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U.S. District Court Northern District of Georgia (Atlanta) CRIMINAL DOCKET FOR CASE #: 1:07-cr-00108-ODE-GGB-1

Case title: USA v. Jackson

Date Filed: 04/13/2007

Assigned to: Judge Orinda D. Evans Referred to: Magistrate Judge Gerrilyn G. Brill

Defendant (1)

Sherry Peel Jackson

represented by Sherry Peel Jackson

1560 Fieldgreen Overlook Stone Mountain, GA 30088 PRO SE

Jeffrey A. Dickstein

Jeffrey A. Dickstein, Attorney at Law Suite C-208 500 W. Bradley Road Fox Point, WI 53217 414-446-4264 Email: jdlaw@wi.rr.com LEAD ATTORNEY PRO HAC VICE ATTORNEY TO BE NOTICED

Lowell H. Becraft, Jr.

Law Office of Lowell H. Becraft, Jr. 209 Lincoln Street Huntsville, AL 35801 256-533-2535 Email: becraft@hiwaay.net LEAD ATTORNEY ATTORNEY TO BE NOTICED Designation: Retained

Warren Carl Lietz, III

Kish & Lietz, P.C. 1700 South Tower 225 Peachtree Street, NE Atlanta, GA 30303 404-588-3991 Fax: 404-588-3995 Email: carl@law-kl.com *LEAD ATTORNEY*

ATTORNEY TO BE NOTICED Designation: Retained

Pending Counts

26:7203 WILLFUL FAILURE TO FILE RETURN, SUPPLY INFORMATION (1-4)

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

None

<u>Plaintiff</u>

USA

Disposition

Disposition

Disposition

represented by Joseph M. Giannullo

U.S. Department of Justice Office of the Assistant Attorney General P.O. Box 14198 Tax Division Washington, DC 20044 202-514-5194 *LEAD ATTORNEY ATTORNEY TO BE NOTICED*

Richard M. Langway

Office of United States Attorney 75 Spring Street, S.W. 600 United States Courthouse Atlanta, GA 30303 404-581-6000 Email: richard.langway@usdoj.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED

Date Filed	#	<u>clear</u>	Docket Text
04/13/2007	<u>1</u>		INFORMATION as to Sherry Peel Jackson (1) count(s) 1-4. (ryc) (Entered: 04/13/2007)

04/13/2007	2	Defendant Information Sheet as to Sherry Peel Jackson. (ryc) (Entered: 04/13/2007)	
04/13/2007	<u>3</u>	Request for Arraignment as to Sherry Peel Jackson. (ryc) (Entered: 04/13/2007)	
04/13/2007	<u>4</u>	Summons Issued as to Sherry Peel Jackson. Arraignment set for 4/26/2007 09:30 AM in Courtroom 2022 before Judge Russell G. Vineyard. (ryc) (Entered: 04/13/2007)	
04/26/2007		Attorney update in case as to Sherry Peel Jackson. Attorney Warren Carl Lietz, III for Sherry Peel Jackson added with Limited Appearance. (cdg) (Entered: 04/30/2007)	
04/26/2007		Case as to Sherry Peel Jackson Assigned to Judge Orinda D. Evans and Magistrate Judge Gerrilyn G. Brill. (cdg) (Entered: 04/30/2007)	
04/26/2007	<u>5</u>	Minute Entry for proceedings held before Judge Gerrilyn G. Brill : INITIAL APPEARANCE as to Sherry Peel Jackson. Estimated Trial Time-Short, Order Appointing Carl Leitz as counsel with limited appearance. Order giving defendant 10 days to employ counsel. ARRAIGNMENT HELD, PLEA of NOT GUILTY by Sherry Peel Jackson (1) Count 1-4, Case assigned to Judge Evans and Magistrate Br Bond Hearing, Non-Surety as to Sherry Peel Jackson. (Attachments: # 1 Plea (With Counsel)) (Tape #GGB 07-11 @ 6249.) (cdg) (Entered: 04/30/2007)	
04/26/2007	<u>6</u>	Appearance Bond Entered as to Sherry Peel Jackson in amount of \$25,000.00, (cdg) (Entered: 04/30/2007)	
04/26/2007	7	ORDER Setting Conditions of Release as to Sherry Peel Jackson. Signed by Judge Gerrilyn G. Brill on 4/26/2007. (cdg) (Entered: 04/30/2007)	
04/26/2007	<u>8</u>	ORDER Allowing defendant until 5/10/2007 at 2:00PM, to obtain counse of defendant's own choosing. Time is EXCLUDED from 4/26/2007 until counsel has appeared for defendant or until further order of the Court. Signed by Judge Gerrilyn G. Brill on 4/26/2007. (cdg) (Entered: 05/01/2007)	
04/30/2007	<u>9</u>	PRETRIAL SCHEDULING ORDER as to Sherry Peel Jackson. Pretrial Conference set for 5/11/2007, at 9:30 AM in Courtroom 1834 before Judge Gerrilyn G. Brill. Signed by Judge Gerrilyn G. Brill on 4/30/2007. (sjk) (Entered: 05/02/2007)	
05/04/2007	<u>10</u>	ORDER as to Sherry Peel Jackson granting defendant's oral unopposed motion to extend the pretrial motions deadline for a period of 30 days - defendant shall file any pretrial motions by 6/10/07. <u>8</u> Order is not impacted by this order and defendant shall comply with that order in all respects. The clerk is directed to exclude for Speedy Trial the time attributable to the granting of the motion. Signed by Judge Orinda D. Evans on 5/4/07. (fmm) (Entered: 05/07/2007)	
05/07/2007		NOTICE (by docket entry only) RESETTING the pretrial conference to 6/11/07, at 9:30 a.m. as to Sherry Peel Jackson. (se) (Entered: 05/07/2007)	
05/15/2007	11	NOTICE OF ATTORNEY APPEARANCE: Warren Carl Lietz, III appearing on behalf of Sherry Peel Jackson (Lietz, Warren) (Entered:	

		05/15/2007)		
06/08/2007	<u>12</u>	MOTION for Bill of Particulars by Sherry Peel Jackson. (Attachments: US Attorney Charges) (Lietz, Warren) (Entered: 06/08/2007)		
06/08/2007	<u>13</u>	MOTION to Dismiss Counts One-Four by Sherry Peel Jackson. (Lietz, Warren) (Entered: 06/08/2007)		
06/11/2007	<u>14</u>	MOTION to Dismiss for APA Violations by Sherry Peel Jackson. (Lietz, Warren) (Entered: 06/11/2007)		
06/11/2007	<u>15</u>	MOTION to Dismiss Information for Bad Faith Prosecution by Sherry Peel Jackson. (Attachments: # <u>1</u> Exhibit) (Lietz, Warren) (Entered: 06/11/2007)		
06/11/2007	<u>16</u>	Minute Entry for proceedings held before Judge Gerrilyn G. Brill : Pre Conference as to Sherry Peel Jackson. Parties directed to report back to court re: the 800 videos within two weeks. Defendant directed to file perfected motion to dismiss today. Gov't to respond in writing to all motions by 7/2/07; dft's reply due 7/16/07. (Tape #GGB 07-17 @ 1.) (ddm) (Entered: 06/13/2007)		
06/11/2007	<u>17</u>	APPLICATION for Admission Pro Hac Vice by Lowell H. Becraft, Jr for Sherry Peel Jackson. Filing Fee received \$150.00, Receipt #565919. (fmm) (Entered: 06/18/2007)		
06/18/2007	<u>18</u>	ORDER Granting <u>17</u> Application for Admission Pro Hac Vice of Lowell H. Becraft, Jr. Signed by Judge Orinda D. Evans on 6/15/07. (fmm) (Entered: 06/18/2007)		
06/21/2007	<u>19</u>	Notice for Leave of Absence for the following date(s): July 23 - 27, 2007 by Richard M. Langway. (Langway, Richard) (Entered: 06/21/2007)		
06/26/2007	<u>20</u>	Unopposed MOTION to Permit Travel Outside the District by Sherry Pe Jackson. (Attachments: # <u>1</u> Text of Proposed Order) (Lietz, Warren) (Entered: 06/26/2007)		
06/27/2007	<u>21</u>	ORDER granting 20 Motion to travel outside the district as to Sherry Pe Jackson (1) between the dates of 7/7/07-7/12/07. Signed by Judge Gerri G. Brill on 6/27/07. (fmm) (Entered: 06/27/2007)		
07/02/2007	<u>22</u>	RESPONSE by USA as to Sherry Peel Jackson re: <u>12</u> MOTION for Bi Particulars (Langway, Richard) (Entered: 07/02/2007)		
07/02/2007	<u>23</u>	RESPONSE by USA as to Sherry Peel Jackson re: <u>15</u> MOTION to Dismiss Information for Bad Faith Prosecution (Attachments: # <u>1</u> Exhib A# <u>2</u> Exhibit B)(Langway, Richard) (Entered: 07/02/2007)		
07/02/2007	<u>24</u>	RESPONSE by USA as to Sherry Peel Jackson re: <u>14</u> MOTION to Dismiss for APA Violations (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B) (Langway, Richard) (Entered: 07/02/2007)		
07/16/2007	<u>25</u>	REPLY TO RESPONSE to Motion as to Sherry Peel Jackson re: <u>14</u> MOTION to Dismiss for APA Violations (Becraft, Lowell) (Entered: 07/16/2007)		
07/31/2007	<u>26</u>	Unopposed MOTION to Permit Travel Outside the District by Sherry Pee Jackson. (Attachments: # <u>1</u> Text of Proposed Order Order) (Lietz, Warren		

		Modified on 8/2/2007 to correct event type (fmm). (Entered: 07/31/2007)	
08/06/2007	<u>27</u>	ORDER granting 26 Motion to Travel outside Jurisdiction as to Sherry Peel Jackson (1). Signed by Judge Gerrilyn G. Brill on 8/6/07. (fmm) (Entered: 08/07/2007)	
09/12/2007	<u>28</u>	REPORT AND RECOMMENDATION as to Sherry Peel Jackson recommend denying <u>13</u> MOTION to Dismiss Counts One-Four, <u>12</u> MOTION for Bill of Particulars, <u>14</u> MOTION to Dismiss for APA Violations, <u>15</u> MOTION to Dismiss Information for Bad Faith Prosecuti Signed by Judge Gerrilyn G. Brill on 9/12/07. (Attachments: # <u>1</u> Order for Service) (fmm) (Entered: 09/12/2007)	
09/12/2007		ORDER CERTIFYING CASE READY FOR TRIAL as to Sherry Peel Jackson Signed by Judge Gerrilyn G. Brill on 9/12/07. (included w/in <u>28</u> R&R) (fmm) (Entered: 09/13/2007)	
09/13/2007	<u>29</u>	NOTICE SETTING TRIAL as to Sherry Peel Jackson, Jury Trial set for 10/29/2007 09:30 AM in Courtroom 1908 before Judge Orinda D. Evans. (vh) (Entered: 09/13/2007)	
09/21/2007	<u>30</u>	OBJECTIONS TO <u>28</u> REPORT AND RECOMMENDATION as to Sherry Peel Jackson (Becraft, Lowell) (Entered: 09/21/2007)	
10/11/2007		Submission of <u>13</u> MOTION to Dismiss Counts One-Four, <u>15</u> MOTION to Dismiss Information for Bad Faith Prosecution, <u>14</u> MOTION to Dismiss for APA Violations, <u>12</u> MOTION for Bill of Particulars, <u>28</u> REPORT AND RECOMMENDATION as to Sherry Peel Jackson, submitted to District Judge Orinda D. Evans. (fmm) (Entered: 10/11/2007)	
10/22/2007	<u>31</u>	TRIAL BRIEF as to Sherry Peel Jackson (Becraft, Lowell) (Entered: 10/22/2007)	
10/22/2007	<u>32</u>	Proposed Voir Dire Questions as to Sherry Peel Jackson (Becraft, Lowell) (Entered: 10/22/2007)	
10/22/2007	<u>33</u>	Proposed Jury Instructions as to Sherry Peel Jackson (Becraft, Lowell) (Entered: 10/22/2007)	
10/23/2007	<u>36</u>	ORDER adopting <u>28</u> Report and Recommendation as to Sherry Peel Jackson (1); denying <u>12</u> Motion for Bill of Particulars as to Sherry Peel Jackson (1); denying <u>13</u> Motion to Dismiss as to Sherry Peel Jackson (1); denying <u>14</u> Motion to Dismiss as to Sherry Peel Jackson (1); denying <u>15</u> Motion to Dismiss as to Sherry Peel Jackson (1). Signed by Judge Orinda D. Evans on 10/23/07. (clk) (Entered: 10/24/2007)	
10/24/2007	<u>34</u>	NOTICE of Appearance. Joseph M. Giannullo appearing as co-counsel for USA as to Sherry Peel Jackson filed by USA (Langway, Richard) (Entered: 10/24/2007)	
10/24/2007	<u>35</u>	NOTICE Corrected Notice of Appearance Adding Department of Justice Trial Attorney Joseph M. Giannullo as to Sherry Peel Jackson re <u>34</u> Notice (Other) filed by USA (Langway, Richard) (Entered: 10/24/2007)	
10/26/2007	<u>37</u>	Proposed Voir Dire Questions as to Sherry Peel Jackson by USA. (Langway, Richard) (Entered: 10/26/2007)	

10/26/2007	<u>38</u>	Requests to Charge as to Sherry Peel Jackson filed by USA (Langway, Richard) (Entered: 10/26/2007)	
10/26/2007	<u>39</u>	MOTION in Limine Regarding Anticipated Defense "Evidence" and Argument by USA as to Sherry Peel Jackson. (Langway, Richard) (Entered: 10/26/2007)	
10/29/2007	41	APPLICATION for Admission Pro Hac Vice of Jeffrey A. Dickstein as to Defendant Sherry Jackson. (clk) Modified on 12/18/2007 (fmm). (Entered: 10/30/2007)	
10/29/2007	<u>42</u>	Minute Entry for proceedings held before Judge Orinda D. Evans: Jury Trial as to Sherry Peel Jackson held on 10/29/2007, Jury Selection as to Sherry Peel Jackson held on 10/29/2007. Witnesses sworn & testified; exhibits admitted. (Court Reporter Andy Ashley.) (clk) (Entered: 10/31/2007)	
10/30/2007	<u>40</u>	OBJECTION to <u>37</u> Proposed Voir Dire Questions as to Sherry Peel Jackson <i>to Government's Requested Jury Instruction 10A as to Deliberate Ignorance</i> (Lietz, Warren) (Entered: 10/30/2007)	
10/30/2007	<u>43</u>	Minute Entry for proceedings held before Judge Orinda D. Evans: Jury Trial as to Sherry Peel Jackson concluded on 10/30/2007. (Court Reporter Andy Ashley.) (clk) (Entered: 11/02/2007)	
10/30/2007	44	Jury Notes as to Sherry Peel Jackson (clk) (Entered: 11/02/2007)	
10/30/2007	<u>45</u>	JURY VERDICT as to Sherry Peel Jackson (1) Guilty on Count 1-4. (clk) (Entered: 11/02/2007)	
11/01/2007		APPROVAL by Clerks Office re: 41 APPLICATION for Admission. Attorney Jeffrey A. Dickstein for Sherry Peel Jackson added. (cdg) (Entered: 11/01/2007)	
11/02/2007	<u>46</u>	Emergency MOTION for Extension of Time file post-trial motions by Sherry Peel Jackson. (Becraft, Lowell) (Entered: 11/02/2007)	
11/02/2007	<u>47</u>	NOTICE OF SENTENCING Set as to Sherry Peel Jackson Sentencing set for 1/10/2008 04:30 PM in Courtroom 1908 before Judge Orinda D. Evans. (vh) (Entered: 11/02/2007)	
11/06/2007	<u>48</u>	CORRECTED NOTICE OF SENTENCING Sett as to Sherry Peel Jackson Sentencing set for 1/10/2008 04:30 PM in Courtroom 1908 before Judge Orinda D. Evans. (vh) (Entered: 11/06/2007)	
11/06/2007	<u>49</u>	ORDER granting <u>46</u> Motion for Extension of Time thru 11/23/07 in which to file post-trial motions as to Sherry Peel Jackson (1). Signed by Judge Orinda D. Evans on 11/6/07. (clk) (Entered: 11/06/2007)	
11/22/2007	<u>50</u>	MOTION for Judgment of Acquittal with Brief In Support by Sherry Peel Jackson. (Attachments: # <u>1</u> Exhibit Clayton decision) (Becraft, Lowell) (Entered: 11/22/2007)	
11/22/2007	51	DOCUMENT FILING ERROR MOTION for New Trial with Brief In Support by Sherry Peel Jackson. (Attachments: # Exhibit A, # Exhibit B) (Becraft, Lowell) Modified on 11/26/2007 (bse). (Entered: 11/22/2007)	
11/22/2007	<u>52</u>	REDOCKETED #51 MOTION AS MOTION for New Trial, MOTION	

		for Evidentiary Hearing with Brief In Support by Sherry Peel Jackson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (bse) (Entered: 11/26/2007)	
11/30/2007	<u>53</u>	MOTION for Issuance of Rule 17c Subpoena by Sherry Peel Jackson. (Lietz, Warren) Modified on 12/3/2007 to correct event type (bse). (Entered: 11/30/2007)	
11/30/2007	<u>54</u>	TRANSCRIPT of Jury Trial Proceedings, Volume I, as to Sherry Peel Jackson held on October 29, 2007 before Judge Orinda D. Evans. Court Reporter: Andy Ashley. (fmm) (Entered: 12/03/2007)	
11/30/2007	<u>55</u>	TRANSCRIPT of Jury Trial Proceedings, Volume 2, as to Sherry Peel Jackson held on 10/30/07 before Judge Orinda D. Evans. Court Reporter: Andy Ashley. (fmm) (Entered: 12/03/2007)	
12/12/2007	<u>56</u>	RESPONSE by USA as to Sherry Peel Jackson re: <u>52</u> MOTION for New Trial MOTION for Hearing, 51 MOTION for New Trial (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E) (Langway, Richard) (Entered: 12/12/2007)	
12/12/2007	<u>57</u>	RESPONSE by USA as to Sherry Peel Jackson re: <u>50</u> MOTION for Judgment of Acquittal (Langway, Richard) (Entered: 12/12/2007)	
12/12/2007	<u>58</u>	OBJECTION to <u>53</u> MOTION for Issuance of Rule 17c Subpoena as to Sherry Peel Jackson filed by USA (Langway, Richard) (Entered: 12/12/2007)	
12/13/2007		Submission of <u>53</u> MOTION for Issuance of Rule 17c Subpoena, <u>50</u> MOTION for Judgment of Acquittal, <u>52</u> MOTION for New Trial MOTION for Hearing as to Sherry Peel Jackson, submitted to District Judge Orinda D. Evans. (clk) (Entered: 12/13/2007)	
12/13/2007	<u>59</u>	Unopposed MOTION to Continue Sentencing Hearing with Brief In Support by Sherry Peel Jackson. (Lietz, Warren) (Entered: 12/13/2007)	
12/17/2007	<u>60</u>	ORDER granting 41 Application for Admission Pro Hac Vice of Jeffrey A. Dickstein as to Sherry Peel Jackson (1). Signed by Judge Orinda D. Evans on 10/29/07. (fmm) (Entered: 12/17/2007)	
12/18/2007	<u>61</u>	ORDER granting <u>59</u> Motion for Continuance of sentencing hearing as to Sherry Peel Jackson (1). Sentencing continued until 2/14/2008 at 01:30 PM. Signed by Judge Orinda D. Evans on 12/18/07. (fmm) (Entered: 12/18/2007)	

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