

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)
)
v.) Docket No. 08-cr-54-P-S
)
RICHARD SZPYT, et al.)

ORDER ON DEFENDANTS’ PENDING MOTIONS

In its October 31, 2008 Order (Docket # 495), the Court reserved ruling on Defendants’ multiple requests to sever Count Eight of the original indictment in this case, made via Defendant Szpyt’s Motion to Sever (Docket # 361), Defendant Weston’s Motion to Sever (Docket # 347), Defendant Guarino’s Motion to Sever (Docket # 370), and Defendant Moore’s Motion to Sever (Docket # 353). The Government had previously indicated, both orally and in writing, that it was prepared to sever Count Eight once Defendant Szpyt filed an appropriate speedy trial waiver.

Defendant Szpyt has now filed his speedy trial waiver (Docket # 549), and the Court has filed its Speedy Trial Order with respect to Count Seven of the Superseding Indictment (Docket # 550).¹ Thus, the Court GRANTS IN PART WITHOUT OBJECTION Defendant Szpyt’s Motion to Sever (Docket # 361), Defendant Weston’s Motion to Sever (Docket # 347), Defendant Guarino’s Motion to Sever (Docket # 370), and Defendant Moore’s Motion to Sever (Docket # 353). Pursuant to this ruling, the Court SEVERs the trial of Defendant Szpyt on Count Seven of the Superseding Indictment, and ORDERS that this trial commence after the trial of the other counts in this case.

SO ORDERED.

/s/ George Z. Singal
Chief U.S. District Judge

Dated this 24th day of November, 2008.

¹ As previously explained, Defendants’ requests to sever Count Eight of the original indictment now pertain to Count Seven of the Superseding Indictment. (See Order on Defendants’ Pending Motions (Docket # 495) at 2 n.1.)

Defendant (1)

RICHARD W SZPYT

also known as

ZIP

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

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TERMINATED: 10/31/2008

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TERMINATED: 10/31/2008

PRO HAC VICE

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Felon in possession of a firearm, 18:922(g)(1) (7s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (18s-19s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (32s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (39s-40s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Felon in possession of a firearm, 18:922(g)(1), 924(a)(2), and 2 (8)

Using a communications facility or device in committing or facilitating the commission of a drug felony,

Disposition

Disposition

21:843(b)
(19-20)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(34)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(44-45)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (2)

ROBERT L SANBORN

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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and
18:2
(1s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1-2)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (3)

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Distribute and possess with intent to

Disposition

distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (2s)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (6s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (10s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (15s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (17s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (22s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (3)

Distribute and possess with intent to

Disposition

distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (7)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (11)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (16)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (18)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (23)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (4)

MICHAEL BALOT
TERMINATED: 10/31/2008

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ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1-2)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (30)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (36-37)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (43)

Disposition

Dismissed Upon Motion by the Government

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Disposition

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (5)

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (14s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (25s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (15)

Disposition

Disposition

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(26)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (6)

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TERMINATED: 03/31/2008
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ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(20s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(23s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(27s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(29s)

Using a communications facility or

Disposition

device in committing or facilitating the commission of a drug felony,
21:843(b)
(35s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(21)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(24)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(28)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(31)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(39)

Highest Offense Level (Terminated)

Felony

Disposition

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (7)

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Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (8)

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Pending Counts

Conspiracy to possess with intent to
distribute cocaine and marijuana and
aiding and abetting the commission of
those crimes, 21:846,21:841(a)(1)and
18:2
(1s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to
distribute cocaine and aiding and
abetting the commission of those
crimes, 21:846,21:841(a)(1)and 18:2
(1)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (9)

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also known as
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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to
distribute cocaine and marijuana and
aiding and abetting the commission of
those crimes, 21:846,21:841(a)(1)and
18:2
(1s)

Disposition

Highest Offense Level (Opening)

Felony

Disposition

Terminated Counts

Conspiracy to possess with intent to
distribute cocaine and aiding and
abetting the commission of those
crimes, 21:846,21:841(a)(1)and 18:2
(1)

Highest Offense Level (Terminated)

Felony

Disposition

Complaints

None

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (10)

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(21s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(24s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(34s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2

Disposition

Disposition

(1)

Using a communications facility or device in committing or facilitating the commission of a drug felony,

21:843(b)

(22)

Using a communications facility or device in committing or facilitating the commission of a drug felony,

21:843(b)

(25)

Using a communications facility or device in committing or facilitating the commission of a drug felony,

21:843(b)

(38)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (11)

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Pending Counts

Disposition

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (12)

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Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Distribute and possess with intent to

Disposition

distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (3s)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (33s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (4)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (35)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (13)

ZACHARY DEVEAU

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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2
(5s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(36s-38s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2
(6)

Using a communications facility or device in committing or facilitating the commission of a drug felony,

Disposition

Disposition

21:843(b)
(40-42)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (14)

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Designation: Retained

Pending Counts

Conspiracy to possess with intent to
distribute cocaine and marijuana and
aiding and abetting the commission of
those crimes, 21:846,21:841(a)(1)and
18:2
(1s)

Using a communications facility or
device in committing or facilitating the
commission of a drug felony,
21:843(b)
(13s)

Using a communications facility or
device in committing or facilitating the
commission of a drug felony,
21:843(b)
(16s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2(1)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b)
(14)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b)
(17)

Highest Offense Level (Terminated)

Felony

Complaints

Disposition

None

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (15)

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also known as
BUTCHY

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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Disposition

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (16)

BRUCE HILL

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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(11s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(12)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Disposition

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (17)

MICHAEL GOCHIE

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Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2
(4s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(26s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(28s)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(31s)

Highest Offense Level (Opening)

Disposition

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2 (5)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (27)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (29)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (33)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (18)

MICHAEL A MARTIN

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Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1s)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2
(12s)

Distribute and possess with intent to distribute cocaine and aiding and abetting, 21:841(a)(1)and 18:2
(30s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2
(1)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(13)

Using a communications facility or device in committing or facilitating the commission of a drug felony,
21:843(b)
(32)

Disposition

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z.
SINGAL

Defendant (19)

CYNTHIA A MOORE

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ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Conspiracy to possess with intent to
distribute cocaine and marijuana and
aiding and abetting the commission of
those crimes, 21:846,21:841(a)(1)and
18:2
(1s)

Using a communications facility or
device in committing or facilitating the
commission of a drug felony,
21:843(b)
(8s-9s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

Conspiracy to possess with intent to

Disposition

distribute cocaine and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Using a communications facility or device in committing or facilitating the commission of a drug felony, 21:843(b) (9-10)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: JUDGE GEORGE Z. SINGAL

Defendant (20)

RAMON DELLOSANTOS

also known as

RAMON DELOSANTOS

also known as

RAMON DELASSANTOS

also known as

RAMON SANTOS

also known as

MONSTRITO

Pending Counts

Disposition

Conspiracy to possess with intent to distribute cocaine and marijuana and aiding and abetting the commission of those crimes, 21:846,21:841(a)(1)and 18:2 (1)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

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