal, you will have given up your right to appeal the conviction and the sentence. Do you understand?

The Defendant: Yes, Your Honor.

The Court: If you cannot afford to file the appeal, that appeal will be filed without cost to you, and on your request, I will have the clerk of this court immediately prepare and file that notice of appeal on your behalf, and you can talk to your attorney about that. Do you understand that?

The Defendant: Yes, Your Honor.

(Sentencing Tr. at 84-85; see also Plea Tr. at 12, 28.)

Veilleux recalls that she told the Court that she understood about her right to appeal. However, Veilleux states that at some juncture after hearing the sentence, while she and her attorney were still in the courtroom, she indicated to her attorney “I want an appeal.” Her attorney only responded by asking her if she understood what the sentence was. They talked for a couple of minutes before Veilleux left the courtroom. Veilleux had a conversation with her father within the ten-day appeal period vis-à-vis which her father relayed that, when asked about the merits of an appeal, her attorney had said it would not do any good.

Veilleux did not talk to her attorney again until she got to the federal prison in West Virginia, about two months later. At this point she called him to tell him about her status and to get an update on an unrelated state prosecution of Veilleux. The subject of an appeal on her federal convictions did not come up at this point. Subsequently, in her work at the prison’s library, Veilleux did some research into relevant case law and identified a United States Supreme Court case she thought was relevant to her situation and Veilleux sent a letter to her attorney on this score. Her attorney replied in writing to the effect that such a claim could only be pursued in the guise of an ineffective assistance of counsel claim and that he could, therefore, not advise her on it, although he did give some indication that the case might be relevant to Veilleux’s convictions.

Veilleux testified that it was her understanding that her attorney would pursue an appeal so that she did not need to ask the clerk to do so. She also thought her father followed-up with her attorney shortly after her sentencing. She clarified that hers was not a situation in which she learned at some point in time that an appeal she thought was

pending was not pending; rather, she figured that it had never been pursued. Veilleux acknowledged that she never sent anything in writing to her attorney requesting that he file an appeal.

Veilleux's father, Guy Veilleux also testified on Veilleux's behalf at the § 2255 evidentiary hearing. He stated that he was in the courtroom when his daughter was sentenced on May 15, 2002. He did not recall speaking with his daughter about an appeal on the day of sentencing. He did have a phone conversation with his daughter the details of which he does not remember but he does remember that the subject of an appeal came up. On May 23, 2003, he called Veilleux's attorney office and asked about an appeal for his daughter. He was not sure whether he made this phone call before or after his conversation with his daughter and he was not clear as to whether his daughter requested that he ask the attorney to file an appeal. The attorney said that an appeal was not worthwhile. Guy Veilleux did not suggest any grounds for an appeal in this conversation. On cross examination he testified that he had not directly asked the attorney to file an appeal. Guy Veilleux did not recall any other contact with the attorney concerning the filing of an appeal.

The United States called Veilleux's attorney. He has practiced law for thirty-four years. Ninety-nine percent of his practice is criminal defense work, forty percent of that is in the federal court. He probably had between fifty to one-hundred cases pending at the time of his representation of Veilleux and was working twelve hour days, six days a week.

He stated that he had no discussion with Veilleux regarding the filing of the appeal, that Veilleux never initiated a discussion on this topic, and that she never directed

him to file an appeal. In fact he had no recollection as to whether or not he even spoke to Veilleux in the courtroom after the sentencing. After the ten-day appeal period had run they corresponded numerous times but not one of these communications mentioned an appeal. He testified that Veilleux's father never directed him to file an appeal on his daughter's behalf and that if either Guy or Jill Veilleux had directed him to file an appeal he would have.

In light of the Court's clear discussion of the right to appeal at the time of Veilleux's sentencing, and Veilleux's concession that she understood her appeal rights, this is not a case that raises a concern as to whether the defendant was adequately apprised of her right to appeal. See Roe, 528 U.S. at 479-80 (reflecting that in some cases a "sentencing court's instructions to a defendant about his appeal rights ... are so clear and informative as to substitute for counsel's duty to consult" and "counsel might then reasonably decide that he need not repeat that information"); compare United States v. Roderick, 2003 WL 21730117, *5 (D. Me. July 24, 2003).

Therefore, the only question for the Court in this § 2255 posture is whether Veilleux and/or her father actually instructed her attorney to file an appeal. The only support for this is Veilleux's assertion that while sitting in the courtroom directly after hearing her sentence she said to her lawyer, "I want an appeal." Veilleux's attorney never responded to this statement and they never had a conversation thereafter about taking an appeal, before or after the ten-day appeal period had run. They never had a discussion about possible grounds for an appeal. Veilleux's father testified that, while he had a timely discussion with the attorney about the viability of an appeal, he never actually instructed the lawyer, whose fees Veilleux's father was paying, to pursue one.

Indeed, given that there was a timely discussion between Veilleux's father and the attorney about the merits of an appeal prior to the expiration of the appeal period and that discussion did not result in a request on Veilleux's behalf that an appeal be pursued, the attorney could fairly interpret this as a clear indication that he was not to file a notice of appeal. Accordingly, I conclude that this claim has no merit.

Attorney's Advice to Plead Guilty to Firearm Conduct

Count 2 of the 2001 indictment against Veilleux alleged that she violated 18 U.S.C. § 2118(a),(c) in that she aided and abetted Oscar Gagnon in his efforts to take Oxycontin from the CVS Pharmacy and that the offense was committed by putting the on-call pharmacist in jeopardy of life by use of a dangerous weapon. Count 3 alleged that Veilleux aided and abetted Gagon who knowingly used, carried, or brandished a firearm in violation of 18 U.S.C. § 924(c)(1)(A). During the plea colloquy the Court stated that Count 2 charged Veilleux with aiding and abetting the armed robbery of a pharmacy and Count 3 charged her with aiding and abetting the use of a firearm during the commission of a federal crime of violence. (Pl. Tr. at 9.) Veilleux indicated that she understood the nature of the charges and the penalties she faced on the two counts. (Id. at 9-10.) She also affirmed that she understood the rights that she was giving up as a consequence of her plea. (Id. at 10-12.) Veilleux told the Court that she understood the prosecution's version as it relates to these two counts and that there was nothing in the version that was not true. (Id. at 14.)

Veilleux thinks that these counts were overkill and an attempt on the part of the United States to obtain a lengthy sentence. With respect to counsel's performance, Veilleux said he ill-advised her to plead to these two counts as a consequence of his

“contemptible” lack of familiarity with federal law. Her second delineated § 2255 claim is in essence an encore of this claim. Veilleux argues in this claim that the due process clause of the Fifth Amendment does not tolerate convictions for conduct that is not criminal and the firearm alleged to have been used in the robbery could not have been related to Veilleux. If it was not for her attorney’s deficient performance she would not now stand convicted of crimes she did not commit. Veilleux states that she has never claimed and is not now claiming total innocence; she does contend that her attorney had her plead guilty to these two counts even though she was innocent of the charged conduct. (Reply at 4.)

As best as I can tell from Veilleux’s written submissions and her testimony at the evidentiary hearing, the case that she has identified as an avenue to challenge her convictions on these counts is Bailey v. United States, 516 U.S. 137 (1995). In that case the Court interpreted 18 U.S.C. § 924(c)(1) which provides for higher sentences for “any person who, during and in relation to any crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime that provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) ... uses or carries a firearm.” 18 U.S.C. § 924(c)(1)(A). Veilleux plead guilty to subsection (ii) which provides that if the firearm is brandished the defendant will be sentenced to a term of imprisonment of not less than seven years. Id. at § 924(c)(1)(A)(ii). In Bailey the Court held “that § 924(c)(1) requires evidence sufficient to show an active employment of the firearm by the defendant, a use that makes the firearm an operative factor in relation to the predicate offense.” 516 U.S. at 143.

With respect to both firearm counts,³ Veilleux was charged under 18 U.S.C. § 2, subsection (a) of which provides: “Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.”

It may be that Veilleux believes that under Bailey she could only be guilty of the firearm counts if she herself acquired the gun, held the gun, or grabbed hold of the arm of Oscar while he had the gun. This is a theory of post-Bailey § 924(c)(1) aiding and abetting that the Seventh Circuit soundly rejected in Wright v. United States, 139 F.3d 551, 552 (7th Cir.1998) (rejecting United States v. Foreman, 914 F.Supp. 385 (C.D.Cal.1996)). Wright expressly held “that Bailey did not limit the aiding and abetting theory of criminal liability under § 924(c).” Id. (collecting cases in support of its position from four other Circuits); accord Haugh v. Booker, 210 F.3d 1147, 1151 (10th Cir. 2000); see also Barrett v. United States, 120 F.3d 900, 900 -01 (8th Cir. 1997)

³ This statute reads, as applicable to Veilleux:
(a)Whoever takes or attempts to take from the person or presence of another by force or violence or by intimidation any material or compound containing any quantity of a controlled substance belonging to or in the care, custody, control, or possession of a person registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act (21 U.S.C. 822) shall, except as provided in subsection (c), be fined under this title or imprisoned not more than twenty years, or both, if (1) the replacement cost of the material or compound to the registrant was not less than \$500, (2) the person who engaged in such taking or attempted such taking traveled in interstate or foreign commerce or used any facility in interstate or foreign commerce to facilitate such taking or attempt, or (3) another person was killed or suffered significant bodily injury as a result of such taking or attempt.
...
(c)(1) Whoever in committing any offense under subsection (a) or (b) assaults any person, or puts in jeopardy the life of any person, by the use of a dangerous weapon or device shall be fined under this title and imprisoned for not more than twenty-five years.
18 U.S.C. § 2118(a),(c). I could not locate any precedent applying Bailey to this statute. I can perceive of no avenue of attacking Veilleux’s aiding and abetting liability under this statute that could lead to a more favorable determination for Veilleux than my analysis of her jeopardy for aiding and abetting Oscar’s § 924(c)(1) firearm use.

(concluding that aiding and § 924(c)(1) abetting liability survived Bailey, in the context of a challenge to a guilty plea).

The law of accomplice liability informing the plea decision on the firearm counts would require the United States to prove (a) that Oscar, the principal, committed the substantive firearm offenses, and (2) that Veilleux, as accomplice, “became associated with the endeavor and took part in it, intending to ensure its success.” United States v. Spinney, 65 F.3d 231, 234 -35 (1st Cir. 1995). Veilleux does not contend that Oscar did not commit the Count 2 and 3 offenses. Accordingly, the United States would only need to prove her “constructive knowledge” of the use of the firearm to obtain her conviction. Id. at 237.

Veilleux has at no time stated that she had no knowledge that Oscar would use a gun in carrying out the robbery or that she was entirely ignorant of Zachary’s efforts to obtain a gun in the days preceding the robbery. Indeed, it is hard to imagine how the trio could have had any hope that they would ultimately succeed with their plan without a credible threat of deadly force. On this score, the First Circuit reflected in Spinney:

In this case, the scheme called for a lone robber to enter a bank during business hours with the intent of looting it. One would expect tellers, guards, customers, and other persons unsympathetic to an unauthorized withdrawal of funds to be on the premises. Under those circumstances, not even the most sanguine criminal would expect clear sailing without some menace in the wind. In short, the circumstances gave rise to constructive knowledge beforehand that the intruder would need a gun or some other dangerous device to accomplish the felons' agreed goal.

Id. at 237.⁴ Furthermore, Veilleux admits that when Oscar arrived at the pharmacy he showed her the gun and that she then directed him to the pharmacist.

⁴ The Ninth Circuit concluded in the unpublished decision United States v. Cyprian that the guilty-plea defendant’s admission that she drove two co-conspirators to a bank, waited in the car for the completion of the armed robbery, and drove the getaway car while “aware” that one of the co-conspirators

Given the nature of accomplice liability and the picture of Veilleux's admitted participation in the conspiracy, the advice to plead is within the range of reasonable advocacy. The Second Circuit has explained:

Counsel's conclusion as to how best to advise a client in order to avoid, on the one hand, failing to give advice and, on the other, coercing a plea enjoys a wide range of reasonableness because "[r]epresentation is an art," Strickland [v. Washington], 466 U.S. [668,] 693[(1984)], and "[t]here are countless ways to provide effective assistance in any given case," id. at 689. Counsel rendering advice in this critical area may take into account, among other factors, the defendant's chances of prevailing at trial, the likely disparity in sentencing after a full trial as compared to a guilty plea (whether or not accompanied by an agreement with the government), whether the defendant has maintained his innocence, and the defendant's comprehension of the various factors that will inform his plea decision.

Purdy v. United States, 208 F.3d 41, 45 (2d Cir. 2000). Under the circumstances, in view of Veilleux's intimate involvement with planning the robbery, her key role as a pharmacy employee, and her on-the-spot referral of the armed Oscar to the pharmacist, it simply cannot be said that advising Veilleux to plead guilty on these two counts demonstrates a "contemptible" lack of familiarity with federal law. What is more, the plea agreement worked-out provided for the dismissal of two counts in the 2001 indictment: Count 1 alleging violations of 21 U.S.C. §§ 2118(a),(c), 841(a)(1), 846, and 18 U.S.C. § 2 and Count 4, alleging 21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2. For these reasons, I conclude that Veilleux does not have a viable ineffective assistance of counsel claim.

Conclusion

I recommend that the Court accept the proposed findings of fact and, for the reasons stated above, recommend that the Court **DENY** Veilleux's 28 U.S.C. § 2255 motion.

was pointing a gun at a deputy was a direct facilitation of her co-conspirator's "use" of the firearms "because her actions left him free to 'actively employ' the gun by raising and pointing it at the deputy." 246 F.3d 676, 2000 WL 1844269 *2 (9th Cir. 2000).

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which *de novo* review by the district court is sought, together with a supporting memorandum, within ten (10) days of being served with a copy thereof. A responsive memorandum shall be filed within ten (10) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

October 21, 2003.

/s/ Margaret J. Kravchuk
U.S. Magistrate Judge

U.S. District Court
District of Maine (Bangor)
CRIMINAL DOCKET FOR CASE #: 1:01-cr-00050-GZS-1
Internal Use Only

Case title: USA v. VEILLEUX

Other court case number(s): None

Date Filed: 09/25/01

Magistrate judge case number(s): 1:01-mj-00051

Assigned to: Judge GEORGE Z.

SINGAL

Referred to:

Defendant(s)

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TERMINATED: 05/16/2002

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Pending Counts

18:2118A.F ROBBERY OF
CONTROLLED SUBSTANCE
(Armed Robbery of a Pharmacy in
violation of 18:2118(a), (c) and 2)
(2)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE
GUN (Use of a Firearm During the
Commission of a Federal Crime of
Violence in violation of
18:924(c)(1)(A)(ii) and 2)
(3)

Highest Offense Level (Opening)

Disposition

Imprisonment of 20 months on
Count 2 of CR01-50-B and 20
months on Count 1 of CR02-12-B,
to be served concurrently and 56
months on Count 3 of CR01-50-B,
to be served consecutively.
Supervised Release of 5 years on
Count 2 of CR01-50-B and 3 years
on each of Count 3 of CR01-50-B
and Count 1 of CR02-12-B, to be
served concurrently. Special
Assessment of \$300 and
Restitution of \$10,305.70.

Imprisonment of 20 months on
Count 2 of CR01-50-B and 20
months on Count 1 of CR02-12-B,
to be served concurrently and 56
months on Count 3 of CR01-50-B,
to be served consecutively.
Supervised Release of 5 years on
Count 2 of CR01-50-B and 3 years
on each of Count 3 of CR01-50-B
and Count 1 of CR02-12-B, to be
served concurrently. Special
Assessment of \$300 and
Restitution of \$10,305.70.

Felony

Terminated Counts

18:2118A.F ROBBERY OF
CONTROLLED SUBSTANCE
(Conspiracy to Commit Armed
Robbery of a Pharmacy re:
Oxycontin in violation of
18:2118(a)(c) and 841(a)(1) and
18:2; all in violation of 21:846)
(1)

21:841A=CD.F CONTROLLED
SUBSTANCE - SELL,
DISTRIBUTE, OR DISPENSE
(Possession of Oxycontin with
Intent to Distribute in violation of
21:841(a)(1), (b)(1)(C) and 18:2)
(4)

Disposition

Dismissed on Government's Oral
Motion

Dismissed on Government's Oral
Motion

**Highest Offense Level
(Terminated)**

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Felony

Complaints

Ct I - Conspiracy to Commit
Armed Robbery of a Pharmacy
(both dfts) Ct. II - Armed Robbery
of Pharmacy (both dfts); Ct. III -
Use of Firearm During
Commission of a Federal Crime of
Violence (both dfts) Ct. IV -
Possession of Controlled
Substance with Intent to Distribute
(both dfts) [1:01-m -51]

Disposition

Plaintiff

USA

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