

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,	)	
	)	
v.	)	
	)	
JAMES R. DUHAMEL,	)	Docket no. 2:11-cr-143-GZS
	)	
Defendant.	)	
	)	

**ORDER REGARDING BAIL**

On December 15, 2011, the Court issued the Order to Show Cause regarding the remaining cash bail, totaling \$23,500.00, in this matter. The Court received responses from Defendant as well as two responses from the Government, one on behalf of the United States Attorney and another on behalf of the Internal Revenue Service. Having reviewed all of these responses, the Court finds no good cause to not comply with the Notice of Levy (Docket # 16). While the Court understands that there is significant evidence suggesting that the remaining bail money is the personal property of Teresa Duhamel and should not be subject to levy, the Court apparently lacks jurisdiction to determine that the bail money is exempt from levy. Rather, Mrs. Duhamel and/or Attorney Hallett may only challenge the tax levy via the procedures that are referenced in the IRS' Response to the Order to Show Cause (Docket # 30).

Therefore, the Court hereby ORDERS that, following the expiration of any applicable appeal period, the Clerk shall disburse any remaining cash bail for the Defendant to the United States Treasury pursuant to the procedures provided in the Notice of Levy (Docket # 16).

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 9th day of January, 2012.

**Defendant (1)**

**JAMES R DUHAMEL**  
*TERMINATED: 12/15/2011*

represented by **THOMAS F. HALLETT**  
THE HALLETT LAW FIRM  
75 MARKET STREET  
SUITE 505  
PO BOX 7508  
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thallett@thehallettlawfirm.com  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

Theft or Embezzlement from  
Employee Benefit Plan: 18 U.S.C.  
664  
(1)

**Disposition**

One Year Probation, \$100 Special  
Assessment, Restitution in the  
amount of \$14,000 ordered.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition**

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**Plaintiff**

**USA**

represented by **HALSEY B. FRANK**  
U.S. ATTORNEY'S OFFICE  
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PORTLAND, ME 04101

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*ATTORNEY TO BE NOTICED*

**KAREN E. WOZNIAK**

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