

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Michael Lowry	:
Former Judge	:
Philadelphia Traffic Court	:
Philadelphia County	:
	6 JD 2015

**JOINT STIPULATIONS OF FACT IN LIEU OF TRIAL AND WAIVER OF  
TRIAL PURSUANT TO COURT OF JUDICIAL DISCIPLINE RULE OF  
PROCEDURE 502(D)(1)**

AND NOW, this 27th day of May, 2020, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (the Board), and former Judge Michael Lowry (Respondent), by and through their undersigned counsel, and file these Joint Stipulations of Fact in lieu of Trial and Waiver of Trial pursuant to C.J.D.R.P. No. 502(D)(1), as follows:

**JOINT STIPULATIONS OF FACT IN LIEU OF TRIAL**

1. Article V, §18 of the Constitution of the Commonwealth of Pennsylvania grants the Board authority to determine whether there is probable cause to file formal charges, and, when it concludes that probable cause exists, to file formal charges against a justice, judge, or justice of the peace for proscribed conduct and to present the case in support of such charges before the Court of Judicial Discipline.

2. From January 2008 until he was suspended without pay by the Supreme Court of Pennsylvania on February 1, 2013, Respondent served actively as a duly elected judge on the Philadelphia Traffic Court, First Judicial District, Philadelphia County, Pennsylvania.
3. As a duly elected Judge of the Philadelphia Traffic Court, Respondent is, and was at all times relevant hereto, subject to all the duties and responsibilities imposed on him by the Constitution of the Commonwealth of Pennsylvania and the Rules Governing Standards of Conduct of Magisterial District Judges adopted by the Supreme Court of Pennsylvania.
4. Respondent was initially suspended from his judicial duties without pay by Order of the Supreme Court of Pennsylvania issued February 1, 2013, and thereafter suspended with pay by Order of the Court of Judicial Discipline dated October 25, 2013.
5. Respondent's term as a Judge of the Philadelphia Traffic Court ended in January 2014.
6. Respondent was a subject of a federal grand jury investigation regarding the practice of giving favorable treatment in traffic court cases to certain defendants based upon *ex parte* requests, which practice became known as "consideration."

7. As a result of the federal investigation, on January 29, 2013, Respondent was indicted by the federal grand jury at *United States of America v. Sullivan, et al.*, Criminal No. 2:13-CR-000039, in the United States District Court for the Eastern District of Pennsylvania.
8. The indictment charged Respondent with one count of conspiracy to commit wire and mail fraud, 18 U.S.C. §1349; nine counts of wire fraud, 18 U.S.C. §1343; and one count of making a false declaration, 18 U.S.C. §1623.
9. Following a federal trial ending July 23, 2014, a jury found Respondent guilty of making a false declaration in violation of 18 U.S.C. §1623, which is a felony offense.
10. On January 14, 2015, United States District Judge Lawrence F. Stengel sentenced Respondent to 20 months of imprisonment followed by one year of supervised release with 100 hours of community service.
11. On February 3, 2015, Respondent filed a Notice of Appeal in the United States Court of Appeals for the Third Circuit at *United States of America v. Michael Lowry*, No. 15-1344.

12. By Opinion of Richard L. Nygaard, Circuit Judge, filed August 21, 2018, the United States Court of Appeals for the Third Circuit affirmed the judgment of the District Court.
13. On June 17, 2019, Respondent filed a Petition for Writ of Certiorari in the United States Supreme Court at *Michael Lowry et al. v. United States*, No.18-1581.
14. On December 9, 2019, the United States Supreme Court denied the Petition for Writ of Certiorari.
15. The parties stipulate to the authenticity and admissibility of all trial exhibits, attached to these Joint Stipulations of Fact in Lieu of Trial, as set forth below:

Trial Exhibits:

- A. A true and correct copy of the grand jury indictment at *United States of America v. Sullivan, et al.*, Criminal No. 2:13-CR-000039, in the United States District Court for the Eastern District of Pennsylvania.
- B. A true and correct copy of the docket for *United States of America v. Michael Lowry*, Criminal No. 2:13-CR-000039-002.

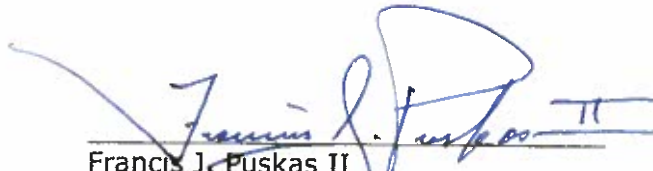
- C. A true and correct copy of the verdict slip for *United States of America v. Michael Lowry*, Criminal No. 2:13-CR-000039-002.
- D. A true and correct copy of the Judgment and Sentencing Order for *United States of America v. Michael Lowry*, Criminal No. 2:13-CR-000039-002.
- E. A true and correct copy of the docket for *United States of America v. Michael Lowry*, No. 15-1344.
- F. A true and correct copy of the Opinion of Richard L. Nygaard, Circuit Judge, filed August 21, 2018, at *United States of America v. Michael Lowry*, No. 15-1344, affirming the judgment of the District Court.
- G. A true and correct copy of the docket for *Michael Lowry et al. v. United States of America*, No. 18-1581.
- H. A true and correct copy of the order denying Respondent's Petition for Writ of Certiorari filed at *Michael Lowry et al. v. United States of America*, No. 18-1581.

**WAIVER OF RIGHT TO TRIAL**


By submitting these Stipulations of Fact in lieu of Trial, the Board and the Respondent agree they shall be bound by them and the Court of Judicial Discipline shall adopt them as the facts of the case upon which a decision shall be rendered. The Board and the Respondent expressly waive any right to trial under Article V, §18(b)(5) of the Pennsylvania Constitution and the Rules of the Court of Judicial Discipline as per C.J.D.R.P. No. 502(D)(1).

WHEREFORE, the parties, through their respective counsel, intending to be legally bound by this document, do hereby set their hand and seal.

DATE: 05/27/2020

  
Francis J. Puskas II  
Deputy Chief Counsel  
Pennsylvania Judicial Conduct Board

DATE: 5/22/20

  
Meredith A. Lowry, Esquire  
Klehr Harrison Harvey Branzburg LLP  
Counsel for the Respondent

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Michael Lowry  
Former Judge  
Philadelphia Traffic Court  
Philadelphia County

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**PROOF OF SERVICE**

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on May 27, 2020, a copy of the Joint Stipulation of Fact in Lieu of Trial and Waiver of Trial was provided via mail and email to Meredith A. Lowry, Esquire, counsel for Respondent, at the following address:

Meredith A. Lowry, Esquire  
Klehr Harrison Harvey Branzburg LLP  
1835 Market Street, Suite 1400  
Philadelphia, PA 19103  
mlowry@klehr.com

DATE: May 27, 2020

Respectfully submitted,

  
Francis J. Puskas II  
Deputy Chief Counsel  
Pa. Supreme Court ID No. 76540

Judicial Conduct Board  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 3500  
P.O. Box 62525  
Harrisburg, PA 17106  
(717) 234-7911

# **BOARD EXHIBIT**

## **A**

# **BOARD EXHIBIT**

## **A**



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 13-\_\_\_\_\_**  
v. : **DATE FILED: January 29, 2013**  
**MICHAEL J. SULLIVAN : VIOLATIONS:**  
**MICHAEL LOWRY : 18 U.S.C. § 1349 (conspiracy to commit wire**  
**ROBERT MULGREW : and mail fraud - 1 count)**  
**WILLIE SINGLETARY : 18 U.S.C. § 1343 (wire fraud - 49 counts)**  
**THOMASINE TYNES : 18 U.S.C. § 1341 (mail fraud - 18 counts)**  
**MARK A. BRUNO : 18 U.S.C. § 1623 (perjury - 4 counts)**  
**WILLIAM HIRD : 18 U.S.C. § 1001 (false statements to FBI - 5**  
**HENRY P. ALIANO : counts)**  
a/k/a "Ed" or "Eddie" :  
**ROBERT MOY : 18 U.S.C. § 2 (aiding and abetting)**  
:

**INDICTMENT**

**COUNT ONE**

**CONSPIRACY TO COMMIT WIRE AND MAIL FRAUD**

**THE GRAND JURY CHARGES THAT:**

At all times relevant to this Indictment:

1. The conspirators used the Philadelphia Traffic Court ("Traffic Court") to give preferential treatment to certain ticketholders, most commonly by "fixing" tickets for those with whom they were politically and socially connected. By doing so, the conspirators defrauded the Commonwealth of Pennsylvania and the City of Philadelphia of funds to which the Commonwealth and the City were entitled.

1 Background

2 The Traffic Court was part of the First Judicial District of Pennsylvania. Traffic Court was composed of judges elected by the populace of the City of Philadelphia, as well as Senior Judges, Senior Magisterial District Judges, and Magisterial District Judges assigned to it by the Administrative Office of Pennsylvania Courts of the Supreme Court of Pennsylvania.

3 Upon commission as a judge of Traffic Court, each judge took a constitutional oath of office and swore or affirmed to discharge the duties of his or her office with fidelity. Traffic Court judges were required to attend yearly judicial ethics training in Harrisburg, Pennsylvania provided by the Supreme Court of Pennsylvania, Administrative Office of Pennsylvania Courts, Minor Judiciary Education Board. This training included instructions (i) not to engage in *ex parte* communications with persons interested in a pending case; (ii) not to allow another judge to contact the judge assigned to a pending case to influence its disposition; (iii) to disqualify himself or herself if the judge's impartiality might reasonably be questioned because the judge has personal bias or prejudice concerning a party or personal knowledge of disputed facts, or knows the parties; (iv) to refrain from manifesting bias or prejudice in the performance of official duties; (v) to not lend the prestige of the court to advance the private interests of others or convey or permit others to convey the impression that such other persons are in a special position to influence the judge; (vi) to uphold the integrity and independence of the judiciary; (vii) to avoid impropriety and the appearance of impropriety; (viii) to perform the duties of office impartially; (ix) prohibiting voluntary appearances as a character witness; (x) to be free of personal bias when making decisions and to decide cases based on the proper

application of law; and (xi) to not allow family, social, or other relationships to influence the judge's judicial conduct or judgment.

4. The full-time, elected Traffic Court judges earned approximately \$85,000 each in annual salary.

5. The Traffic Court judges presided over and adjudicated moving violations, commonly referred to as traffic tickets or citations, occurring within Philadelphia, issued by the Philadelphia Police Department and the Pennsylvania State Police and other police entities. Traffic Court was responsible for the collection of fines and court costs resulting from guilty pleas and findings of guilt for violations of the Pennsylvania Motor Vehicle Code.

6. On a daily basis, ticket holders appeared before Traffic Court judges for their trials. It was not uncommon for a Traffic Court judge to preside over dozens of trials in one session. The trials involved an appearance by the ticketholder contesting his or her guilt and either an officer from the Philadelphia Police Department, a State Trooper, or another law enforcement officer who prosecuted the ticket. The trials were conducted in a courtroom open to the public. At the hearing, a ticketholder could present documents and advocate for leniency or a favorable disposition, all of which took place in open court.

7. Traffic Court judges had several options when disposing of citations, including finding the ticketholder guilty of a different offense, guilty, not guilty, not guilty in *absentia*, guilty in *absentia*, guilty with reduction in speed, and dismissal. In addition, the ticketholder could engage in a plea bargain with the police officer or state trooper or other law enforcement officer.

8. Guilty adjudications subjected a violator to statutorily determined fines and costs of court, as well as possible statutorily mandated "points" on a driving record. The Pennsylvania Department of Transportation (PennDOT) maintained a point system to help improve driving habits and to ensure safe driving in Pennsylvania. Upon a guilty adjudication of certain traffic offenses, such as improper passing, failing to yield or stop, exceeding maximum speed, and leaving the scene of an accident, PennDOT assigned "points" to the ticketholder's driving record. PennDOT also imposed sanctions, such as a license suspension, when a ticketholder accumulated a certain number of points on his or her driving record.

9. The moneys received from the fine portion of a guilty adjudication were equally divided between the City of Philadelphia and the Commonwealth of Pennsylvania. The moneys received from the costs portion of a guilty adjudication were distributed to the following funds of the City of Philadelphia: (1) City Cost (for the City of Philadelphia's general fund), (2) City Cost 2 and 3 (for the City of Philadelphia's general fund), and (3) Live Stop (for the Philadelphia Parking Authority as well as the First Judicial District's procurement department). Additionally, the moneys were distributed to the following funds of the Commonwealth of Pennsylvania: (1) EMS (Emergency Medical Services fund, which provided training and ensured adequate emergency medical services throughout Pennsylvania, as well as provided money to the catastrophic head injury fund); (2) MCARE (Medical Care Availability and Reduction of Error fund, which helped compensate people injured by medical negligence); (3) J.C.P. (Judicial Computer Project, which funded the enhancement of computer technology in Pennsylvania courts); and (4) A.T.J. (Access to Justice fund, which provided money for legal aid for low income people and victims of domestic violence in Pennsylvania). For guilty

adjudications of citations issued by the Pennsylvania State Police, the moneys received were distributed exclusively to the Commonwealth of Pennsylvania.

10 Upon an adjudication of not guilty or dismissal, the ticketholder did not pay any fines or costs.

11 Every adjudication was entered into a database maintained by the Traffic Court computer system. Thereafter, the ticketholder's file was electronically sent to XEROX (formerly ACS), an information technology contractor, located in Tarrytown, New York. Within several days of every adjudication of a ticket, XEROX (formerly ACS) forwarded the disposition file electronically to PennDOT in Harrisburg.

## II Overview of Traffic Court Citation Process from Issuance through Adjudication

12 When issued by an officer, all traffic citations listed a date and time for a summary trial, which was approximately eight weeks from the date of the issuance of the ticket. The ticket further informed the ticketholder that he or she may plead guilty or not guilty within ten days of receipt of the citation. A guilty plea meant that the summary trial date was cancelled, and the ticketholder would pay the applicable fines and costs, as well as be assessed any applicable points against his or her driver's record. If the ticketholder did not notify Traffic Court of his or her desire to plead guilty or to proceed to trial within ten days, Traffic Court mailed a Notice of Impending Suspension of Driving Privileges to the ticketholder.

13 If the ticketholder pled not guilty within ten days of receiving the citation, Traffic Court mailed the ticketholder a Notice of Trial, which included the scheduled trial date, time, and assigned courtroom, and informed the ticketholder that any request for continuance must be made in writing accompanied by supporting documentation.

14. Citations were randomly assigned by the Traffic Court computer system to be tried in various courtrooms. Traffic Court judges regularly rotated courtrooms. Each week, the administrative judge assigned the judges to specific courtrooms for, and limited to, the coming week. Traffic Court employees were able to access the Traffic Court computer system to determine which judges were presiding over specific cases for that particular week.

### III The Conspirators

15. Defendant MICHAEL J. SULLIVAN was elected a judge of Traffic Court in or about November 2005, and took the bench on or about January 5, 2006. On or about April 27, 2011, defendant SULLIVAN was appointed the administrative judge for Traffic Court by the Pennsylvania Supreme Court. SULLIVAN hired D.C. as his personal assistant, commonly referred to as a "personal," at Traffic Court. SULLIVAN was also the owner of The Fireside Tavern, a bar located at 2701 South Marshall Street, Philadelphia, Pennsylvania.

16. Defendant MICHAEL LOWRY was elected a judge of Traffic Court in or about November 2007, and took the bench on or about January 3, 2008. Defendant LOWRY hired K.O. as his personal assistant at Traffic Court.

17. Defendant ROBERT MULGREW was elected a judge of Traffic Court in or about November 2007, and took the bench on or about January 3, 2008. Defendant MULGREW hired G.M. as his personal assistant at Traffic Court.

18. Defendant WILLIE SINGLETARY was elected a judge of Traffic Court in or about November 2007, and took the bench on or about January 3, 2008. SINGLETARY hired T.H. as his personal assistant at Traffic Court. In or about December 2008, the Commonwealth of Pennsylvania Court of Judicial Discipline held that defendant WILLIE SINGLETARY's

conduct during his campaign for Traffic Court judge brought the judicial office into disrepute in violation of the Article V, § 18(d)(1) of the Pennsylvania Constitution and that he violated Rules Governing Standards of Conduct of Magisterial District Justices. Specifically, the Court of Judicial Discipline found that defendant SINGLETARY, during a meeting with a motorcycle club called the Philadelphia First State Road Rattlers solicited campaign donations and encouraged people to support him at the polls. The Court of Judicial Discipline further found that SINGLETARY's words and actions conveyed an impression that he would be partial to his supporters. Specifically, SINGLETARY said at the meeting:

You're all going to help me out? . . . There's going to be a basket going around because I'm running for Traffic Court Judge, right, and I need some money. I got some stuff that I got to do, but if you all can give me twenty (\$20) dollars you're going to need me in Traffic Court, am I right about that? . . . Now you all want me to get there, you're all going to need my hook-up, right?

The Court of Judicial Discipline concluded that SINGLETARY was promising that anyone who gave him money would get favorable consideration from him if he was elected judge. This conduct is the pure antithesis of the concept of 'judge.'" As a result of these violations, the Court of Judicial Discipline ultimately imposed upon SINGLETARY a sanction of 'public reprimand' followed by probation for a period of two years. The rulings of the Court of Judicial Discipline were available to the public and were widely reported by the media.

19. Defendant THOMASINE TYNES was a Traffic Court judge from 1989 until her retirement in 2012. She was the President Judge of Traffic Court, which was considered a ceremonial position, with no administrative powers, from 2005 to 2012.

20. Fortunato N. Perri, Sr., charged elsewhere, was appointed to fill a judicial vacancy on Traffic Court in 1997. From 2000 until 2002, Perri served as the administrative

judge Perri hired defendant WILLIAM HIRD in 1997 as his personal assistant at Traffic Court. Perri became a Senior Judge in 2007. As a Senior Judge, Perri was eligible to accept assignments on Traffic Court when requested. In 2001, as administrative judge, Perri approved defendant HENRY P. ALFANO's business, Century Motors, Inc., for a no-bid towing and storage contract regarding vehicles designated by Philadelphia law enforcement agencies. Through this contract, Century Motors, Inc. derived significant income from vehicle owners for the towing and storage of their vehicles.

21. H. Warren Hogeland, charged elsewhere, was a Senior Magisterial District Judge assigned to Traffic Court. Hogeland took the bench on or about January 2, 2006, after serving as a Magisterial District Judge in Bucks County, Pennsylvania. As Senior Magisterial District Judge, Hogeland was eligible to accept, and accepted, assignments at Traffic Court. Hogeland, as a Senior Magisterial District Judge, did not have a personal assistant. Hogeland worked regularly with Court Officer M. I.

22. Defendant MARK A. BRUNO was a Magisterial District Judge from Chester County, Pennsylvania, who occasionally presided over Traffic Court cases.

23. Kenneth Miller, charged elsewhere, was a Delaware County District Judge from January 1970 until January 2006. He was granted Senior Judge status and worked in Traffic Court for approximately one year, leaving in 2008.

24. Defendant WILLIAM HIRD was the Director of Records for Traffic Court. Defendant HIRD served as Judge Fortunato N. Perri, Sr.'s personal assistant at Traffic Court from approximately 1997 to 2001. In 2001, Perri recommended that HIRD be promoted to the position of Court Administrator and given the title of Director of Records, which resulted in a



salary increase of more than \$20,000 for HIRD. At the time of HIRD's resignation from Traffic Court in or about November 2011, he was earning an annual salary of approximately \$80,000. Prior to his employment at Traffic Court, HIRD operated a floor covering business. HIRD also owned the Cannonball Tavern, a bar located at 2268 Kennedy Street, Philadelphia, Pennsylvania.

25 Defendant HENRY P. ALFANO, a/k/a "Fid," or "Fiddie," owned an automobile salvage company called Century Motors, Inc., located at 3101 S. 61st Street, Philadelphia, Pennsylvania. In 2001, Century Motors, Inc. obtained a no-bid towing and storage contract from Traffic Court, while Fortunato N. Penn, Sr. was administrative judge regarding vehicles designated by Philadelphia law enforcement agencies to be towed and stored, at each owner's expense. Defendant ALFANO was the landlord for two gentlemen's clubs in Philadelphia: The Oasis Gentlemen's Club ("Oasis"), located at 6800 Essington Avenue, Philadelphia, Pennsylvania, and Christine's Cabaret ("Christine's"), located at 6130 Passyunk Avenue, Philadelphia, Pennsylvania. ALFANO had a business relationship with R.A., who owned and operated two towing companies. ALFANO also had a business relationship with another towing company called Gianna Salvage, Inc., located at 6800 Essington Avenue, Philadelphia, Pennsylvania, located near the Oasis.

26 Defendant ROBERT MOY operated "Number One Translations," located at 926 Winter Street, Suite 2, Philadelphia, Pennsylvania.

**The Conspiracy**

27 From in or about July 2008 to in or about September 2011, in  
Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendants

**MICHAEL J. SULLIVAN  
MICHAEL LOWRY  
ROBERT MULGREW  
WILLIE SINGLETARY  
THOMASINE TYNES  
MARK A. BRUNO  
WILLIAM HIRD  
HENRY P. ALFANO  
ROBERT MOY**

and H. Warren Hogeland, Kenneth Miller, and Fortunato N. Ferr, Sr., all charged elsewhere,  
conspired and agreed, together and with others known and unknown to the grand jury, to commit  
offenses against the United States, that is,

(a) to devise and intend to devise a scheme and artifice to defraud, and to  
obtain money and property by means of false and fraudulent pretenses, representations, and  
promises, and, for the purpose of executing the scheme and artifice and attempting to do so, place  
in a post office or authorized depository for mail matter, matter to be sent or delivered by the  
Postal Service, and take and receive mail matter, and knowingly cause to be delivered by mail  
according to the direction thereon, such mail matter, in violation of Title 18, United States Code,  
Section 1341 (Mail Fraud), and

(b) to devise and intend to devise a scheme and artifice to defraud, and to  
obtain money and property by means of false and fraudulent pretenses, representations, and  
promises, and, for the purpose of executing the scheme and artifice, transmit or cause to be

transmitted by means of wire communication in interstate commerce, writings, signs, signals, and sounds, in violation of Title 18, United States Code, Section 1343 (Wire Fraud).

**Manner and Means**

It was part of the conspiracy that:

28. Local politicians, including ward leaders, politically connected individuals, and others who, because of their influential positions in business, labor, or industry, or because of their social connections, asked Traffic Court judges or administrators for preferential treatment on citations issued to constituents, relatives, friends, and associates.

29. Defendants MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES and MARK A. BRUNO, as well as H. Warren Hogeland, Kenneth Miller and Fortunato N. Perri, Sr. contrary to rules of judicial ethics for which they received annual training, as well as defendant WILLIAM HIRD, furthered and accepted those requests for preferential treatment because of political support (past, present, and future), business, social, or other relationship with the ticketholder, or opportunity to obtain some form of personal benefit.

30. In order to provide the requested preferential treatment, defendants MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO and WILLIAM HIRD, as well as H. Warren Hogeland, Kenneth Miller, and Fortunato N. Perri, Sr. used their positions at Traffic Court to manipulate Traffic Court cases outside the judicial process, thereby achieving favorable outcomes on traffic citations for politically connected individuals, friends, family members, associates, and others with influential positions. This manipulation, or "ticket fixing," consisted

of (1) dismissing tickets outright; (2) finding the ticketholder not guilty after a 'show' hearing; (3) adjudicating the ticket in a manner to reduce fines and avoid the assignment of points to a driver's record; and (4) obtaining continuances of trial dates to "judge-shop," that is find a Traffic Court judge who would accede to a request for preferential treatment.

31. Defendants created and participated in an extra-judicial system, not sanctioned by the Pennsylvania court system, where they felt free to approach one another and exchange requests for preferential treatment or 'ticket-fixing' without being rebuked or criticized by fellow judges. Upon one rare exception to this common practice, defendant WILHE SINGLETARY chided another judge for ignoring his request and failing to give 'consideration' on a citation as SINGLETARY requested on behalf of SINGLETARY's family member who was driving without a license.

32. Traffic Court judges and the administrative staff who participated in the extrajudicial 'ticket-fixing' commonly referred to requests for preferential treatment as requests for "consideration." Traffic Court judges used their personal assistants and courtroom staff to communicate these "consideration" requests to other judges, as well as to receive "consideration" requests from other judges, court administrators, and staff. Personals and other Traffic Court employees, familiar with the "consideration" process, also made preferential treatment requests on behalf of their friends or family. In working outside the judicial process, "consideration" enabled judges to "fix" tickets for, and to provide benefits to well-connected individuals that were not available to the rest of the citizenry.

33. For years, even beyond the dates of the conspiracy charged, there existed a culture of "ticket fixing" at Traffic Court. Both judges and high level administrators at Traffic

Court perpetuated and furthered this culture of 'ticket fixing' through receiving, arranging, and honoring requests for "ticket-fixing." The "ticket fixing" was pervasive and frequent.

34 When Traffic Court judges engaged in "ticket fixing" they nevertheless reported the final adjudication to the various authorities, including PennDOT, as if there had been a fair and open review of the circumstances.

35 Traffic Court judges and staff kept this practice covert. Traffic Court judges and employees undertook steps to conceal the system of "consideration," by shredding papers, speaking to one another in code, and trusting only certain individuals and not others to carry out the scheme. This system was not discussed openly, and a well-understood conspiracy of silence fell over the system and its participants.

36 Because judges were assigned to preside over certain cases in a specific courtroom only several days before a hearing, if a judge was seeking preferential treatment for a specific citation, and that case was assigned to another judge, the judge communicated a "consideration" request through his or her personal or staff to the personal or staff of the judge hearing that citation.

37 Personals and courtroom staff regularly accessed the Traffic Court computer system to determine which judge was assigned to a particular trial in order to communicate the "consideration" request to that judge's personal or staff.

38 In acceding to requests for "consideration," defendants were depriving the City of Philadelphia and the Commonwealth of Pennsylvania of money which would have been properly due as fines and costs, as well as depriving the Commonwealth of property in the form

of the Commonwealth's ability to regulate safe drivers on its roadways through licensing suspensions and revocations.

39. Defendant HENRY P. ALFANO, a businessman in towing, scrap metal, and other businesses, used his clout with the Traffic Court to "fix" traffic citations issued to defendant ALFANO's friends, employees, and associates. To do so, ALFANO used his connection with Judge Fortunato N. Perri, Sr. ALFANO provided Perri with traffic citation numbers, the names of the offender on the citations, or the actual citations themselves. Perri was very responsive to ALFANO's requests for preferential treatment on Traffic Court matters. In one telephone conversation, after ALFANO mailed a citation to Perri, Perri said, "I see Century on it, it's gold."

40. Fortunato N. Perri, Sr., in turn, conveyed the information he received from defendant HENRY P. ALFANO regarding traffic citations issued to defendant ALFANO's friends, employees, and associates, to defendant WILLIAM HIRD to arrange preferential treatment, or "consideration," on the designated citations.

41. Defendant WILLIAM HIRD conveyed these "consideration" requests, through personal and court staff, to the judge assigned to each case. At times, Fortunato N. Perri, Sr., through defendant HIRD, attempted to arrange for a specific judge to hear the case.

42. Typically, after a citation was adjudicated, defendant WILLIAM HIRD provided a computer printout from the Traffic Court computer system of the case disposition to Fortunato N. Perri, Sr., which Perri referred to as a "receipt." Perri, in turn, mailed these "receipts" to defendant HENRY P. ALFANO or directly to the ticketholder as confirmation that

the citation had been dismissed or otherwise disposed of. These "receipts" were not provided in the regular course of business by Traffic Court to ticketholders.

43. In return for Fortunato N. Perri, Sr.'s assistance with Traffic Court matters, defendant HENRY P. ALFANO provided Perri, free of charge, with a stream of benefits, including free car repairs, car maintenance, and car towing, as well as free videos and free seafood.

44. Defendant HENRY P. ALFANO regularly arranged for the repair work on Fortunato N. Perri, Sr.'s vehicles to be done by mechanics at his company, Century Motors. In addition, he arranged for mechanics at another towing company, which was owned by R.A., all without charge. ALFANO arranged for tow trucks from Towing Unlimited and Gianna Salvage, Inc. to transport Perri's vehicles between Perri's residence and Century Motors, Inc. Repair work included rebuilding an engine and installing a new transmission, as well as cosmetic and detail work.

45. In addition to the car repairs, defendant HENRY P. ALFANO arranged to deliver videos to Fortunato N. Perri, Sr. On approximately one dozen occasions, defendant ALFANO either mailed or hand delivered these videos to Perri free of charge. ALFANO obtained the videos through his associate, J.C., who owned a video store in Philadelphia, Pennsylvania. ALFANO owned the property which housed the store. J.C. had borrowed money from ALFANO to renovate the store, presently owed money to ALFANO, and paid monthly rent to ALFANO.

46. In December 2009 and during 2010, defendant HENRY P. ALFANO provided seafood, free of charge, to Fortunato N. Perri, Sr.

47. Fortunato N. Perri, Sr. assisted defendant HENRY P. ALFANO with Traffic Court cases in exchange for these gratuities. A telephone conversation, on or about December 21, 2010, illustrated this exchange. At that time, Perri updated defendant ALFANO about a Traffic Court notice that was to be mailed. Perri and ALFANO showed their mutual appreciation of each other by referring to each other as "the best." Perri said, "when you call, I move, brother, believe me. I move everybody." In appreciation, ALFANO offered to mail videos to Perri.

48. Fortunato N. Perri, Sr. also assisted other individuals with their Traffic Court cases. For example, defendant MARK A. BRUNO asked Perri for special assistance on a ticket issued to J.M.

49. Fortunato N. Perri, Sr. also assisted M.D., a local businessman, with Traffic Court matters. Perri received landscaping services from M.D.'s landscaping business, often free of charge or at reduced rates. Since 2001, Perri also assisted M.D.'s brother, A.D., who owned and operated a material and delivery company and a construction company, with dozens of Traffic Court citations. A.D. installed a patio for Perri at no charge.

50. Defendant WILLIAM HIRD furthered Fortunato N. Perri, Sr.'s requests for preferential treatment in part because defendant HIRD was originally hired by Perri to work at Traffic Court, and because Perri was instrumental in assisting HIRD to obtain various promotions, with salary increases, within Traffic Court. As a result, HIRD was extremely loyal to Perri. In one phone call on or about March 21, 2011, HIRD expressed gratitude to Perri: "I'm so thankful for what you did to me. For me, it's unbelievable. . . . I got a pension because of you." In another call on or about January 19, 2011, HIRD told Perri that without Perri he would



still be installing carpet and 'moving furniture around.'" Perri responded "don't forget, whenever I call you, it's really important." During the period of the conspiracy, and even after Perri was retired from active service on Traffic Court, HIRD regularly addressed Perri as "Chief," as a form of endearment and respect.

51. Defendant WILLIAM HIRD, as a high level administrator at Traffic Court, used his unique position in Traffic Court to facilitate the numerous requests for 'consideration' presented to him by Fortunato N. Perri, Sr local politicians, and others. Defendant HIRD's close relationship with many of the Traffic Court judges enabled him to speak directly to a judge or through the judge's personal assistant and courtroom staff about specific consideration requests. HIRD also directed his underlings to convey these "consideration" requests to the judges.

52. Defendant WILLIAM HIRD also facilitated requests for preferential treatment from local politicians, including two Philadelphia ward leaders. Defendant HIRD also received requests for "consideration" from a retired Traffic Court judge, Kenneth Miller.

53. Defendant MICHAEL J. SULLIVAN used his position to "fix" traffic citations on behalf of family, friends, Fireside Tavern customers, a former politician, and a Philadelphia ward leader.

54. In facilitating this preferential treatment, defendant MICHAEL J. SULLIVAN directed individuals to leave their traffic citations or related documents at the Fireside Tavern for him, where employees of the Fireside Tavern placed the Traffic Court documents in a box behind the bar. In or about February 2010, there was one handwritten note in the box that stated:

R II  
267 372 65{xx}  
Ticket  
Friend of {ward leader}

The citation for R II involved a prohibited turn

55 Defendant MICHAEL J SULLIVAN both received requests for 'consideration' from other judges' personals and made requests for 'consideration' to other judges, as communicated through the personals and court staff

56 Defendant WILLIE SINGLETARY participated in the extrajudicial requests to other judges for 'fix' requests to other judges

57 Defendant WILLIE SINGLETARY furthered requests for preferential treatment on behalf of friends, associates, and local politicians, including a staff person for a City Council person, and a staff person on the Philadelphia Democratic City Committee. Defendant SINGLETARY either adjudicated these citations himself or he requested other judges to 'fix' them

58 Defendant WILLIE SINGLETARY also 'fixed' traffic citations on behalf of defendant ROBERT MOY, a local businessman who provided Traffic Court services to his customers. Defendant MOY, who at times guaranteed his paying customers favorable results on their Traffic Court citations, used his close relationship with defendant SINGLETARY to arrange his customers' tickets to be assigned to SINGLETARY and for SINGLETARY to "fix" those tickets

59 Defendant MICHAEL LOWRY regularly 'fixed' and facilitated the "fixing" of traffic tickets for family and local politicians, including two Philadelphia ward leaders

60 Defendant MICHAEL LOWRY directed his staff to approach other judges, through their respective personals, to "fix" citations

61 Defendant MICHAEL LOWRY "fixed" traffic citations for other judges when they approached his personal and asked for 'consideration'

62 Defendant ROBERT MULGREW regularly "fixed" and facilitated the "fixing" of traffic tickets for local politicians, including a Philadelphia ward leader

63 Defendant ROBERT MULGREW directed his staff to approach other judges, through their respective personals, to "fix" citations

64 Defendant ROBERT MULGREW "fixed" traffic citations for other judges when they approached his personal and asked for 'consideration'

65 Defendant THOMASINE TYNES, who also had a close relationship with defendant ROBERT MOY, facilitated defendant MOY's requests for 'consideration'. Prior to trials, defendant MOY corresponded with TYNES about which of MOY's customers were scheduled to appear before TYNES, and TYNES provided 'consideration' to these individuals

66 Defendant THOMASINE TYNES both received requests for "consideration" from other judges' personals and made requests for 'consideration' to other judges, as communicated through the personals and court staff

67 Defendant ROBERT MOY regularly received preferential treatment on behalf of his paying customers from both defendant THOMASINE TYNES, whom defendant

MOY referred to as "Mom," and defendant WILLIE SINGLETARY. Given his close connection to defendants TYNES and SINGLETARY, MOY, at times, was able to promise his customers that they would not receive any 'points' on their driving records as a result of the adjudication of citations. In fact, MOY advertised in a local newspaper called China News Weekend as follows, in part:

Number One Translation/Professional license  
Telephone: 215-592-7930  
Fax: 215-853-8698  
926 Winter Street, 2/FI, Suite 2 Philadelphia PA 19107  
Provides all kinds of translation services. Tackles the traffic ticket, and pays the  
cost of the ticket. Tackles the traffic ticket, and guarantees no points or fewer points. Help you quickly  
regain your vehicle that is towed away or impounded in Philadelphia

MOY manipulated the scheduling of his customers' trials through Requests for Continuance and manipulated his customers' trials toward TYNES and SINGLETARY to secure favorable outcomes. MOY regularly informed TYNES and SINGLETARY which of his customers were to appear before them. This advance notice further enabled the "fixing" of tickets for MOY's customers.

#### Overt Acts

1. In or about September 2009, defendant HENRY P. ALFANO arranged for repair work and maintenance to be conducted, free of charge, on Perri's Cadillac and Taurus as well as Perri's family member's Ford Expedition and Chrysler 300. Also at this time, defendant ALFANO arranged for Perri's vehicles to be towed from Perri's residence to the mechanics and back again.

2 On or about September 29, 2009, defendant HENRY P. ALFANO informed a ticketholder, B.D., that "they" had to "re-enlist that case" "because they did not like who it was in front of" referring to the practice of defendant WILLIAM HIRD and Fortunato N. Perri, Sr. to arrange for certain cases to be assigned to specific judges to maximize the likelihood of a favorable outcome. The case was ultimately heard by defendant ROBERT MULGRIV, who found ticketholder B.D. not guilty.

3 In or about January 2010, defendant HENRY P. ALFANO arranged for repair work and maintenance to be conducted, free of charge, on Perri's Cadillac and Ford, as well as Perri's family member's Ford Expedition and Chrysler 300. Also at this time, defendant ALFANO arranged for Perri's vehicles to be towed from Perri's residence to the mechanics and back again.

4 On or about January 22, 2010, defendant HENRY P. ALFANO had a telephone conversation with Fortunato N. Perri, Sr. in which Perri expressed concern that all the repairs being done by defendant ALFANO for Perri was "becoming like a one-way street on my end, . . . I like a two-way street." Defendant ALFANO responded that "if I [ALFANO] need something you're [Perri] going to do it."

5 On or about February 2, 2010, defendant HENRY P. ALFANO spoke with Fortunato N. Perri, Sr. about repairs on Perri's Cadillac and Perri requested that defendant ALFANO send some pictures in an envelope in the car when the car is sent back to Perri.

6 On or about February 5, 2010, defendant HENRY P. ALFANO told Fortunato N. Perri, Sr. that he forgot "to put the package of films in the trunk" but that he would "get 'em to you."

7 On or about February 19, 2010, Fortunato N. Perri, Sr. acknowledged to defendant HENRY P. ALFANO that defendant ALFANO had saved Perri's daughter \$10,000 in repairs.

8 On or about February 23, 2010, defendant HENRY P. ALFANO had a conversation with J.C. in which J.C. advised defendant ALFANO that he had received a parking ticket. ALFANO stated that Perri "can't fix them" because parking tickets go to the Parking Authority and not Traffic Court. Nonetheless, ALFANO told J.C. to give him the ticket and ALFANO would "see what [he] can do . . . I'll try . . . I don't know if it is possible, but I'll give it a good try."

9 The next day defendant HENRY P. ALFANO asked Fortunato N. Perri, Sr. for help with J.C.'s parking ticket and Perri told defendant ALFANO to mail him the ticket. Perri also instructed ALFANO to "pack [the videos] real nice . . . tape 'em and all."

10 On or about May 7, 2010, Fortunato N. Perri, Sr. and defendant WILLIAM HIRD had a telephone conversation discussing citations which defendant HENRY P. ALFANO wanted "fixed." Perri said, "I got a matter for the 12th. It's one of Eddie's [defendant ALFANO]. . . . There is another one here he just nailed . . . It is a two ticket thing." Perri said he would give the tickets to defendant HIRD the next day. HIRD also explained that he had another one of "Eddie's" [ALFANO's] "on the 10th." HIRD explained that he did not "know who [which Traffic Court judge] is in there, but we'll see . . . but we'll figure it out . . . I'll work it out."

11 On or about May 18, 2010, Perri had a telephone conversation with defendant HENRY P. ALFANO, explaining to him that he asked for a continuance on certain

tickets because "the district justices were sitting" because "all the judges were away last week" and "maybe I [Perri] could not get it through you know what I mean?" Defendant ALFANO responded, "I gotcha. I got the picture."

12. In or about July 2010, defendant HENRY P. ALFANO arranged for repair work and maintenance to be conducted, free of charge, on Perri's Cadillac and Taurus, as well as Perri's family member's Ford Expedition and Chrysler 300. Also at this time, defendant ALFANO arranged for Perri's vehicles to be towed from Perri's residence to the mechanics and back again.

13. In or about October 2010, defendant HENRY P. ALFANO arranged for repair work and maintenance to be conducted, free of charge, on Perri's Cadillac and Taurus, as well as Perri's family member's Ford Expedition and Chrysler 300. Also at this time, defendant ALFANO arranged for Perri's vehicles to be towed from Perri's residence to the mechanics and back again.

14. On or about December 9, 2010, defendant HENRY P. ALFANO and Fortunato N. Perri, Sr. discussed Perri's seafood request, including dozens of shrimp and crabcakes. Perri suggested that he would pay because "this is a lot of money," but defendant ALFANO refused.

15. On or about December 21, 2010, ALFANO told Perri that his business associate would deliver the seafood to Perri the next day.

16. On or about December 9, 2010, Fortunato N. Perri, Sr. and M.D. had a telephone conversation in which Perri offered to help M.D. with construction equipment that had been impounded by Philadelphia police on Route 1.

17. On or about December 10, 2010, defendant WILLIAM HIRD spoke with a Philadelphia ward leader, about the impoundment of the ward leader's son's truck. The ward leader said he already called defendant MICHAEL LOWRY about this.

18. In a telephone conversation on or about January 14, 2011, defendant MARK A. BRUNO and Fortunato N. Perri, Sr. discussed "fixing" a citation received by J.M. Perri offered to "look into it," stating that he still "got a little connections." During the call Perri took credit for "putting" defendant BRUNO in Traffic Court to preside over cases.

19. In call's after on or about January 14, 2011, Fortunato N. Perri, Sr. discussed defendant MARK A. BRUNO's request to "fix" J.M.'s ticket with defendant WILLIAM HIRD. Both defendant HIRD and Perri discussed measures to remove any points assessed on the ticket.

20. On or about March 15, 2011, defendant WILLIAM HIRD had a telephone conversation with another Philadelphia ward leader about "fixing" a specific ticket. The ward leader told defendant WILLIAM HIRD that he wanted to slide an item under defendant HIRD's door, referring to a traffic citation. HIRD instructed the ward leader to put "H" on it so that HIRD knew it was from the ward leader. The next day, HIRD and the ward leader further discussed the citation. The ward leader said that the ticketholder wanted to avoid points. HIRD said that the ticket would likely be reduced to 10 mph or 5 mph over the speed limit and that with 10 mph there would still be points assigned. HIRD said, "I'll ask for 5 over but I don't know that'll happen because it's 90 . . . they don't normally go down to 5 . . . and its State Police . . . they got the equipment . . . they got radar, they got tracker." In another call that day, the ward



leader asked whether the ticketholder even had to show up for the trial, and HIRD agreed that the ticketholder should plead not guilty.

21. On or about May 12, 2011, defendant MICHAEL J. SULLIVAN had a telephone conversation with an individual known as "Pop" about "fixing" Pop's son's citation for going through a red light. "Pop" told defendant SULLIVAN that he "need [ed] [SULLIVAN] to take care of [it] for me." SULLIVAN said he'd "look into it." In a subsequent call, SULLIVAN told "Pop" to leave the ticket at the bar and SULLIVAN said he would "tell you what you got to do . . . and I'll handle it."

Acts Related to Citation No. S02459903, Issued on 10/31/09  
(Ticket # 1 - R.C.C.)

22. On or about January 4, 2010, Fortunato N. Perri, Sr. and defendant HENRY P. ALFANO discussed R.C.C.'s citation, which R.C.C. received on October 31, 2009, from a Philadelphia police officer for having an expired inspection sticker and which carried a fine of \$25 and costs of \$126.50. In this call, Perri requested that defendant ALFANO give Perri the number for R.C.C.'s citation. Defendant ALFANO said he would ask R.C.C.'s father for that information.

23. On or about January 5, 2010, H. Warren Hogeland adjudicated R.C.C.'s ticket as not guilty.

24. On or about January 15, 2010, defendant HENRY P. ALFANO updated Fortunato N. Perri, Sr. about the repairs on Perri's car. During the course of the conversation, Perri stated that he mailed a "receipt" to R.C.C.'s father. Perri inquired whether R.C.C.'s father received the "receipt."

Acts Related to Citation No. PLJ0PK5681A, Issued on 02/15/10  
(Ticket No. 2 – A.S.)

25. On or about February 17, 2010, A S visited defendant HENRY P ALFANO at Century Motors, Inc. to discuss a citation that A S received two days earlier from a Pennsylvania State Trooper for driving a tractor trailer that was dropping ice and snow onto travel lanes, striking vehicles on Interstate 95, and which carried a fine of \$300 and costs of \$142.

26. On or about March 8, 2010, A S contacted defendant HENRY P ALFANO about his matter in Traffic Court. Referring to a March 3, 2010 notification from Traffic Court that his driving privileges were being suspended because he failed to respond to the traffic citation, A S said he will "drop [the Traffic Court information] off" to defendant ALFANO. ALFANO stated, "we'll take care of it... we're working on it."

27. On or about March 15, 2010, in an interstate telephone call between Fortunato N. Perri, Sr., in Pennsylvania, and defendant HENRY P ALFANO, in New Jersey, defendant ALFANO told Perri that he was working on deodorizing Perri's car. ALFANO confirmed that Perri received A S's "thing" that ALFANO sent Perri in the mail. Perri stated that "it will be alright, don't worry about it."

28. On or about March 26, 2010, A S told defendant HENRY P ALFANO that he received a Notice of License Suspension because he did not plead guilty or not guilty. Defendant ALFANO told him that "he [Perri] already did that for you." ALFANO told A S to bring him the Notice and ALFANO will send it to Fortunato N. Perri, Sr. again. ALFANO said that he already spoke to Perri about A S's citation and that Perri said everything was okay and

that Perri would send a receipt when the case was over. ALFANO assured A S that his license would not be suspended. ALFANO speculated that the notice is just computer generated because A S 's case was already "set up for April the 20th."

29 On or about March 26, 2010, defendant HENRY P. ALFANO told Fortunato N. Perri Sr. that A.S. received another Notice of License Suspension and was concerned because he was a truck driver and cannot have a suspended license. Perri told defendant ALFANO that Perri was "on top of that . . . I don't want you worry about that." Perri instructed ALFANO to mail the notice to Perri. ALFANO told Perri that he was working on Perri's Ford Faurus to correct the oil leak and clean the car.

30 In a subsequent call on this same date, defendant HENRY P. ALFANO assured A S that Fortunato N. Perri Sr. had "it under control." Defendant ALFANO further told A S that he did not have to appear at the Traffic Court hearing because Perri is "gonna handle it. It's just gonna be knocked out."

31 On or about March 27, 2010, Fortunato N. Perri, Sr. and defendant WILLIAM HIRD discussed A S 's citation. Perri said that "the guy keeps getting letters" from Traffic Court that his license may be suspended. Defendant HIRD said he would look into it and "stop all that action," and that the ticketholder should "ignore it."

32 On or about April 20, 2010, defendant MICHAEL J. SULLIVAN adjudicated A S 's citation as not guilty, even though A S never appeared in court.

33 On or about May 12, 2010, defendant HENRY P. ALFANO told A S that he should have his "receipt in a couple of days."

34 On or about May 12, 2010, Fortunato N. Perri, Sr. and defendants WILLIAM HIRD and MICHAEL J. SULLIVAN caused a "receipt" to be mailed to A.S. which documented that his citation was adjudicated not guilty.

Acts Related to Citation Nos. V00311146, V00311150, V00311161, and V00311172,  
Issued on 03/06/10  
(Tickets #3 through #6 – L.R. and the Oasis)

35. On or about March 6, 2010, defendant HENRY P. ALFANO called Fortunato N. Perri, Sr. to discuss an Oasis bus, driven by L.R., that was impounded by the police on that date. (A Philadelphia police officer issued two citations to L.R. for not having a C/DI (commercial driver's license), which carried a fine of \$500 and costs of \$101.50, and for not having a medical certificate which carried a fine of \$25 and costs of \$101.50. At the same time as the Oasis, the company that owned the bus, also received two citations from a Philadelphia police officer for not having a fire extinguisher and a warning device, where each citation carried a fine of \$51 and costs of \$101.50.) Perri advised defendant ALFANO that he would "make it easy" to get the bus released.

36. On or about March 7, 2010, defendant HENRY P. ALFANO provided Fortunato N. Perri, Sr. with information related to the citations. Specifically, defendant ALFANO told Perri that the bus was registered to the Oasis Gentlemen's Club, 6800 block of Essington Avenue, and the date it was impounded. ALFANO explained that the side of the bus advertised an establishment called Christine's.

37. On or about March 8, 2010, in an interstate telephone call between Fortunato N. Perri, Sr. in Pennsylvania, and defendant HENRY P. ALFANO, in New Jersey, Perri told defendant ALFANO that there were four tickets and "you'll take care of that with me."

Perri instructed ALFANO that the owner and the driver should go to the Boot and Tow window at Traffic Court, ask for D H , and state that "they're there to pick up the bus [and] to get the bus released." Perri further instructed ALFANO that defendant MICHAEL J SULLIVAN would "waive the collateral on the four tickets [and] they don't have to post that money." Lastly, Perri said, "and then you'll give me those four matters " referring to the citations.

38 On or about March 9, 2010, defendant HENRY P ALFANO advised A A , a business associate with supervisory authority over the bus impounded by the police, that he did not have to pay the four tickets and attend Traffic Court. Defendant ALFANO said "no when you get [the notices in the mail] you give them to me."

39 On or about May 10, 2010, defendant MICHAEL J SULLIVAN continued the hearing for the two Oasis tickets.

40 On or about May 12, 2010, defendant MARK BRUNO adjudicated HIR's citations as not guilty.

41 On or about May 18, 2010, Fortunato N Perri, Sr. and defendant HENRY P. ALFANO discussed the continuance on the Oasis tickets. Perri explained that the district justices were sitting the previous week and all the judges were away and therefore maybe Perri "couldn't get it through, you know what I mean?" Defendant ALFANO responded, "I got, ha. I got the picture." Perri instructed ALFANO to mail Perri any notices.

42 In a subsequent call on or about May 18, 2010, Fortunato N Perri, Sr. confirmed with defendant WILLIAM HIRD that the Oasis matter was continued. Defendant HIRD explained that defendant MICHAEL J SULLIVAN continued the matter because defendant SULLIVAN did not realize it was for "him," referring to Perri. Defendant HIRD

explained that he gave it to D.C., SULLIVAN's personal assistant, but that she "[-----] up" and that HIRD should go directly to SULLIVAN instead. Perri said that he only gave SULLIVAN "five a year" in reference to requests for consideration.

43. On or about May 21, 2010, Fortunato N. Perri, Sr. told defendant HENRY P. ALFANO that he was mailing defendant ALFANO two receipts, and "you got a couple more coming."

44. On or about June 9, 2010, defendant MICHAEL J. SULLIVAN again continued the hearing for the two Oasis tickets. On or about June 11, 2010, Traffic Court mailed a Notice of Trial for the Oasis tickets with a trial date of September 8, 2010.

45. On or about June 29, 2010, Fortunato N. Perri, Sr. told HENRY P. ALFANO that defendant ALFANO will receive another continuance notice on one of the pending citations. Perri further told ALFANO that "somebody" will "need" "to show up" at the hearing. Perri continued that "when [the ticket holder] get[s] a notice, you'll call me with the notice and mail it and don't worry, it'll be taken care of . . ." Later in the call, ALFANO offered to inspect Perri's car whenever Perri was ready.

46. In a later call on that same date, defendant HENRY P. ALFANO told A.A. that one of the Oasis tickets will be continued and that A.A. would receive a notice and should tell ALFANO accordingly.

47. On or about September 8, 2010, defendant ROBERT MULGREW adjudicated the Oasis citation V00311161 guilty and the Oasis citation V00311172 not guilty.

Acts Related to Citation No. V00322394, Issued on 04/14/10  
(Ticket No. 7 – C.W.)

48 On or about April 14, 2010, defendant HENRY P. ALFANO and C.W., a tow truck driver for Gianna Salvage, Inc., discussed a citation issued to Gianna Salvage, Inc. on this date. (C.W. received a citation for driving a towing vehicle without a current towing license, which carried a fine of \$540 and costs of \$61.50.)

49 On or about April 14, 2010, defendant HENRY P. ALFANO and C.W. discussed this citation and ALFANO told C.W. that the tow truck would not be impounded.

50 On or about April 19, 2010, Fortunato N. Perri, Sr. caused the portion of C.W.'s citation, which indicated a plea of not guilty, to be mailed to Traffic Court.

51 On or about April 20, 2010, defendant HENRY P. ALFANO updated Fortunato N. Perri, Sr. regarding the progress of repairs for Perri's Taurus. When Perri told defendant ALFANO to tell him "the damage," meaning the cost for the car repairs, ALFANO responded by asking whether Perri received in the mail the Gianna citation. Perri said he received it.

52 On or about June 9, 2010, defendant MICHAEL J. SULLIVAN continued the hearing for this citation.

53 On or about September 8, 2010, defendant ROBERT MULGREW adjudicated this citation as not guilty.

Acts Related to Citation No. PIK81W566MI, issued on 08/26/10  
(Ticket No. 8 – D.S.)

54 On or about November 23, 2010, defendant HENRY P ALFANO spoke with the father of D S about D S 's traffic citation. (On or about August 26, 2010, D S received a citation for traveling at a speed of 85 mph in a 55 mph zone on Interstate 95, which carried a fine of \$85 and costs of \$162, and subjected D S. to a possible penalty under the Pennsylvania Vehicle Code of five points to her driving record.)

55 In a subsequent call on that date, defendant HENRY P ALFANO told Fortunato N. Perri Sr. that "[ALFANO] is [Perri] then he'll be [Perri] Defendant ALFANO remarked that he refers to make the tickets less attend than hearings, as it "makes it better." Perri said "it'll be alright though."

56 On or about November 24, 2010, defendant HENRY P ALFANO asked Fortunato N. Perri, Sr. whether "that girl's ok" and Perri responded that she was "fine." Defendant ALFANO again informed Perri that "they're gonna be there." ALFANO and Perri confirmed that the hearing was on the "30th" at 9 a.m. Perri responded, "You are in good hands with Allstate."

57 On or about November 24, 2010, Fortunato N. Perri, Sr. informed defendant WILLIAM HIRD, in reference to D S 's citation, that "[Perri's] got a girl coming down" on November 30th and defendant HIRD stated that Perri should call HIRD to give him the information.

58 On or about November 29, 2010, Fortunato N. Perri, Sr. told defendant WILLIAM HIRD the citation number on D.S 's ticket and that "she'll be in." HIRD



acknowledged that this was a State Police ticket and promised to "look at it" and "we'll go from there."

59. On or about November 30, 2010, in an interstate telephone call between Fortunato N. Perri, Sr., in Pennsylvania, and defendant HENRY P. ALFANO, in New Jersey, defendant ALFANO asked about the ticket. Perri said that it was a state police ticket and that he was "on top of it" and told ALFANO that "when you give me something it's important brother."

60. On or about November 30, 2010, Fortunato N. Perri, Sr. asked defendant WILLIAM HIRD "how [did] we do?" Defendant HIRD stated that he did not definitely know the result because the courtroom was busy, but he was "going to assume ok" because the assigned judge was defendant MICHAEL LOWRY.

61. On or about November 30, 2010, defendant MICHAEL LOWRY adjudicated the citation as guilty of a different offense, which was a lower offense and which reduced the fine and costs.

62. On or about November 30, 2010, defendant WILLIAM HIRD informed Fortunato N. Perri, Sr. that the charge was amended to five miles over the speed limit, despite the objection of the state police trooper, who wanted the offender to receive two points on her license.

63. Later, on or about November 30, 2010, Fortunato N. Perri, Sr. informed defendant HENRY P. ALFANO of the result that the ticket was amended and "there's no points" and opined that "she still got a good break."

Acts Related to Citation No. S01839412, Issued on 07/27/09  
(Ticket #9 - B.D.)

64. On or about July 27, 2009, defendant HENRY P. ALFANO learned about a citation issued to B.D., a tow truck driver for Gianna Salvage, Inc., for towing a vehicle without the proper rotation lights activated, which carried a fine of \$25 and costs of \$126.50.

65. On or about September 28, 2009, a Traffic Court judge continued the hearing.

66. On or about September 29, 2009, in discussing the citation, defendant HENRY P. ALFANO testified that the citation was continued because they had to re-enlist that case today. They had to re-enlist it because they didn't like who it was in front of. So they're gonna to re-enlist it. When you get the new one, bring it to me.

67. On or about December 9, 2009, defendant ROBERT MULGRIFW adjudicated the citation as not guilty.

Acts Related to Citation No. X03704481, Issued on 03/25/11  
(Ticket #10 - R.H.)

68. On or about May 9, 2011, R.H. spoke with defendant MICHAEL J. SULLIVAN about a citation R.H. received for leaving the scene of an accident where there was property damage to another vehicle, subjecting him to a possible penalty under the Pennsylvania Vehicle Code of four points to his driving record, a fine of \$300, and costs of \$143.50. (Traffic Court issued notices dated April 14, 2011, and May 5, 2011, advising R.H. that his driving privileges were being suspended and the fine/costs were increased to \$415 for his failure to respond to the citation.) R.H. informed defendant SULLIVAN that he had received another

'notice of suspension' from Traffic Court. SULLIVAN stated 'disregard it don't worry about it I got it'

69 On or about May 26, 2011, Ri H reminded defendant MICHAEL J SULLIVAN about his hearing the next day and defendant SULLIVAN responded, "I got it" SULLIVAN said that he was 'off' tomorrow, but he "got it" and it "don't matter" which judge will be hearing Ri H's case. Ri H told SULLIVAN that he "ain't got no money, you know what I mean?" SULLIVAN said, 'I know you're broke' and assured him that 'you're good.'

70 On or about May 27, 2011, defendant MICHAEL LOWRY dismissed the citation.

Acts Related to Citation Nos. X04074103 and X04074114, Issued on 05/12/11  
(Tickets #11 and #12 M A )

71 On or about May 12, 2011, W A , the owner of a construction company, called defendant MICHAEL J SULLIVAN about one of the company's drivers getting his truck stuck under a bridge. (The driver, M A , was driving a truck and trailer carrying an excavator owned by a construction company when it struck the overhead of a bridge. The vehicle was impounded and a Philadelphia police officer issued two citations to M A for exceeding height of vehicle, which carried a fine of \$300 and costs of \$102.50, and for violation of vehicle equipment, which carried a fine of \$100 and costs of \$102.50.) W.A. told defendant SULLIVAN said that the truck was to be impounded. SULLIVAN told W A that he needed his registration, insurance, and identification to release the truck from the Boot and Tow at Traffic Court. SULLIVAN also told W A to text him when W A arrived at Traffic Court. SULLIVAN said he would discuss the citations that M A received later. SULLIVAN warned W A 'don't say

nothing to nobody out there." Later that day, defendant W.A. sent an interstate text message to SULLIVAN.

72. The next day (on or about May 13, 2011), W.A. called defendant MICHAEL J. SULLIVAN to get together for lunch.

73. On or about July 5, 2011, eight days before the trial date, in an interstate call between W.A. in Pennsylvania and defendant MICHAEL J. SULLIVAN in New Jersey, W.A. asked defendant SULLIVAN to get together for lunch.

74. On or about July 13, 2011, defendant MICHAEL J. SULLIVAN adjudicated both of M.A.'s citations as not guilty.

Acts Related to Citation Nos. X03716801 and X03716812 Issued on 05/18/11  
(Tickets #13 and #14 - R.C.)

75. On or about May 19, 2011, R.C. called defendant MICHAEL J. SULLIVAN about his citations. (The day before, R.C. received two citations for careless driving of his motorcycle, which carried a fine of \$25 and costs of \$102.50, and for being an unlicensed driver, which carried a fine of \$200 and costs of \$102.50, after he drove his motorcycle through a stop sign without stopping and did not have a proper license.) Defendant SULLIVAN advised R.C. about getting his motorcycle released from Traffic Court. SULLIVAN further instructed R.C. to come to Traffic Court on the court date listed on the citations. SULLIVAN said he would talk to R.C. later about the citations. SULLIVAN said "get your bike out now" and "we'll deal with the rest of the stuff later."

76. On or about June 20, 2011, H. Warren Hogeland adjudicated both of R.C.'s citations as not guilty.

Acts Related to Citation Nos. X05080176, X05080180, and X05080191, Issued on 04/17/11  
(Tickets #15 through #17 - K.S.)

77. On or about June 20, 2011, M S , the brother of K.S., texted defendant MICHAEL J. SULLIVAN about K S 's traffic citations (K.S. received three citations, on or about April 17, 2011, for driving his car while disregarding two consecutive red signals, driving his car with a fraudulent inspection certificate, and driving his car with a fraudulent emissions certificate. According to the Pennsylvania Vehicle Code, K S faced a penalty that included an assignment of three points to K S 's driving record if found guilty of the offense of failure to stop at a red signal. Each of K S 's citations carried a fine and court costs of \$120. The text messages between M.S. and defendant SULLIVAN was as follows.

M.S.: Judge about [K S ] has an appearance tomorrow he good or its all good??

SULLIVAN: It's all good he have to show up

M.S. Ok 1pm he ll be there

M.S. He put in the in box at office forgot what day 21st or 23rd the schmuck let me know please what day show

SULLIVAN Tomorrow D court 1PM

M.S. I said it one I said it twice you da man !!!

SULLIVAN Hahaha txs

78. On or about June 21, 2011, a Traffic Court judge adjudicated K S 's citation as not guilty for disregarding red signals but found him guilty of the fraudulent inspection and emissions certificates.

Acts Related to Citation No. PIP0184T431, Issued on 04/20/11  
(Ticket #18 – G.C.)

79. On or about June 21, 2011, Ji T. discussed with defendant MICHAEL J SULLIVAN the upcoming trial date for G.C.'s citation. (G.C. an associate of Ji.T., received a citation from a Pennsylvania State Trooper for operating his vehicle with an expired inspection, which carried a fine of \$25 and costs of \$127.50. G.C. initially mailed a check to Traffic Court in the amount of \$152.50 in response to a Notice from Traffic Court that his driving privileges would be suspended because he failed to respond to the citation. Thereafter, G.C. mailed a check to Traffic Court in the amount of \$127.50 on June 23, 2011. Ji T. also provided defendant SULLIVAN with the spelling of G.C.'s last name. Ji T. also expressed an interest in writing a newspaper article about SULLIVAN's new role as Administrative Judge at Traffic Court.

80. On or about June 23, 2011, G.C. failed to appear in Traffic Court because he had received a notice from Traffic Court advising him that his hearing had been continued until July 26, 2011.

81. On or about June 23, 2011, H. Warren Hogeland adjudicated G.C.'s citation as not guilty despite the fact that G.C. was not in court because a new trial date had been scheduled.

82. On or about July 15, 2011, Ji T., not knowing that the ticket had already been adjudicated, called defendant MICHAEL J. SULLIVAN again about G.C.'s citation. Ji.T. mentioned a letter from Traffic Court that stated that G.C.'s hearing date was on July 26, in "a week from now." Defendant SULLIVAN said that he was aware of the citation and trial date,

and said, 'I got that' J.T. said that he would 'call [SULLIVAN] on it.' J.T. again expressed an interest in doing a 'story' and taking a "photo" of SULLIVAN.

83 On or about July 23, 2011, G.C. received a check in the mail for \$152.50 from Traffic Court, refunding the collateral previously posted for G.C.'s citation, which was adjudicated not guilty.

**Acts Related to Citation No. V02490762, Issued on 10/14/10**  
**(Ticket #19 - K.M.)**

84 Between on or about October 14, 2010 and on or about December 14, 2010, Kenneth Miller mailed information pertaining to a citation issued to defendant WILLIAM HIRD (K.M. was issued a citation for passing traffic at approximately 60 mph in a 45 mph zone, which carried a fine of \$25 and costs of \$126.00).

85 On or about December 14, 2010, Kenneth Miller contacted defendant WILLIAM HIRD about this citation and said "that thing for [K.M.] is tomorrow" to which defendant HIRD responded "I know." Speaking in code to one another to signal that K.M. did not need to attend the trial, HIRD stated that "I don't think anybody is going to that party." To clarify, Miller stated, "I'll tell him [K.M.] that the meeting is cancelled."

86 On or about December 15, 2010, H. Warren Hogeland adjudicated K.M.'s citation as not guilty, despite the fact that K.M. did not appear in court.

**Acts Related to Citation No. V02803861, Issued on 12/11/10**  
**(Ticket #20 - J.B.)**

87 Between on or about December 11, 2010, and on or about February 2, 2011, Kenneth Miller mailed information pertaining to J.B.'s citation to defendant WILLIAM

HIRD (J.B. received a traffic citation for making an improper left turn, which caused an accident, and which carried a fine of \$25 and costs of \$126.50 )

88. On or about February 2, 2011, Kenneth Miller left a voice mail message for defendant WILLIAM HIRD regarding J.B.'s citation. In this message, Miller said that J.B. received a notice and asked defendant HIRD to check on his citation. Miller referenced "the meeting," again speaking in code for the upcoming trial date on February 14, 2011, that Miller and HIRD had discussed previously.

89. On or about February 14, 2011, defendant WILLIAM SINGLETARY adjudicated J.B.'s citation as not guilty.

Acts Related to Citation Nos. V02509043 and V02509054, Issued on 12/03/10  
(Tickets #21 and #22 - J.J.)

90. Between on or about December 3, 2010 and on or about February 3, 2011, J.R. owner of a towing company, spoke with defendant WILLIAM HIRD about citations issued to J.J., a truck driver for the towing company. (The citations were for towing a vehicle without rear lighting and without a towing agreement, which carried a fine of \$125 and costs of \$142.50 for the first offense and a fine of \$500 and costs of \$142.50 for the second offense.)

91. On or about February 3, 2011, defendant WILLIAM HIRD told J.R. to give certain paperwork to his driver.

92. On or about February 8, 2011, J.R. complained to defendant WILLIAM HIRD about taking care of his trucks, such as tow licenses and inspections, yet he still had problems with "you guys," meaning Traffic Court. Defendant HIRD said that it was "no big



deal," but J.R. said that he did not "want to use all my favors with you." HIRD said he would see J.R.'s "guy" tomorrow at Traffic Court and that he should plead not guilty.

93 On or about February 9, 2011, J.R. called defendant WILLIAM HIRD to tell defendant HIRD that he was in Courtroom D and HIRD said, "I know where you're at. You're in D."

94 On or about February 9, 2011, defendant MICHAEL J. SULLIVAN adjudicated J.J.'s citations as not guilty.

Acts Related to Citation No. V02677065, Issued on 01/28/11  
(Ticket #23 - M.D.)

95 On or about January 28, 2011, M.D. called Fortunato N. Perri, Sr. about a citation he received for making a prohibited u-turn, which carried a fine of \$25 and costs of \$102.50.

96 On or about February 9, 2011, Fortunato N. Perri, Sr. caused a portion of M.D.'s traffic citation, which stated a plea of not guilty and included M.D.'s forged signature, to be mailed to Traffic Court.

97 On or about March 14, 2011, defendant WILLIAM HIRD told Fortunato N. Perri, Sr. that he "got the date on [M.D.] everything's okay" that didn't go yet, so we got that." Perri also mentioned another Traffic Court matter for "the eyeglass guy" to which defendant HIRD responded, "that's coming up. I got things under control." Perri offered to HIRD, "if you need eyeglasses, let me know."

98 On or about April 1, 2011, defendant THOMASINE TYNES adjudicated M.D.'s citation as not guilty.

Acts Related to Citation Nos. V01711511 and V01711522, Issued on 10/02/10  
(Tickets #24 and #25 – A.K.)

99. On or about November 1, 2010, A.D. told Fortunato N. Perri, Sr. that he had a "guy" who had "a couple tickets," and Perri told A.D. to "stop" over. (A.D. was referencing two citations received by his employee, A.K., on or about October 2, 2010, for driving at an unsafe speed and for failing to wear a seatbelt, which carried a fine of \$25 and costs of \$126.50, and a fine of \$10 and costs of \$92, respectively. According to the Pennsylvania Vehicle Code, A.K. faced a penalty that included an assignment of two points to A.K.'s driving record if found guilty of the offense of driving too fast.)

100. On or about December 16, 2010, defendant THOMASINE TYNLS adjudicated both of these citations as not guilty.

Acts Related to Citation Nos. V01988851, V01988862, V01988873, and V01988884,  
Issued on 10/13/10  
(Tickets #26 through #29 – C.L.)

101. Between on or about October 13, 2010, and on or about November 29, 2010, V.B., an employee at an industrial company referred to here as C.L., informed defendant WILLIAM HIRD about four citations the company and one of its truck drivers, M.R., received. (These citations were for hauling an impermissible width of load, which carried a fine of \$300 and costs of \$101.50, for not having a permit to carry a load with a blade of such length, which carried a fine of \$500 and costs of \$101.50, for an unregistered vehicle, which carried a fine of \$75 and costs of \$101.50, and for lack of permit, which carried a fine of \$500 and costs of \$101.50.)

102. On or about November 29, 2010, V.B. reminded defendant WILLIAM HIRD that "we'll be in there Wednesday morning at 9 o'clock" for the four tickets for the C I trucks that were impounded and were released "about a month ago." V.B. reminded defendant HIRD that HIRD had instructed him to call HIRD a "couple days ahead" of the hearing. HIRD said that he did not know yet to which courtroom the case was assigned and HIRD told V.B. that it should be on the Notice. HIRD said that he needed to know "where it's at" otherwise "you're going to be flying on a wing and a prayer, you know what I mean?" V.B. told HIRD the citation number V01988851 in order for HIRD to "track it down."

103. On or about November 30, 2010, in an interstate telephone call between V.B., in New Jersey, and defendant WILLIAM HIRD, in Pennsylvania, V.B. asked defendant HIRD "how we make out for tomorrow?" HIRD, speaking in code, said, "I'm gonna see ya for coffee, ain't I?" V.B. said, "I just want to make sure," and HIRD responded, "I'm gonna be available for coffee." V.B. asked, "We're in good shape, then?" HIRD responded, "Yeah, I'll talk to you tomorrow for coffee." V.B. suggested that they meet at 8:30 a.m. to which HIRD responded, "closer to 9."

104. On or about December 1, 2010, V.B. told defendant WILLIAM HIRD that he parked in the back of Traffic Court and asked whether he should come upstairs. HIRD said he would meet V.B..

105. On or about December 1, 2010, defendant MICHAEL LOWRY dismissed each of the citations.

106. On or about December 2, 2010, Fortunato N. Perri, Sr. told defendant WILLIAM HIRD that he knew that V.B. went in the "back gate yesterday." Perri said, "I

wouldn't even park in the [ ] back . . . You don't want people to see what [ ] you're doing. . . .  
You do things quietly, diplomatically, like we do ”

Acts Related to Citation No. V02705021, Issued on 01/18/11  
(Ticket #30 H.W.)

107 On or about May 3, 2011, J.F., a staff person for a City of Philadelphia Councilperson, contacted defendant WILLIE SINGLETARY's personal assistant, T.H., for the purpose of getting a citation issued to H.W. dismissed (By way of background, on or about January 18, 2011, H.W. had received a citation for improper backing, which carried a fine of \$25 . . . [ ] of \$100 and the possible assignment of three points to H.W.'s driving record. Thereafter, H.W. gave his brother, J.W., the citation to handle. Meanwhile, on or about April 20, 2011, defendant WILLIE SINGLETARY adjudicated H.W.'s citation guilty *in absentia*, and imposed penalties and a \$167.50 fine, after H.W. failed to appear for the hearing despite receiving two notices from Traffic Court. On or about May 3, 2011, H.W. received a letter from PennDOT informing him that the ' conviction . . . mandates a 3 point assessment to [his] driving record.' )

108. Sometime after May 3, 2011, H.W. again told his brother, J.W., about the letter from PennDOT. Around that time, J.W. contacted J.F. to assist with the citation.

109. On or about May 6, 2011, J.W. faxed, or caused to be faxed, to Traffic Court the letter from PennDOT about the assessment of three points to H.W.'s driving record.

110 Defendant WILLIE SINGLETARY instructed his personal, T.H., to complete a Request for Continuance form and backdate it for March 1, 2011, thereby allowing

the conviction of H.W. to be reopened. The Request for Continuance was signed by defendant SINGLETARY

111. Between on or about May 11, 2011, and on or about May 17, 2011, defendant MICHAEL J. SULLIVAN agreed that the case against H.W. should be reopened.

112. On or about June 8, 2011, defendant WILLIE SINGLETARY adjudicated H.W.'s citation as not guilty.

113. On or about June 16, 2011, defendant MICHAEL J. SULLIVAN mailed a letter to PennDOT requesting that PennDOT "rescind the points in connection with this citation."

Acts Related to Citation No. V00194165, Issued on 06/04/10  
(Ticket #31 - N.M.)

114. Sometime shortly after June 4, 2010, N.M. called defendant WILLIE SINGLETARY on the telephone to discuss her citation and their mutual friend, M.L. (On or about June 4, 2010, N.M. received a citation for failing to stop or slow down at a red signal while driving her car, which carried a fine of \$25 and costs of \$101.50 and possibly subjected her to the assignment of three points on her driving record under the Pennsylvania Vehicle Code.)

115. On or about August 6, 2010, defendant MICHAEL J. SULLIVAN adjudicated N.M.'s citation as not guilty.

Acts Related to Citation No. V00656084 and V00656095, Issued on 06/26/10  
(Tickets #32 and #33 - N.M.)

116. Sometime after June 26, 2010, N.M. called defendant WILLIE SINGLETARY yet again and provided him information about additional citations that she received on or about June 26, 2010, for driving the wrong way down a one way street, which

carried a fine of \$25 and costs of \$126.50, and for failure to use a child restraint which carried a fine of \$25 and costs of \$126.50

117. On or about August 30, 2010, defendant MICHAEL LOWRY dismissed both of N.M.'s citations.

Acts Related to Citation Nos. V01892936, V01892940, and V01892951, Issued 08/06/10  
(Tickets #34 through #36 – A.H.)

118. Shortly after August 6, 2010, defendant WILLIE SINGLETARY directed his personal assistant, T.H., to designate the citations issued to A.H. for "consideration." (On or about August 6, 2010, A.H. received three citations for operating an ATV on the highway, which carried a fine of \$100 and costs of \$101.50, for an unregistered vehicle, which carried a fine of \$75 and costs of \$101.50, and for an unlicensed driver which carried a fine of \$200 and costs of \$101.50.)

119. On or about October 7, 2010, a Request for Continuance, approved by defendant WILLIE SINGLETARY, was received in Traffic Court, purportedly made by A.H.

120. On or about November 10, 2010, defendant WILLIE SINGLETARY adjudicated all three citations as not guilty.

Acts Related to Citation Nos. V00997485 and V00997496, Issued on 07/20/10  
(Tickets #37 and #38 – G.G.)

121. Sometime after July 30, 2010, Ga.G., the husband of Gi.G., contacted defendant WILLIE SINGLETARY about Gi.G.'s citations for driving at an unsafe speed, which carried a fine of \$25 and costs of \$101.50, and for an unregistered vehicle which carried a fine of \$75 and costs of \$101.50. (According to the Pennsylvania Vehicle Code, Gi.G. faced a penalty

that included an assignment of two points to her driving record if found guilty of the unsafe speed offense.) Ga.G. gave the citations to defendant SINGLETARY

122. Defendant WILLIF SINGLETARY directed his personal assistant, T.H., to designate this case for "consideration "

123. On or about September 21, 2010, defendant WILLIF SINGLETARY told Ga.G. that Ga.G. did not need to appear at Traffic Court for her trial the next day

124. On or about September 22, 2010, defendant WILLIF SINGLETARY adjudicated both citations as not guilty

Acts Related to Citation Nos. E05442102 and E05442113, Issued on 05/29/08  
(Tickets #39 and #40 - T.B.)

125. Shortly after May 29, 2008, D.C. informed defendant MICHAEL J. SULLIVAN of her "consideration" request for two citations issued to T.B. for careless driving and for being an unlicensed driver. (These citations carried a fine of \$25 and costs of \$140, and of \$200 and \$140, respectively, and possibly subjected T.B. to an assignment of three points on his driving record if found guilty of careless driving). Defendant SULLIVAN approved of D.C. furthering this "consideration" request to defendant THOMASINE TYNES, which D.C. did

126. On or about July 31, 2008, defendant THOMASINE TYNES adjudicated both citations as not guilty

Acts Related to Citation Nos. E07371910, Issued on 10/12/08  
(Ticket #41 - Ja.T.)

127. Sometime after October 12, 2008, M.T., a court officer at Traffic Court, asked for "consideration" for Ja.T.'s citation. (On or about October 12, 2008, Ja.T. received a citation from a Pennsylvania State Trooper for tailgating, which carried a fine of \$25 and costs of

100 According to the Pennsylvania Vehicle Code, Ja T. faced a penalty that included an assignment of three points to her driving record if found guilty of the offense )

128 On or about December 16, 2008 defendant ROBERT MULGREW adjudicated the citation as not guilty

**Acts Related to Citation No. S02544835, Issued on 10/18/09**  
**(Ticket #42 - F.L.)**

129 Shortly after October 18, 2009, defendant MICHAEL LOWRY directed his personal assistant, K O , to designate the citation received by F L for "consideration " (On or about October 18, 2009 F L received a citation for driving on a residential street with a fine and costs of \$101.50 According to the Pennsylvania Vehicle Code F L faced a penalty that included an assignment of three points to her driving record if found guilty of the offense )

130 Sometime after October 18, 2009, K O checked the Traffic Court computer system to determine which judge was assigned to F L 's trial K O then conveyed defendant MICHAEL LOWRY 's "consideration" request for F L 's citation to the personal assistant for defendant MICHAEL J. SULLIVAN

131 On or about December 22, 2009, defendant MICHAEL J SULLIVAN adjudicated the citation as not guilty.

**Acts Related to Citation No. V01868613, Issued on 06/10/10**  
**(Ticket #43 - A.T.)**

132 Soon after on or about June 10, 2010, A T brought his citation to defendant ROBERT MOY 's company, Number One Translations and paid Number One Translations approximately \$200 in cash to handle his ticket (A T received a citation for driving his car onto a sidewalk, which carried a fine of \$25 and costs of \$101.50 )



133 After June 10, 2010, Number One Translations informed A T that he did not have to appear at Traffic Court

134 On or about June 18, 2010, defendant ROBERT MOY, through Number One Translations, mailed the portion of A T 's citation, which stated a plea of not guilty, to Traffic Court.

135 On or about August 6, 2010, defendant ROBERT MOY sent defendant THOMASINE TYNINS a note that informed her of the trial date, courtroom, and presiding judge for A T 's citation

136 On or about August 11, 2010, defendant MICHAEL J. SULLIVAN adjudicated this citation as not guilty

Acts Related to Citation No. X03644955, Issued on 03/07/11  
(Ticket #44 - G.L.)

137. Soon after March 7, 2011, G L 's parents brought G L 's citation to defendant ROBERT MOY's company, Number One Translations, and paid Number One Translations between \$100 and \$200 in cash. (On or about March 7, 2011, G L. received a citation from a Philadelphia police officer for drifting lanes while looking down at a phone while driving, which carried a fine of \$25 and costs of \$102.50. According to the Pennsylvania Vehicle Code, G L. faced a penalty that included an assignment of three points to his driving record if found guilty of the offense.)

138. After March 7, 2011, Number One Translations informed G L that he did not have to appear at Traffic Court.

139. On or about March 15, 2011, defendant ROBERT MOY, through Number One Translations, mailed the portion of G.L.'s citation, which stated a plea of not guilty, to Traffic Court.

140. On or about May 6, 2011, a Request for Continuance was made containing G.L.'s forged signature. The Request for Continuance fraudulently stated that G.L. had "a doctor appointment." This Request for Continuance was approved by defendant THOMASINE TYNES.

141. On or about July 27, 2011, a Request for Continuance was made containing G.L.'s forged signature. The Request for Continuance fraudulently stated that G.L. needed a continuance because he could not "take off from work." This Request for Continuance was approved by defendant WILLIE SINGLETARY.

142. On or about August 19, 2011, a Request for Continuance was made containing G.L.'s forged signature. The Request for Continuance stated that G.L.'s "translator will be available on September 14 at night court." This Request for Continuance was approved by defendant WILLIE SINGLETARY.

143. On or about September 16, 2011, defendant ROBERT MOY sent defendant THOMASINE TYNES a note that informed her of the trial date, courtroom, and presiding judge for G.L.'s citation.

144. On or about September 21, 2011, defendant THOMASINE TYNES adjudicated this citation as not guilty.

Acts Related to Citation No. V00604844, Issued on 04/22/10  
(Ticket #45 – O.S.)

145 Soon after April 22, 2010, O S brought his citation to defendant ROBERT MOY's company, Number One Translations, and paid Number One Translations approximately \$200 to handle this ticket (On or about April 22, 2010, O S received a citation issued by a Philadelphia police officer for speeding at 70 mph in a 30 mph zone, which carried a fine of \$25 and costs of \$101.50. According to the Pennsylvania Vehicle Code, O S faced a penalty of two points to his driving record if found guilty of the offense.)

146 On or about May 3, 2010, defendant ROBERT MOY, through Number One Translation, mailed the portion of O.S.'s citation, which stated a plea of not guilty, to Traffic Court.

147 On or about June 19, 2010, defendant ROBERT MOY sent defendant THOMASINE TYNIS a note that informed her of the trial date, courtroom, and presiding judge for O.S.'s citation.

148 On or about June 25, 2010, defendant THOMASINE TYNES adjudicated this citation as not guilty.

Acts Related to Citation No. X05394782, Issued on 06/27/11  
(Ticket #46 – S.C.)

149 Soon after June 27, 2011, S C read defendant ROBERT MOY's advertisement in the newspaper, and brought his citation to defendant MOY's company, Number One Translations. He paid approximately \$250 to \$300 in cash to have MOY's company handle his citation. (On or about June 27, 2011, S C received a citation for a stop sign violation, which carried a fine of \$25 and costs of \$102.50.)

150 On or about July 6, 2011, defendant ROBERT MOY, through Number One Translations mailed the portion of S C 's citation, which stated a plea of not guilty, to Traffic Court.

151. On or about August 24, 2011, a Request for Continuance was made containing S C.'s forged signature. The Request for Continuance stated that S C.'s ' translator will be available on 9/14/11 in the afternoon " The Request for Continuance was approved by defendant THOMASINE TYNES

152. On or about September 13, 2011, defendant ROBERT MOY sent defendant WILLIE SINGLETARY a note that informed him of the trial date, time, courtroom and presiding judge for S.C.'s citation

153. On or about September 14, 2011, defendant WILLIE SINGLETARY adjudicated this citation as not guilty

Acts Related to Citation No. X04743782, Issued on 03/12/11  
(Ticket #47 J.H.)

154 Soon after March 12, 2011, J.H. after reading defendant ROBERT MOY's advertisement in the newspaper, brought her citation to defendant MOY's company, Number One Translations, and paid Number One Translations approximately \$350 in cash to handle her ticket (On or about March 12, 2011, J.H. received a citation by a Philadelphia police officer for disregarding a stop sign, which carried a fine of \$25 and costs of \$143.50. According to the Pennsylvania Vehicle Code, J.H. faced a penalty that included three points to her driving record if found guilty of the offense )

155. In response to Notices of Impending Suspension of Driving Privileges on March 30, 2011, and a Notice of License Suspension on April 20, 2011, defendant ROBERT MOY mailed the Notice of Impending Suspension of Driving Privileges back to Traffic Court and stated a plea of not guilty on that document.

156. On or about May 13, 2011, a Request for Continuance was made containing J.H.'s signature. The Request for Continuance falsely stated that J.H. "will be in New York City." The Request for Continuance was approved by defendant THOMASINE FYNES.

157. On or about August 11, 2011, another Request for Continuance was made containing J.H.'s signature. The Request for Continuance stated that "[my translator won't be available until 9/14/2011 at 3:00 pm]."

158. On or about September 13, 2011, defendant ROBERT MOY sent defendant WILLIE SINGLETARY a note that informed him of the trial date, time, courtroom, and presiding judge for J.H.'s citation.

159. On or about September 14, 2011, defendant WILLIE SINGLETARY adjudicated this citation as not guilty.

Acts Related to Citation No. X04104962, Issued on 04/22/11  
(Ticket #48 - W.R.)

160. Soon after April 22, 2011, W.R. brought his citation to defendant ROBERT MOY and paid defendant MOY to handle the citation. (On or about April 22, 2011, W.R. received a citation for disregarding a steady red signal, which carried a fine of \$50 and

costs of \$102.50. According to the Pennsylvania Vehicle Code, W.R. faced a penalty that included three points to his driving record if found guilty of the offense.)

161. On or about June 17, 2011, a Request for Continuance was made containing W.R.'s forged signature. The Request for Continuance falsely stated that W.R. "can't take off." The Request for Continuance was approved by defendant ROBERT MULGREW.

162. On or about August 12, 2011, another Request for Continuance was made containing W.R.'s forged signature. The Request for Continuance stated that "[m]y translator won't be available until 9/14/2011 at 3:00 pm." The Request for Continuance was approved by defendant THOMASINE TYNIS.

163. On or about September 13, 2011, defendant ROBERT MOY sent defendant WILLIE SINGLETARY a note that informed him of the trial date, time, courtroom, and presiding judge for W.R.'s citation.

164. On or about September 14, 2011, defendant WILLIE SINGLETARY adjudicated this citation as not guilty.

Acts Related to Citation No. X04885090, Issued on 05/03/11  
(Ticket #49 - J.Ji.)

165. Sometime after May 3, 2011, and after reading defendant ROBERT MOY's advertisement in the newspaper, J.Ji. brought his citation to defendant MOY's company, Number One Translations, and paid it approximately \$200 in cash to handle his ticket. (On or about May 3, 2011, J.Ji. received a citation for failing to yield to oncoming traffic, which carried a fine of \$25 and costs of \$127.50. According to the Pennsylvania Vehicle Code, J.Ji. faced a

penalty that included an assignment of three points to his driving record if found guilty of the offense )

166. On or about May 19, 2011, defendant ROBERT MOY, through Number One Translations, mailed the portion of J.Ji.'s citation, which stated a plea of not guilty, to Traffic Court

167. On or about July 1, 2011, a Request for Continuance was made containing J.Ji.'s forged signature. The Request for Continuance falsely stated that J.Ji.'s will be out of state. The Request for Continuance was approved by defendant THOMASINE TYNIS

168. On or about August 24, 2011, a Request for Continuance was made containing J.Ji.'s forged signature. The Request for Continuance falsely stated that J.Ji.'s was out of state on 7/6/11." The Request for Continuance was approved by defendant THOMASINE TYNIS

169. On or about September 27, 2011, defendant ROBERT MOY sent defendant WILLIE SINGLETARY a note that informed him of the trial date, time, courtroom, and presiding judge for J.Ji.'s citation.

170. On or about September 27, 2011, defendant WILLIE SINGLETARY adjudicated this citation as not guilty.

**Acts Related to Citation No. X04310180, Issued on 07/24/11**  
**(Ticket #50 – J.Ji.)**

171. Soon after July 24, 2011, J.Ji., brought another citation to defendant ROBERT MOY's company, Number One Translations, and paid it approximately \$200 in cash to handle his latest ticket. (On or about July 24, 2011, J.Ji. received a citation from a Philadelphia

police officer for making an improper right turn, which carried a fine of \$25 and costs of \$102.50.)

172. On or about August 4, 2011, defendant ROBERT MOY mailed the portion of J.Ji.'s citation, which stated a plea of not guilty, to Traffic Court.

173. On or about September 27, 2011, defendant ROBERT MOY sent defendant WILLIE SINGLETARY a note that informed him of the trial date, time, courtroom, and presiding judge for J.Ji.'s citation.

174. On or about September 27, 2011, defendant WILLIE SINGLETARY indicated this citation as not guilty.

All in violation of Title 18, United States Code, Section 1349



**COUNTS TWO TO FIFTY**

**WIRE FRAUD**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 26 of Count One and the 'Overt Acts' of Count One are realleged here.

**THE SCHEME**

2 Paragraphs 28 through 67 of Count One are realleged here

3 On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, the defendants listed below, having devised a scheme to defraud the City of Philadelphia and Commonwealth of Pennsylvania, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, knowingly caused to be transmitted, and aided and abetted the transmission of, by means of wire communication in interstate commerce, the signals and sounds described below, each transmission constituting a separate count

COUNT	DEFENDANTS	TICKET # and CITATION NO.	DATE	WIRE TRANSMISSION
2	ALFANO	Ticket #1 (R.C.C.) 502459903	Between on or about 10/31/09 and on or about 1/5/10	Interstate computer check of citation
3	ALFANO HIRD SULLIVAN	Ticket #2 (A.S.) PIJ0PK568L4	3/15/10	Interstate telephone call

4	ALFANO HIRD BRUNO MULGREW	Tickets #3 - #6 (L.R. / Oasis) V00311146 V00311150 V00311161 V00311172	3/8/10	Interstate telephone call
5	ALFANO HIRD LOWRY	Ticket #8 (D.S.) PIK8JW566M1	11/30/10	Interstate telephone call
6	ALFANO HIRD LOWRY	Ticket #8 (D.S.) PIK8JW566M1	11/29/10	Interstate computer check of citation
	ALFANO MULGREW	Ticket #9 (B.D.) S01839412		Interstate computer access to list continuance of citation
8	SULLIVAN LOWRY	Ticket #10 (R.H.) X03704481	5/30/11	Interstate computer transmission of adjudication batch
9	SULLIVAN	Tickets #11 and #12 (M.A.) X04074103 X04074114	5/12/11	Interstate text message
10	SULLIVAN	Tickets #11 and #12 (M.A.) X04074103 X04074114	7/5/11	Interstate telephone call
11	SULLIVAN	Tickets #11 and #12 (M.A.) X04074103 X04074114	7/18/11	Interstate computer transmission of adjudication batch
12	SULLIVAN	Tickets #13 and #14 (R.C.) X03716801 X03716812	6/22/11	Interstate computer transmission of adjudication batch

13	SULLIVAN	Tickets #13 and #14 (R.C.) X03716801 X03716812	Between on or about 5/18/11 and on or about 6/20/11	Interstate computer check of citation
14	SULLIVAN	Tickets #15 through #17 (K.S.) X05080176	6/20/11	Interstate text message
15	SULLIVAN	Ticket #18 (G.C.) P1P0J84T431	Between on or about 6/20/11 and on or about 7/15/11	Interstate computer check of citation
16	HIRD	Ticket #19 (K.M.) V02490762	12/20/10	Interstate computer transmission of adjudication batch
17	HIRD	Ticket #19 (K.M.) V02490762	Between on or about 10/14/10 and on or about 12/15/10	Interstate computer check of citation
18	SULLIVAN HIRD	Tickets #21 and #22 (J.J.) V02509043 V02509054	Between on or about 12/3/10 and on or about 2/9/11	Interstate computer check of citation
19	SULLIVAN HIRD	Tickets #21 and #22 (J.J.) V02509043 V02509054	2/14/11	Interstate computer transmission of adjudication batch
20	TYNES HIRD	Ticket #23 (M.D.) V02677065	Between on or about 1/28/11 and on or about 3/14/11	Interstate computer check of citation
21	TYNES	Tickets #24 and #25 (A.K.) V01711511 V01711522	Between on or about 11/1/10 and on or about 12/16/10	Interstate computer check of citation

22	HIRD LOWRY	Tickets #26 - #29 (C.I.) V01988851 V01988862 V01988873 V01988884	Between on or about 11/29/10 and on or about 12/1/10	Interstate computer check of citation
23	HIRD LOWRY	Tickets #26 - #29 (C.I.) V01988851 V01988862 V01988873 V01988884	11/30/10	Interstate telephone call
24	SINGLETARY	Ticket #30 (H.W.) V02705021	Between on or about 5/6/11 and on or about 6/8/11	Interstate computer access to list continuance of case
25	SINGLETARY SULLIVAN	Ticket #31 (N.M.) V00194165	Between on or about 6/4/10 and on or about 8/6/10	Interstate computer check of citation
26	SINGLETARY SULLIVAN	Ticket #31 (N.M.) V00194165	8/9/10	Interstate computer transmission of adjudication batch
27	SINGLETARY LOWRY	Tickets #32 and #33 (N.M.) V00656084 V00656095	Between on or about 6/26/10 and on or about 8/30/10	Interstate computer check of citation
28	SINGLETARY LOWRY	Tickets #32 and #33 (N.M.) V00656084 V00656095	9/1/10	Interstate computer transmission of adjudication batch
29	SINGLETARY	Tickets #34 - #36 (A.H.) V01892936 V01892940 V01892951	10/7/10	Interstate computer access to list continuance of case

30	SINGLETERY	Tickets #34 #36 (A II) V01892936 V01892940 V01892951	11/15/10	Interstate computer transmission of adjudication batch
31	SINGLETERY	Tickets #37 and #38 (G G) V00997485 V00997496	Between on or about 7/30/10 and on or about 9/22/10	Interstate computer check of citation
32	SINGLETERY	Tickets #37 and #38 (G G) V00997485 V00997496	9/27/10	Interstate computer transmission of adjudication batch
33	SULLIVAN TYNES	Tickets #39 and #40 (T B) E05442102 E05442113	Between on or about 5/29/08 and on or about 7/31/08	Interstate computer check of citation
34	SULLIVAN TYNES	Tickets #39 and #40 (T B) E05442102 E05442113	8/4/08	Interstate computer transmission of adjudication batch
35	MULGREW	Ticket #41 (J a T) E07371910	Between on or about 10/12/08 and on or about 12/16/08	Interstate computer check of citation
36	MULGREW	Ticket #41 (J a T) E07371910	12/18/08	Interstate computer transmission of adjudication batch
37	LOWRY SULLIVAN	Ticket #42 (F.L.) S00623000	Between on or about 10/18/09 and on or about 12/22/09	Interstate computer check of citation
38	LOWRY SULLIVAN	Ticket #42 (F.L.) S00623000	12/24/09	Interstate computer transmission of adjudication batch

39	SULLIVAN MOY	Ticket #43 (A T ) V01868613	8 16 10	Interstate computer transmission of adjudication batch
40	TYNES MOY	Ticket #44 (G L ) X03644955	5 6 11	Interstate computer access to list continuance of case
41	TYNES MOY	Ticket #44 (G L ) X03644955	7 29 11	Interstate computer access to list continuance of case
42	TYNES MOY	Ticket #45 (O S ) V00604844	6 28 10	Interstate computer transmission of adjudication batch
43	SINGLETARY MOY	Ticket #46 (S C ) X05395782	1 2 11	Interstate computer access to list continuance of case
44	SINGLETARY MOY	Ticket #47 (J H ) X0474378	5 13 11	Interstate computer access to list continuance of case
45	SINGLETARY MOY	Ticket #47 (J H ) X04743782	8 12 11	Interstate computer access to list continuance of case
46	SINGLETARY MOY	Ticket #48 (W R ) X04104962	6 17 11	Interstate computer access to list continuance of case
47	SINGLETARY MOY	Ticket #48 (W.R ) X04104962	8 12 11	Interstate computer access to list continuance of case
48	SINGLETARY MOY	Ticket #49 (J.Ji ) X04885090	7 1 11	Interstate computer access to list continuance of case
49	SINGLETARY MOY	Ticket #49 (J.Ji ) X04885090	8 24 11	Interstate computer access to list continuance of case
50	SINGLETARY MOY	Ticket #50 (J.Ji ) X04310180	9 29 11	Interstate computer transmission of adjudication batch

All in violation of Title 18, United States Code, Sections 1343 and 2

62	SULLIVAN MOY	Ticket #43 (A.T.) V01868613	6/18/10	Citation information mailed
63	TYNES MOY	Ticket #44 (G.L.) X03644955	3/15/11	Citation information mailed
64	TYNES MOY	Ticket #45 (O.S.) V00604844	5/3/10	Citation information mailed
65	SINGLETARY MOY	Ticket #46 (S.C.) X05395782	7/6/11	Citation information mailed
66	SINGLETARY MOY	Ticket #47 (O.H.) X04743782	1/26/11	Citation information mailed
67	SINGLETARY MOY	Ticket #49 (J.J.) X04885090	5/19/11	Citation information mailed
68	SINGLETARY MOY	Ticket #50 (J.J.) X04310180	8/1/11	Citation information mailed

All in violation of Title 18, United States Code, Sections 1341 and 2



COUNTS FIFTY-ONE TO SIXTY-EIGHT

**MAIL FRAUD**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 26 of Count One and the "Overt Acts" of Count One are realleged here

THE SCHEME

2. Paragraphs 28 through 67 of Count One are realleged here

3. On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, the defendants listed below, having devised a scheme to defraud the City of Philadelphia and Commonwealth of Pennsylvania, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, and attempting to do so, knowingly took, received, and aided and abetted the taking and receiving, from an authorized depository for mail matter, and caused to be delivered, and aided and abetted the delivery of, by the United States mail, according to directions thereon the mail described below, each transmission constituting a separate count

COUNT	DEFENDANTS	TICKET # and CITATION NO.	DATE	MAILING
51	ALFANO	Ticket #1 (R.C.C.) S02459903	Between on or about 1/5/10 and on or about 1/15/10	"Receipt" mailed
52	ALFANO	Ticket #2 (A.S.) P1J0PK568L4	3/15/10	Citation information mailed

53	ALFANO	Ticket #2 (A.S.) P1J0PK568L4	5/12/10	'Receipt' mailed
54	ALFANO BRUNO	Ticket #3 and #4 (L.R.) V0031114 6 V0031115-0	5/21/10	"Receipt" mailed
55	ALFANO MULLIGREW	Ticket #7 (Gianna Salvage, Inc.) V00322394	4/19/10	Citation information mailed
56	ALFANO MULLIGREW	Ticket #7 (Gianna Salvage Inc.) V00322394	Between on or about 4/14/10 and on or about 4/19/10	Citation information mailed
57	SULLIVAN	Ticket #18 (G.C.) P110J84T431	7/23/11	Refund of money mailed
58	HIRD	Ticket #19 (K.M.) V02490762	Between on or about 10/14/10 and on or about 12/14/10	Citation information mailed
59	SINGLETARY HIRD	Ticket #20 (J.B.) V02803861	Between on or about 12/11/10 and on or about 2/2/11	Citation information mailed
60	TYNES HIRD	Ticket #23 (M.D.) V02677065	2/9/11	Citation information mailed
61	SINGLETARY SULLIVAN	Ticket #30 (H.W.) V02705021	Between on or about 5/6/11 and on or about 6/8/11	Letter mailed to PennDOT requesting that points be rescinded

COUNT SIXTY-NINE

PERJURY - MICHAEL LOWRY

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One are incorporated here.

2. On or about October 25, 2011, in the Eastern District of Pennsylvania, defendant

MICHAEL LOWRY,

while under oath and testifying in a proceeding before a grand jury of the United States in the Eastern District of Pennsylvania, knowingly made a false material declaration.

3. The grand jury empaneled on or about February 4, 2011, was conducting an investigation to determine, in part, whether individuals at and associated with Traffic Court engaged in the manipulation of tickets outside the judicial process, commonly known as "ticket fixing" and referred to as "consideration." It was material to this investigation to determine which individuals, and specifically which judges, participated in this practice.

4. With respect to this material matter referring to requests for consideration, defendant MICHAEL LOWRY testified as follows, at page 49 of the transcript:

Q: Your testimony is you don't give out special favors; is that right?

A: No, I treat everybody in that courtroom the same.

5. The testimony of defendant MICHAEL LOWRY, as he then and there well knew and believed, was false, in that LOWRY did give out special favors, in that he accepted and was influenced by "consideration" requests from other judges and individuals.

In violation of Title 18, United States Code, Section 1623

COUNT SEVENTY

PERJURY - ROBERT MULGREW

THE GRAND JURY FURTHER CHARGES THAT:

1 Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here

2 On or about November 8, 2011, in the Eastern District of Pennsylvania, defendant

ROBERT MULGREW

while under oath and testifying in a proceeding before a grand jury of the United States in the Eastern District of Pennsylvania knowingly made a false material declaration.

3 The grand jury empaneled on or about February 4, 2011, was conducting an investigation to determine, in part, whether individual at and associated with Traffic Court engaged in the manipulation of tickets outside the judicial process, commonly known as "ticket fixing" and referred to as "consideration." It was material to this investigation to determine which individuals, and specifically which judges, participated in this practice

4. With respect to this material matter, referring to requests for consideration, defendant ROBERT MULGREW testified as follows, at pages 17-18 and 22-23 of the transcript

Q How about your personal, has your personal received any calls like that from other judges, other ward leaders that she's conveyed to you saying that so and so has called about this case?

A If she did, she didn't convey them to me.

Q. Let me make sure as well that if I got your testimony correct. You're saying that if other people whether they be political leaders, friends and family, anybody is approaching your personal and asking her specifically to look out for a case, see what she can do in a case, give preferential treatment, however you want to phrase it, that she is not relaying any of that information on to you; is that correct?

A. No, she isn't.

5 The testimony of defendant ROBERT MULGREW, as he then and there well knew and believed, was false, in that MULGREW's personal assistant did communicate to him "consideration" requests from other judges and individuals

In violation of Title 18, United States Code Section 1623

COUNT SEVENTY-ONE

PERJURY - THOMASINE TYNES

THE GRAND JURY FURTHER CHARGERS THAT:

1 Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here.

2 On or about October 4, 2011, in the Eastern District of Pennsylvania defendant

THOMASINE TYNES,

while under oath and testifying in a proceeding before a grand jury of the United States in the Eastern District of Pennsylvania, knowingly made a false material declaration

3 The grand jury empaneled on or about February 4, 2011, was conducting an investigation to determine, in part, whether individuals at and associated with Traffic Court engaged in the manipulation of tickets outside the judicial process, commonly known as "ticket fixing" and referred to as "consideration." It was material to this investigation to determine which individuals, and specifically which judges, participated in this practice

4 With respect to this material matter, defendant THOMASINE TYNES testified as follows, at page 27 of the transcript.

Q: In all the years you've been [at Traffic Court] have you ever been asked to give favorable treatment on a case to anybody?

A: No, not favorable treatment. People basically know me. The lawyers know me. The court officers know me. I have been called a no nonsense person because I'm just not that way. I take my position seriously and the cards fall where they may

5 The testimony of defendant TYNIF S as she then and there well knew and believed, was false, in that TYNIF S was asked to give favorable treatment on cases.

In violation of Title 18, United States Code, Section 1623



**COUNT SEVENTY-TWO**

**PERJURY - THOMASINE TYNES**

**THE GRAND JURY FURTHER CHARGES THAT:**

1 Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here

2 On or about October 4, 2011, in the Eastern District of Pennsylvania, defendant

**THOMASINE TYNES,**

while under oath and testifying in a proceeding before a grand jury of the United States in the Eastern District of Pennsylvania, knowingly made a false material declaration

3 The grand jury empaneled on or about February 4, 2011, was conducting an investigation to determine, in part, whether individuals at and associate 1 with Traffic Court engaged in the manipulation of tickets outside the judicial process, commonly known as "ticket fixing" and referred to as "consideration." It was material to this investigation to determine which individuals, and specifically which judges, participated in this practice.

4 With respect to this material matter, defendant THOMASINE TYNES testified as follows, at page 29 of the transcript:

Q: You've never taken action on a request?

A: No.

5 The testimony of defendant TYNES, as she then and there well knew and believed, was false, in that TYNES did take action on requests for favorable treatment on cases

In violation of Title 18, United States Code, Section 1623

**COUNT SEVENTY-THREE**

**FALSE STATEMENT TO FBI - WILLIE SINGLETARY**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One are incorporated here

2. On or about September 21, 2011, in the Eastern District of Pennsylvania, defendant

**WILLIE SINGLETARY,**

in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency of the United States Department of Justice, knowingly and willfully made a false material statement

3. Agents of the FBI were investigating the existence of a wire and mail fraud conspiracy charged in Count One of this indictment. A material question in this inquiry was whether defendant WILLIE SINGLETARY assisted in the manipulation of or provided preferential treatment in any Traffic Court matter outside the judicial process

4. With respect to these material matters, defendant WILLIE SINGLETARY stated that he had never arranged or facilitated preferential treatment to anyone with a matter in Traffic Court

5. These statements were false, as defendant WILLIE SINGLETARY then knew, as explained in the incorporated paragraphs of Count One of this indictment

In violation of Title 18, United States Code, Section 1001

**COUNT SEVENTY-FOUR**

**FALSE STATEMENT TO FBI - WILLIE SINGLETARY**

**THE GRAND JURY FURTHER CHARGES THAT:**

1 Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here.

2 On or about September 21, 2011, in the Eastern District of Pennsylvania, defendant

**WILLIE SINGLETARY,**

in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency of the United States Department of Justice, knowingly and willfully made a false material statement

3 Agents of the FBI were investigating the existence of a wire and mail fraud conspiracy charged in Count One of this indictment. A material question in this inquiry was whether defendant WILLIE SINGLETARY assisted in the manipulation of or provided preferential treatment in any Traffic Court matter outside the judicial process.

4 With respect to these material matters, defendant SINGLETARY stated that he never waived any fine, reduced fines, reduced any points, or eliminated any tickets at the request of another judge or employee of the City of Philadelphia, nor through a previous arrangement prior to a court hearing.

5. These statements were false, as defendant WILLIE SINGLETARY then knew, as explained in the incorporated paragraphs of Count One of this indictment.

In violation of Title 18, United States Code, Section 1001.

**COUNT SEVENTY-FIVE**

**FALSE STATEMENT TO FBI - WILLIAM HIRD**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here
2. On or about September 21, 2011, in the Eastern District of Pennsylvania, defendant

**WILLIAM HIRD,**

in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency of the United States Department of Justice, knowingly and willfully made a false material statement

3. Agents of the FBI were investigating the existence of a wire and mail fraud conspiracy charged in Count One of this indictment. A material question in this inquiry was whether WILLIAM HIRD assisted in the manipulation or preferential treatment of any Traffic Court matter outside the judicial process

4. With respect to this material matter, defendant WILLIAM HIRD told the agents that he never manipulated or "fixed" tickets for defendant HENRY P. ALFANO

5. These statements were false, as HIRD then knew, as explained in the incorporated paragraphs of Count One of this indictment

In violation of Title 18, United States Code, Section 1001

**COUNT SEVENTY-SIX**

**FALSE STATEMENT TO FBI - WILLIAM HIRD**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here
2. On or about September 21, 2011, in the Eastern District of Pennsylvania, defendant

**WILLIAM HIRD,**

in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency of the United States Department of Justice, knowingly and willfully made a false material statement

3. Agents of the FBI were investigating the existence of a wire and mail fraud conspiracy charged in Count One of this indictment. A material question in this inquiry was whether WILLIAM HIRD assisted in the manipulation or preferential treatment of any Traffic Court matter outside the judicial process

4. With respect to this material matter, defendant WILLIAM HIRD stated that he never arranged to manipulate any Traffic Court hearings

5. These statements were false, as HIRD then knew, as explained in the incorporated paragraphs of Count One of this indictment

In violation of Title 18, United States Code, Section 1001

**COUNT SEVENTY-SEVEN**

**FAI SE STATEMENT TO FBI - WILLIAM HIRD**

**THE GRAND JURY FURTHER CHARGERS THAT:**

1. Paragraphs 1 through 26 and 28 through 67 of Count One, and the "Overt Acts" of Count One, are incorporated here

2. On or about September 21, 2011, in the Eastern District of Pennsylvania defendant

**WILLIAM HIRD,**

in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency of the United States Department of Justice knowingly and willfully made a false material statement

3. Agents of the FBI were investigating the existence of a wire and mail fraud conspiracy charged in Count One of this indictment. A material question in this inquiry was whether WILLIAM HIRD assisted in the manipulation or preferential treatment of any Traffic Court matter outside the judicial process

4. With respect to this material matter defendant WILLIAM HIRD stated that Fortunato N. Perri, Sr. did not discuss "fixing" tickets or manipulating traffic court hearings with him.

5. These statements were false, as HIRD then knew, as explained in the incorporated paragraphs of Count One of this indictment

In violation of Title 18, United States Code, Section 1001

**A TRUE BILL:**

**\_\_\_\_\_  
GRAND JURY FOREPERSON**

**ZANE DAVID MEYER  
UNITED STATES ATTORNEY**

# **BOARD EXHIBIT**

**B**

# **BOARD EXHIBIT**

**B**



CLOSED

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CRIMINAL DOCKET FOR CASE #: 2:13-cr-00039-TJS-2**

Case title: USA v. SULLIVAN et al

Date Filed: 01/29/2013

Date Terminated: 01/29/2015

Assigned to: HONORABLE TIMOTHY J.  
SAVAGEAppeals court case number: 15-1344  
U.S.C.A. for the Third Circuit**Defendant (2)****MICHAEL LOWRY**  
*TERMINATED: 01/29/2015*

represented by **TERRI A. PAWELSKI**  
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*Designation: CJA Appointment*

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**TERMINATED: 02/26/2014**  
*Designation: Retained*

**Pending Counts**

18:1623 - PERJURY  
 (69)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:1349 - CONSPIRACY TO COMMIT  
 WIRE AND MAIL FRAUD  
 (1)

18:1343 - WIRE FRAUD; 18:2 - AIDING  
 AND ABETTING  
 (5-6)

18:1343 - WIRE FRAUD; 18:2 - AIDING  
 AND ABETTING  
 (8)

18:1343 - WIRE FRAUD; 18:2 - AIDING  
 AND ABETTING  
 (22-23)

18:1343 - WIRE FRAUD; 18:2 - AIDING  
 AND ABETTING  
 (27-28)

**Disposition**

IMPRISONMENT: 20 MONTHS;  
 SUPERVISED RELEASE: 1 YEAR;  
 SPECIAL ASSESSMENT: \$100.00

**Disposition**

NOT GUILTY

NOT GUILTY

NOT GUILTY

NOT GUILTY

NOT GUILTY

18:1343 - WIRE FRAUD; 18:2 - AIDING  
AND ABETTING  
(37-38)

NOT GUILTY

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**

**Movant**

**THE MINOR JUDICIARY  
EDUCATION BOARD OF  
PENNSYLVANIA**

represented by **MICHAEL DALEY**  
SUPREME COURT OF PA  
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Date Filed	#	Docket Text
04/10/2020	<u>646</u>	ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT THE ABOVE-CAPTIONED CASE IS REASSIGNED AT RANDOM FROM THE CALENDAR OF THE HONORABLE ROBERT F. KELLY TO THE CALENDAR OF THE HONORABLE TIMOTHY J. SAVAGE. Signed by CHIEF JUDGE JUAN R. SANCHEZ on 4/10/20.4/10/20 Entered and Copies E-Mailed. (mac, ) (Entered: 04/10/2020)
12/17/2018	<u>629</u>	MANDATE of USCA (certified copy) as to MICHAEL LOWRY re <u>511</u> Clerks Notice to USCA, <u>510</u> Notice of Appeal - Final Judgment, <u>623</u> USCA Mandate,,,,,, USCA Notice of Docketing Record on Appeal. IT IS ORDERED AND ADJUDGED BY THIS COURT THAT THE JUDGMENT OF SAID DISTRICT COURT ENTERED ON 1/29/15 BE AND THE SAME ARE HEREBY AFFIRMED, ETC (ke) (Entered: 12/17/2018)
12/04/2018	<u>626</u>	ORDER REASSIGNING CASE. CASE REASSIGNED TO JUDGE HONORABLE ROBERT F. KELLY as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY FOR ALL FURTHER PROCEEDINGS. JUDGE HONORABLE LAWRENCE F. STENDEL NO LONGER ASSIGNED TO CASE. Signed by CHIEF JUDGE JUAN R. SANCHEZ on 12/1/18.12/4/18 Entered and Copies E-Mailed. (mac, ) (Entered: 12/04/2018)
11/14/2018	<u>623</u>	MANDATE of USCA (certified copy) as to MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, WILLIAM HIRD, HENRY P. ALFANO re 526 USCA Mandate, <u>511</u> Clerks Notice to USCA, 578 Notice of Appeal - Final Judgment, 476 Clerks Notice to USCA, 525 Clerks Notice to USCA, 480 Clerks Notice to USCA, 475 Notice of Appeal - Final Judgment, USCA Notice of Docketing Record on Appeal, 531 Copy of TPO Form, 481 Notice of Appeal - Final Judgment, <u>521</u> USCA Order, 479 Notice of Appeal - Final Judgment, USCA Notice of Docketing Record on Appeal, 482 Clerks Notice to USCA, 524 Notice of Appeal - Final Judgment, 510 Notice of Appeal - Final Judgment, USCA Notice of Docketing Record on Appeal, Notice of Appeal - Final Judgment, 512 USCA Order, 579 Clerks Notice to USCA, USCA Notice of Docketing Record on Appeal, USCA Notice of Docketing Record on Appeal, USCA Notice of Docketing Record on Appeal. IT IS ORDERED BY THIS COURT THAT THE JUDGMENTS OF SAID DISTRICT COURT ENTERED ON 12/10/14 (TYNES )(MULGREW), 12/17/14 (HIRD), 1/29/15 (LOWRY), AND 11/2/15 (ALFANO) BE AND THE ARE HERE AFFIRMED. IT IS ORDERED BY THIS COURT THAT THE JUDGMENT OF SENTENCE OF SAID DISTRICT COURT ENTERED 3/31/15 (SINGLETARY) BE AND THE SAME IS HEREBY REVERSED AND REMANDED FOR RESENTENCING, CONSISTENT WITH THE OPINION, ETC. **(FILED IN ERROR AS TO HIRD, TYNES, MULGREW, LOWRY, ALFANO)** (ke) Modified on 11/15/2018 (ke, ). (Main Document 623 replaced on 11/15/2018) (ke, ). (Additional attachment(s) added on 11/19/2018: # <u>1</u> PDF) (ke, ). (Entered: 11/15/2018)
03/30/2017	<u>617</u>	ORDER AS TO MICHAEL LOWRY THAT THE PASSPORT SURRENDERED BY THE ABOVE-NAMED DEFENDANT BE FORWARDED TO THE UNITED STATES

DEPARTMENT OF STATE, ETC. Signed by HONORABLE LAWRENCE F. STENGEL on 3/29/17.3/30/17 Entered and Copies E-Mailed. (mac, ) (Entered: 03/30/2017)

- 03/30/2017 616 NOTICE Regarding United States Passport for Criminal Defendant as to MICHAEL LOWRY (mac, ) (Entered: 03/30/2017)
- 11/28/2016 614 ORDER AS TO MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES THAT APPELLANTS' MOTION TO CORRECT AND COMPLETE THE APPELLATE RECORD PURSUANT TO FEDERAL RULE OF APPELLATE PROCEDURE 10(c) IS GRANTED TO THE EXTENT THE RECORDINGS OF SIDEBAR CONFERENCES OF MAY 29, 2014, JUNE 2, 2014, JUNE 19, 2014, AND JUNE 26, 2014 HAVE BEEN TRANSCRIBED AND THE TRANSCRIPTS HAVE BEEN ADE PART OF THE RECORD OF THIS CASE, ETC. Signed by HONORABLE LAWRENCE F. STENGEL on 11/28/16.11/28/16 Entered and Copies E-Mailed. (mac, ) (Entered: 11/28/2016)
- 11/28/2016 613 MEMORANDUM AS TO MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES RE: MOTION TO CORRECT AND COMPLETE THE APPELLATE RECORD PURSUANT TO FEDERAL RULE OF APPELLATE PROCEDURE 10(c). Signed by HONORABLE LAWRENCE F. STENGEL on 11/28/16.11/28/16 Entered and Copies E-Mailed. (mac, ) (Entered: 11/28/2016)
- 10/20/2016 612 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/26/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 10/20/2016)
- 10/20/2016 611 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/19/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 10/20/2016)
- 09/15/2016 610 Supplemental Submission in Support of Motion to Correct and Complete Appellate Record, and Motion for Status Conference by MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES, CERTIFICATE OF SERVICE. (ATTY. LINKED TO ALL DEFTS). (Attachments: # 1 Exhibit A)(MATHEWSON, LISA) Modified on 9/15/2016 (ke, ). (Entered: 09/15/2016)
- 08/30/2016 609 ORDER AS TO MICHAEL LOWRY THAT DEFENDANT'S TERM OF SUPERVISED RELEASE SHALL BE MODIFIED AS OUTLINED HEREIN. Signed by HONORABLE LAWRENCE F. STENGEL on 8/29/16.8/230/16 Entered and Copies E-Mailed. (mac, ) (Entered: 08/30/2016)
- 08/26/2016 608 MOTION to Modify Conditions of Release by MICHAEL LOWRY. CERTIFICATE OF SERVICE. (ENGLE, MICHAEL) Modified on 8/29/2016 (ap, ). (Entered: 08/26/2016)
- 08/09/2016 607 MOTION to Correct and Complete the Appellate Record Pursuant to Fed. R. App. P. 10(c) by MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES . CERTIFICATE OF SERVICE. (Atty linked motion to all defendants.) (Attachments: # 1 Text of Proposed Order, # 2 Exhibit)(MATHEWSON, LISA) Modified on 8/10/2016 (ap, ). Modified on 8/10/2016 (ap, ). (Entered: 08/09/2016)
- 06/10/2016 606 ORDER as to MICHAEL LOWRY (2); as to ROBERT MULGREW (3), THOMASINE TYNES (5), ET AL. THAT THE DEFENDANTS' JOINT MOTION 584 TO CORRECT THE APPELLATE RECORD IS DENIED AS MOOT; THE DEFENDANT'S MOTION TO JOIN IN CO-DEFENDANT'S MOTION 585 TO CORRECT THE APPELLATE RECORD IS DENIED AS MOOT. Signed by HONORABLE LAWRENCE F.

STENGEL on 6/10/2016.6/10/2016 ENTERED AND COPIES E-MAILED.(ap, )  
(Entered: 06/10/2016)

- 05/31/2016 605 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/8/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 604 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/2/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 603 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/1/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 602 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 6/30/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 601 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 6/25/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 600 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 6/24/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 599 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebars held on 6/18/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 598 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 6/5/14, before Judge LAWRENCE F. STENGEL. Transcriber: Doman. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 597 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/23/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 596 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/17/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 595 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/16/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)



- 05/31/2016 594 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/4/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 593 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/2/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 592 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar Discussions held on 5/29/14, before Judge LAWRENCE F. STENGEL. Transcriber: Transcribers Unlimited. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 591 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/21/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 590 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/18/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 589 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/15/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 588 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/10/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/31/2016)
- 05/31/2016 587 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Sidebar held on 7/9/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/31/2016)
- 02/26/2016 586 RESPONSE to Motion by USA as to MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES re 584 Joint MOTION Correct the Record for Appeal (FRAP 10(e)) filed by USA, CERTIFICATE OF SERVICE. (WOLF, DENISE) Modified on 2/29/2016 (ke, ). (Entered: 02/26/2016)
- 01/13/2016 585 MOTION for Joinder *Co-Defendants' Motion to Correct the Appellate Record* by MICHAEL LOWRY. CERTIFICATE OF SERVICE. (ENGLE, MICHAEL) Modified on 1/14/2016 (ap, ). (Entered: 01/13/2016)
- 11/30/2015 582 Notice of Filing of Official Transcript with Certificate of Service re 581 Transcript - PDF,, 11/30/15 Entered and Copies Emailed. (mac, ) (Entered: 11/30/2015)
- 11/30/2015 581 TRANSCRIPT: Jury Trial held on 6/19/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/21/2015. Redacted Transcript Deadline set for 12/31/2015. Release of

Transcript Restriction set for 2/29/2016. Transcriber: Transcribers LTD.(mac, ) (Entered: 11/30/2015)

- 11/09/2015 577 Notice of Filing of Official Transcript with Certificate of Service re 576 Transcript - PDF,, 575 Transcript - PDF,, 566 Transcript - PDF,, 570 Transcript - PDF,, 568 Transcript - PDF,, 571 Transcript - PDF,, 573 Transcript - PDF,, 567 Transcript - PDF,, 569 Transcript - PDF,, 572 Transcript - PDF,, 574 Transcript - PDF,, 11/9/2015 Entered and Copies E-mailed. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 576 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/21/2014, before Judge LAWRENCE F. STENDEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 575 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/17/2014, before Judge LAWRENCE F. STENDEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 574 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/14/2014, before Judge LAWRENCE F. STENDEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 573 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/26/2014, before Judge LAWRENCE F. STENDEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 572 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/23/2014, before Judge LAWRENCE F. STENDEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 571 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A.



BRUNO, ROBERT MOY held on 6/17/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)

- 11/09/2015 570 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/16/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 569 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/4/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 568 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/3/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 567 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/2/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 11/09/2015 566 TRANSCRIPT OF JURY TRIAL AS TO MICHAEL SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 5/29/2014, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/30/2015. Redacted Transcript Deadline set for 12/10/2015. Release of Transcript Restriction set for 2/8/2016. (tomg, ) (Entered: 11/09/2015)
- 07/29/2015 559 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Hearing held on 12/4/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)

- 07/29/2015 558 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 7/8/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 557 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 7/2/15, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 556 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 7/1/15, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 555 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/30/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 554 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/25/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 553 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/24/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 552 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/18/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 551 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/5/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 550 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 5/28/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 549 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Volume 3 held on 5/27/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/29/2015 548 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Volume 2 held on 5/27/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)

- 07/29/2015 547 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 5/27/14, before Judge LAWRENCE F. STENGEL. Transcriber: Diana Doman Transcribing, LLC. (mac, ) (Entered: 07/29/2015)
- 07/10/2015 543 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 7/21/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 07/10/2015)
- 06/24/2015 541 Notice of Filing of Official Transcript with Certificate of Service re 540 Transcript - PDF, 6/25/15 Entered and Copies Emailed. (mac, ) (Entered: 06/25/2015)
- 06/24/2015 540 TRANSCRIPT: Criminal Jury Trial held on 7/10/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/15/2015. Redacted Transcript Deadline set for 7/27/2015. Release of Transcript Restriction set for 9/22/2015. (mac, ) (Entered: 06/25/2015)
- 06/22/2015 539 Notice of Filing of Official Transcript with Certificate of Service re 534 Transcript - PDF, 537 Transcript - PDF, 535 Transcript - PDF, 538 Transcript - PDF, 536 Transcript - PDF,, 6/22/15 Entered and Copies Emailed. (mac, ) (Entered: 06/22/2015)
- 06/22/2015 538 TRANSCRIPT: Trial held on 7/23/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/13/2015. Redacted Transcript Deadline set for 7/23/2015. Release of Transcript Restriction set for 9/21/2015. Transcription Service: Veritext. (mac, ) (Entered: 06/22/2015)
- 06/22/2015 537 TRANSCRIPT: Trial held on 7/22/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/13/2015. Redacted Transcript Deadline set for 7/23/2015. Release of Transcript Restriction set for 9/21/2015. Transcription Service: Veritext.(mac, ) (Entered: 06/22/2015)
- 06/22/2015 536 TRANSCRIPT: Jury Trial held on 7/18/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/13/2015. Redacted Transcript Deadline set for 7/23/2015. Release of Transcript Restriction set for 9/21/2015. Transcription Service: Veritext (mac, ) (Entered: 06/22/2015)
- 06/22/2015 535 TRANSCRIPT: Trial held on 7/15/14, before Judge LAWRENCE F. STENGEL. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/13/2015. Redacted Transcript Deadline set for 7/23/2015. Release of Transcript Restriction set for 9/21/2015. Transcription Service: Veritext (mac, ) (Entered: 06/22/2015)
- 06/22/2015 534 TRANSCRIPT: Trial held on 7/9/14, before Judge LAWRENCE F. STENGEL. Court



Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/13/2015. Redacted Transcript Deadline set for 7/23/2015. Release of Transcript Restriction set for 9/21/2015. Transcription Service: Veritext (mac, ) (Entered: 06/22/2015)

- 05/11/2015 532 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/23/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 05/11/2015)
- 03/16/2015 521 ORDER of USCA (certified copy) as to MICHAEL LOWRY re 510 Notice of Appeal - Final Judgment that the foregoing motion by appellant for bail pending appeal is denied. (mac, ) (Entered: 03/16/2015)
- 03/04/2015 520 ORDER denying 515 MOTION FOR RELEASE PENDING APPEAL as to MICHAEL LOWRY (2). Signed by HONORABLE LAWRENCE F. STENGEL on 3/4/2015.3/4/2015 ENTERED AND COPIES E-MAILED.(tomg, ) (Entered: 03/04/2015)
- 03/03/2015 519 RESPONSE to Motion by USA as to MICHAEL LOWRY re 515 MOTION for Bail *Pending Appeal* filed by USA. CERTIFICATE OF SERVICE. (WOLF, DENISE) Modified on 3/4/2015 (ap, ). (Entered: 03/03/2015)
- 02/25/2015 515 MOTION FOR RELEASE PENDING APPEAL PURSUANT TO 18 U.S.C. SEC 3143(B) by MICHAEL LOWRY. CERTIFICATE OF SERVICE. (Attachments: # 1 Text of Proposed Order)(DESTEFANO, WILLIAM) Modified on 2/26/2015 (ap, ). (Entered: 02/25/2015)
- 02/10/2015 NOTICE of Docketing Record on Appeal from USCA as to MICHAEL LOWRY re 510 Notice of Appeal - Final Judgment filed by MICHAEL LOWRY. USCA Case Number 15-1344. (mac, ) Modified on 11/15/2018 (ke, ). (Entered: 02/10/2015)
- 02/03/2015 511 Clerk's Notice to USCA re 510 Notice of Appeal - Final Judgment : (mac, ) Modified on 11/15/2018 (ke, ). (Entered: 02/04/2015)
- 02/03/2015 510 NOTICE OF APPEAL filed by Deputy Clerk as to MICHAEL LOWRY re 508 Judgment (mac, ) Modified on 11/15/2018 (ke, ). (Entered: 02/04/2015)
- 01/29/2015 508 JUDGMENT AS TO MICHAEL LOWRY (2), Count 69, IMPRISONMENT: 20 MONTHS; SUPERVISED RELEASE: 1 YEAR; SPECIAL ASSESSMENT: \$100.00. Signed by HONORABLE LAWRENCE F. STENGEL on 1/29/15.1/29/15 Entered. (mac, ) (Entered: 01/29/2015)
- 01/23/2015 506 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Closing Argument of Mr. Hockheimer held on 7/17/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 505 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Robert Delario held on 6/17/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 504 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A.

BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Bernard Lindline held on 6/26/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)

- 01/23/2015 503 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, HENRY P. ALFANO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Bernard Lindline held on 6/26/14, before Judge LAWRENCE F. STENGEL. (mac, ) Modified on 1/23/2015 (mac, ).(FILED IN ERROR AS TO HENRY P. ALFANO, DOCUMENT WILL BE RE-FILED) (Entered: 01/23/2015)
- 01/23/2015 502 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Richard Capozzoli, Sr. held on 6/23/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 501 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of David Callsen held on 6/23/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 500 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Kenneth Miller held on 6/19/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 499 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, HENRY P. ALFANO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Robert Delario held on 6/17/14, before Judge LAWRENCE F. STENGEL. (mac, ) Modified on 1/23/2015 (mac, ).(FILED IN ERROR AS TO HENRY P. ALFANO, DOCUMENT WILL BE RE-FILED) (Entered: 01/23/2015)
- 01/23/2015 498 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Robert DeEmilio held on 6/17/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 497 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Robert T. DeEmilio held on 6/16/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 496 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Walt Smaczylo held on 6/4/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 495 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt Testimony of Kevin O'Donnell held on 6/4/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 494 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt of Testimony of Kevin O'Donnell held on 6/3/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/23/2015 493 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY,

ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 6/2/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)

- 01/23/2015 492 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial held on 5/29/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 01/23/2015)
- 01/14/2015 [488](#) ORDER AS TO MICHAEL LOWRY THAT THE EXECUTION OF PRISON SENTENCE IS SUSPENDED UNTIL MONDAY, MARCH 16, 2015, AT WHICH TIME DEFENDANT IS DIRECTED TO REPORT TO AN INSTITUTION DESIGNATED BY THE USM AND BOP NO LATER THAN 2:00 P.M. TO COMMENCE SERVING SAID SENTENCE. Signed by HONORABLE LAWRENCE F. STENGEL on 1/14/15.1/14/15 Entered and Copies E-Mailed. (mac, ) (Entered: 01/14/2015)
- 01/14/2015 [487](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Sentencing held on 1/14/15 for MICHAEL LOWRY (2), Count(s) 69, IMPRISONMENT: 20 MONTHS; SUPERVISED RELEASE: 1 YEAR; SPECIAL ASSESSMENT: \$100.00. THE DEFENDANT IS ADVISED OF HIS APPEAL RIGHTS. THE COURT ORDERS THAT THE DEFENDANT SHALL SELF-SURRENDER TO AN INSTITUTION DESIGNATED BY THE USM AND BOP NO LATER THAN 2:00 P.M. ON MONDAY, MARCH 16, 2015 Court Reporter ESR.(mac, ) (Entered: 01/14/2015)
- 01/07/2015 [484](#) SENTENCING MEMORANDUM Certificate of Service by MICHAEL LOWRY (Attachments: # [1](#) Exhibit)(DESTEFANO, WILLIAM) (Entered: 01/07/2015)
- 01/02/2015 [483](#) NOTICE OF HEARING as to MICHAEL LOWRY Rescheduled Sentencing set for Wednesday, 1/14/2015 at 10:00 AM in COURTROOM 3B, 3rd floor before THE HONORABLE LAWRENCE F. STENGEL. (lhb) (Entered: 01/02/2015)
- 11/26/2014 [460](#) SENTENCING DOCUMENT as to MICHAEL LOWRY (WOLF, DENISE) (Entered: 11/26/2014)
- 11/19/2014 [456](#) ORDER THAT THE GOVERNMENT'S MOTION FOR AN EXTENSION OF TIME TO FILE SENTENCING MEMORANDA [455](#) IS GRANTED. THE GOVERNMENT SHALL FILE ITS SENTENCING MEMORANDA BY TUESDAY, NOVEMBER 25, 2014 AS TO MICHAEL LOWRY (2), ROBERT MULGREW (3), WILLIE SINGLETARY (4), THOMASINE TYNES (5). Signed by HONORABLE LAWRENCE F. STENGEL on 11/19/14.11/20/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 11/20/2014)
- 11/19/2014 [455](#) MOTION FOR AN EXTENSION OF TIME TO FILE SENTENCING MEMORANDA by USA as to MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES. (WOLF, DENISE) (Entered: 11/19/2014)
- 11/06/2014 [453](#) ORDER THAT THE GOVERNMENT'S MOTIONS TO ADMIT RECORDINGS (DOC. NOS. [151](#) AND [157](#) ) ARE GRANTED; THE GOVERNMENT'S MOTION TO COMPEL TESTIMONY (DOC. NO. [158](#) ) IS DENIED AS MOOT; MR. SINGLETARY'S MOTION TO EXCLUDE EXHIBITS (DOC. NO. 247 ) IS DENIED; MR. LOWRY'S MOTION TO PRECLUDE TESTIMONY (DOC. NO. [362](#) ) IS DENIED; DEFENDANTS' MOTIONS TO JOIN IN MR. SULLIVAN'S MOTION FOR JUDGMENT OF ACQUITTAL (DOC. NOS. 385 , [386](#) , 387 , AND 388 ) ARE DENIED AS MOOT; DEFENDANTS' MOTIONS FOR JUDGMENT OF ACQUITTAL (DOC. NOS. 384 , 389 AND 393 ) ARE DENIED. Signed by HONORABLE LAWRENCE F.

STENGEL on 11/6/2014.11/7 2014 ENTERED AND COPIES E-MAILED.(kk, )  
(Entered: 11/07/2014)

- 11/06/2014 452 ORDER AS TO MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES THAT THE DEFENDANTS' MOTIONS FOR JUDGMENT OF ACQUITTAL (DOC. NOS. 424 , 425 , 426 AND 427 ) ARE DENIED. Signed by HONORABLE LAWRENCE F. STENGEL on 11/6/2014.11 7/2014 Entered and Copies E-Mailed. (kk, ) (Entered: 11/07/2014)
- 11/06/2014 451 MEMORANDUM AND/OR OPINION AS TO MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES RE: DEFENDANTS MOTIONS FOR JUDGMENT OF ACQUITTAL OR FOR A NEW TRIAL. Signed by HONORABLE LAWRENCE F. STENGEL on 11/6/2014.11 7/2014 Entered and Copies E-Mailed. (kk, ) (Entered: 11/07/2014)
- 11/03/2014 450 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY held on 7/14/2014, before Judge LAWRENCE F. STENGEL. (kk, ) (Entered: 11/03/2014)
- 11/03/2014 449 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY held on 6/17/2014, before Judge LAWRENCE F. STENGEL. (kk, ) (Entered: 11/03/2014)
- 10/24/2014 443 RESCHEDULED NOTICE OF HEARING as to MICHAEL LOWRY Sentencing set for Wednesday, 12/3/2014 at 10:30 AM in COURTROOM 3B, 3rd floor before THE HONORABLE LAWRENCE F. STENGEL. (llb) (Entered: 10/24/2014)
- 10/03/2014 438 NOTICE OF HEARING as to MICHAEL LOWRY Sentencing set for Wednesday, 11/19/2014 at 10:30 AM in COURTROOM 3B, 3rd floor before THE HONORABLE LAWRENCE F. STENGEL. (llb) (Entered: 10/03/2014)
- 09/26/2014 436 REPLY Memorandum in Support to Motion by MICHAEL LOWRY re 426 MOTION for ACQUITTAL, OR IN THE ALTERNATIVE, FOR A NEW TRIAL, AS TO COUNT 69 OF THE INDICTMENT, PURSUANT TO RULES 29 AND 33 OF F.R.CR.P. (Attachments: # 1 Exhibit)(DESTEFANO, WILLIAM) (Entered: 09/26/2014)
- 09/11/2014 435 Response IN OPPOSITION by USA as to MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES TO DEFENDANTS 424 , 425 , 426 , 427 MOTIONS FOR ACQUITTAL AND NEW TRIAL, PROPOSED ORDER AND CERTIFICATE OF SERVICE] (WOLF, DENISE) (Entered: 09/11/2014)
- 08/21/2014 434 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Charge of the Court held on 7/21/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 08/21/2014)
- 08/14/2014 429 ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND HE IS HEREBY DIRECTED TO FURNISH LUNCH FOR FIFTEEN(15) JURORS ENGAGED IN THE ABOVE ENTITLED CASE IN THE ABOVE-CAPTIONED MATTER FOR JULY 22, 2014 AND JULY 23, 2014. Signed by HONORABLE LAWRENCE F. STENGEL on 8/13/14.8/14/14 Entered. (mac, ) (Entered: 08/14/2014)
- 08/14/2014 428 ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND HE IS HEREBY DIRECTED TO FURNISH MORNING REFRESHMENTS AND AFTERNOON SNACKS FOR FIFTEEN(15) JURORS

ENGAGED IN TRIAL IN THE ABOVE-CAPTIONED MATTER FOR THE WEEK COMMENCING MONDAY, JULY 14, 2014 (MONDAY THROUGH THURSDAY AND THE WEEK COMMENCING MONDAY, JULY 21, 2014 (MONDAY THROUGH WEDNESDAY). THIS SERVICE SHOULD BE PROVIDED IN THE JURY ROOM OF COURTROOM 3B. Signed by HONORABLE LAWRENCE F. STENGEL on 8/13/14.8/14/14 Entered. (mac, ) (Entered: 08/14/2014)

- 08/06/2014 426 MOTION FOR JUDGMENT OF ACQUITTAL, OR IN THE ALTERNATIVE, FOR A NEW TRIAL, AS TO COUNT 69 OF THE INDICTMENT, PURSUANT TO RULES 29 AND 33 OF THE F.R.CR.P. by MICHAEL LOWRY. (Attachments: # 1 Exhibit Exhibit A - Part I, # 2 Exhibit Exhibit A - Part II, # 3 Text of Proposed Order)(DESTEFANO, WILLIAM) (Entered: 08/06/2014)
- 07/23/2014 423 Jury Verdict Form as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY.(tjd) (Entered: 07/24/2014)
- 07/23/2014 422 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: JURY Trial - Day Twenty-Eight (28) held on July 23, 2014. Jury continues deliberations in the custody of CSO. Counsel address the Court. The Jury returns with a verdict. The Court records the verdict. The Jury finds the following: MICHAEL J. SULLIVAN (1) Not Guilty on Counts 1,3,8-15,25-26,33-34,37-39,57,61-62; MICHAEL LOWRY (2) Guilty on Count 69 and Not Guilty on Counts 1,5-6,8,22-23,27-28,37-38; ROBERT MULGREW (3) Guilty on Count 70 and Not Guilty on Counts 1,4,7,35-36,55-56; WILLIE SINGLETARY (4) Guilty on Count 73-74 and Not Guilty on Counts 1,24-32,43-50,59,61,65-68; THOMASINE TYNES (5) Guilty on Count 71,72 and Not Guilty on Counts 1,20-21,33-34,40-42,60,63-64; MARK A. BRUNO (6) Not Guilty on Counts 1,4,54 and ROBERT MOY (9) Not Guilty on Counts 1,39-50,62-68. Jury dismissed. PSR's ordered for defendants Lowry, Mulgrew, Singletary, and Tynes. Sentencing dates to be approximately 90 days from today. No change in bail status. Court Reporter ESR.(tjd) Modified on 7/24/2014 (ke, ). (Entered: 07/24/2014)
- 07/23/2014 421 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-Seven(27) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/22/14. Jury deliberations continue. The court addressed a question from the jury. Counsel addressed the court.Court Reporter ESR.(mac, ) (Entered: 07/23/2014)
- 07/23/2014 420 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-Six(26) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/21/14. Trial resumes. Closing arguments. AUSA presented rebuttal arguments. The court charged the jury. CSO sworn. The jurors retire to deliberate.Court Reporter ESR.(mac, ) (Entered: 07/23/2014)
- 07/23/2014 419 ) Audio File 7/23/2014, 10:00 a.m., regarding Jury Trial Day 28 held on 7/23/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/23/2014)
- 07/22/2014 418 ) Audio File 7/22/2014, 9:40 a.m., regarding Jury Trial Day 27 AM Session held on 7/22/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/22/2014)
- 07/21/2014 417 ) Audio File 7/21/2014, 1:30 p.m., regarding Jury Trial Day 26 P.M. Session held on 7/21/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/21/2014)



- 07/21/2014 416 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Criminal Jury Trial - Day 25 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/18/14. Closing arguments of defense counsel. Court Reporter ESR.(mac, ) (Entered: 07/21/2014)
- 07/21/2014 415 Audio File 7/21/14, 9:30 a.m., regarding Jury Trial Day 26 held on 7/21/14, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/21/2014)
- 07/18/2014 414 Audio File 7/18/2014, 9:00 a.m., regarding Jury Trial Day 25 held on 7/18/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/18/2014)
- 07/17/2014 413 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-Four(24) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/17/14. Trial resumes. Closing arguments. Court Reporter ESR.(mac, ) (Entered: 07/17/2014)
- 07/17/2014 412 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-Three(23) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/15/14. Witnesses called and sworn. Defense rests. Exhibits moved and offered into evidence. Charging conference. Court takes charging conference objections under advisement. Court Reporter ESR.(mac, ) (Entered: 07/17/2014)
- 07/17/2014 411 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-Two(22) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/14/14. Trial resumes. Witnesses called and sworn. Interpreter sworn. Counsel presents a grouping of character witnesses to the court and jury on behalf of Robert Moy. Court Reporter ESR.(mac, ) (Entered: 07/17/2014)
- 07/17/2014 410 Audio File 7/17/14 12:59 PM, regarding CRIMINAL JURY TRIAL DAY 24 PM SESSION held on 7/17/14, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/17/2014)
- 07/17/2014 409 ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND HE IS HEREBY DIRECTED TO PROVIDE MORNING REFRESHMENTS AND AFTERNOON SNACKS FOR FIFTEEN(15) JURORS ENGAGED IN TRIAL IN THE ABOVE-CAPTIONED MATTER FOR THE WEEK COMMENCING MONDAY, JUNE 30, 2014 AND THE WEEK COMMENCING TUESDAY JULY 7, 2014. Signed by HONORABLE LAWRENCE F. STENGEL on 7/16/14.7/17/14 Entered. (mac, ) (Entered: 07/17/2014)
- 07/17/2014 408 Audio File 7/17/14 9:28AM, regarding CRIMINAL JURY TRIAL DAY 24 AM SESSION held on 7/17/14, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/17/2014)
- 07/15/2014 407 Audio File 7/15/2014 1:30 p.m., regarding Jury Trial Day 23 P.M. Session held on 7/15/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/15/2014)
- 07/15/2014 406 Audio File 7/15/14 9:28 AM, regarding CRIMINAL JURY TRIAL DAY 23 AM SESSION held on 7/15/14, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/15/2014)
- 07/15/2014 405 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY,

ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt Testimony of Ms. Warren held on 6/26/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 07/15/2014)

- 07/15/2014 404 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY, Jury Trial - Excerpt Testimony of Jason Blake held on 5/29/14, before Judge LAWRENCE F. STENGEL. (mac, ) (Entered: 07/15/2014)
- 07/15/2014 [403](#) Audio File 7/15/2014 9:29 AM, regarding CRIMINAL JURY TRIAL DAY 22 FULL DAY held on 7/15/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/15/2014)
- 07/15/2014 [401](#) SUPPLEMENTAL Proposed Jury Instructions by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY . (WOLF, DENISE) (Entered: 07/15/2014)
- 07/11/2014 [400](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty-One (21) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/10/14. Witnesses called and sworn. Exhibits offered and moved into evidence.Court Reporter ESR.(mac, ) (Entered: 07/11/2014)
- 07/11/2014 [399](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Twenty(20) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/9/14. Trial resumes. Witnesses called and sworn. Jurors dismissed for the day. Defense counsel presented Rule 29 Motions for Acquittal arguments. The government presented arguments in response. The court denied motions for acquittal.Court Reporter ESR.(mac, ) (Entered: 07/11/2014)
- 07/11/2014 [398](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial -Day Nineteen(19) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/8/14. Witnesses called and sworn. Exhibits offered and moved into evidence.Court Reporter ESR.(mac, ) (Entered: 07/11/2014)
- 07/11/2014 [397](#) Audio File 7/10/2014 9:31 AM, regarding CRIMINAL JURY TRIAL DAY 21 FULL DAY held on 7/10/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/11/2014)
- 07/09/2014 [395](#) Audio File 7/9/2014 1:07PM, regarding CRIMINAL JURY TRIAL DAY 20 PM SESSION held on 7/9/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/09/2014)
- 07/09/2014 [394](#) Audio File 7/09/2014 9:33AM, regarding CRIMINAL JURY TRIAL DAY 20 AM SESSION held on 7/09/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/09/2014)
- 07/08/2014 [392](#) Audio File 7/08/2014 1:129 PM, regarding CRIMINAL JURY TRIAL DAY 19 PM SESSION held on 7/08/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/08/2014)
- 07/08/2014 [391](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Eighteen(18) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/2/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 07/08/2014)

- 07/08/2014 390 Audio File 7/8/2014 9:37 AM, regarding CRIMINAL JURY TRIAL DAY 19 AM SESSION held on 7/8/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/08/2014)
- 07/07/2014 386 MOTION for Joinder in Co-Defendant Michael J. Sullivan's Motion for Judgment of Acquittal Pursuant to Fed.R.Crim.P. 29(a) by MICHAEL LOWRY. (Attachments: # 1 Text of Proposed Order)(DESTEFANO, WILLIAM) (Entered: 07/07/2014)
- 07/03/2014 381 MOTION AND ORDER COMPELLING TESTIMONY OF NATISHA MATHIS AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 7/2/14; 7/3/2014 Entered and Copies E-mailed. (tjd) (Entered: 07/03/2014)
- 07/03/2014 380 MOTION AND ORDER COMPELLING TESTIMONY OF COLIN WILLIAMS AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 7/2/14; 7/3/2014 Entered and Copies E-mailed. (tjd) (Entered: 07/03/2014)
- 07/03/2014 379 MOTION AND ORDER COMPELLING TESTIMONY OF ANGELO HARMON AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 7/2/14; 7/3/2014 Entered and Copies E-mailed.(tjd) (Entered: 07/03/2014)
- 07/02/2014 376 Audio File 7/2/2014 1:21PM, regarding CRIMINAL JURY TRIAL DAY 18 PM SESSION held on 7/2/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/02/2014)
- 07/02/2014 375 Audio File 7/2/2014 09:15 AM, regarding CRIMINAL JURY TRIAL DAY 18 AM SESSION held on 7/2/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 07/02/2014)
- 07/02/2014 374 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - DAY SEVENTEEN as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 7/1/14. Witnesses called and sworn and testified. Court Reporter ESR.(tjd) (Entered: 07/02/2014)
- 07/02/2014 373 Audio File 7/1/2014, 1:30 P.M., regarding Jury Trial Day 17 P.M. held on 7/1/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 07/02/2014)
- 07/01/2014 372 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL Jury Trial - DAY SIXTEEN as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/30/14. Witnesses called and sworn and testified. Court Reporter ESR.(ke) (Entered: 07/01/2014)
- 07/01/2014 371 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL Jury Trial - DAY FOURTEEN as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/25/14. Witnesses called and sworn and testified. Court Reporter ESR.(ke) (Entered: 07/01/2014)





SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/26/2014.6/27/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/27/2014)

- 06/26/2014 359 Audio File 6/26/2014 1:33 PM, regarding CRIMINAL JURY TRIAL DAY 15 PM SESSION held on 6/26/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/26/2014)
- 06/26/2014 358 MOTION AND ORDER COMPELLING TESTIMONY OF JOHN FENTON AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/26/14.6/26/14 Entered. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 351 WAIVER of Presence of Court Stenographer or Electronic Sound Recording Operator and Defendant at Drawing of Jury Panel Members in Criminal Trials as to MICHAEL LOWRY (mac, ) (Entered: 06/26/2014)
- 06/26/2014 349 MOTION AND ORDER COMPELLING TESTIMONY OF ALLEN TSENG AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 348 MOTION AND ORDER COMPELLING TESTIMONY OF OSAMA SIAM AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 347 MOTION AND ORDER COMPELLING TESTIMONY OF WEI ZHONG RONG AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) Modified on 6/27/2014 (ke, ). Modified on 6/27/2014 (ke, ). (Entered: 06/26/2014)
- 06/26/2014 346 MOTION AND ORDER COMPELLING TESTIMONY OF JOANNE HU AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 345 MOTION AND ORDER COMPELLING TESTIMONY OF GORDON LI AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 344 Audio File 6/26/2014 9:27 AM, regarding CRIMINAL JURY TRIAL DAY 15 AM SESSION held on 6/26/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/26/2014)

- 06/26/2014 343 MOTION AND ORDER COMPELLING TESTIMONY OF JOSEPH WILCOX AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 342 MOTION AND ORDER COMPELLING TESTIMONY OF HERBERT WILCOX AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/25/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 341 MOTION AND ORDER COMPELLING TESTIMONY OF CHRISTOPHER WATERS AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/24/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 340 MOTION AND ORDER COMPELLING TESTIMONY OF KENNETH SARKIOUGLU AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/24/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 339 MOTION AND ORDER COMPELLING TESTIMONY OF MIGDALIA WARREN AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/26/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/26/2014 338 MOTION AND ORDER COMPELLING TESTIMONY OF BERNARD LINDLINE AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/26/14.6/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/26/2014)
- 06/25/2014 337 ) Audio File 6/25/2014 01:32 PM, regarding CRIMINAL JURY TRIAL DAY 14 PM SESSION held on 6/25/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/25/2014)
- 06/25/2014 336 ) Audio File 6/25/2014 9:25 AM, regarding CRIMINAL JURY TRIAL DAY 14 AM SESSION held on 6/25/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/25/2014)
- 06/25/2014 335 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Criminal Jury Trial - Day 13 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/24/14. Witnesses called and sworn. Exhibits offered and moved into evidence.Court Reporter ESR.(mac, ) (Entered: 06/25/2014)
- 06/24/2014 334 ) Audio File 6/24/2014 01:32:53, regarding CRIMINAL JURY TRIAL DAY 13 PM

SESSION held on 6/24/2014, before HONORABLE LAWRENCE F. STENGEL (kf, )  
(Entered: 06/24/2014)

- 06/24/2014 333 » Audio File 6/24/2014 09:20:40, regarding CRIMINAL JURY TRIAL DAY 13 AM SESSION held on 6/24/2014, before HONORABLE LAWRENCE F. STENGEL (kf, )  
(Entered: 06/24/2014)
- 06/24/2014 332 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day 12 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/23/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/24/2014)
- 06/24/2014 331 MOTION AND ORDER COMPELLING TESTIMONY OF ANTONIO DINARDO AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 330 MOTION AND ORDER COMPELLING TESTIMONY OF MICHAEL DINARDO AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 329 MOTION AND ORDER COMPELLING TESTIMONY OF JOHN LYNCH AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 328 MOTION AND ORDER COMPELLING TESTIMONY OF JOSEPH BELLESORTE AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 327 MOTION AND ORDER COMPELLING TESTIMONY OF MAGDALENA BELLESORTE AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 326 MOTION AND ORDER COMPELLING TESTIMONY OF JANINE ROCCATA AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/23/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 325 MOTION AND ORDER COMPELLING TESTIMONY OF RICHARD CAPOZZOLI AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/23/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 324 MOTION AND ORDER COMPELLING TESTIMONY OF RICHARD DELARIO AS

TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/17/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)

- 06/24/2014 323 MOTION AND ORDER COMPELLING TESTIMONY OF MARY ADAMS AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/18/14.6/24/14 Entered and Copies Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 322 MOTION AND ORDER COMPELLING TESTIMONY OF TIMOTHY BLONG AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/18/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 321 MOTION AND ORDER COMPELLING TESTIMONY OF KORAN HOOD AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/23/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 320 MOTION AND ORDER COMPELLING TESTIMONY DANIELLE CZERNIAKOWSKI AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/23/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/24/2014 319 MOTION AND ORDER COMPELLING TESTIMONY OF RICHARD HOLMES AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/24/14.6/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/24/2014)
- 06/23/2014 318 Audio File 6/23/2014 12:05:00PM, regarding CRIMINAL JURY TRIAL DAY 12 PM SESSION held on 6/23/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/23/2014)
- 06/23/2014 317 Audio File 6/23/2014 09:32:12AM, regarding CRIMINAL JURY TRIAL DAY 12 held on 6/23/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/23/2014)
- 06/23/2014 316 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Criminal Jury Trial - Day Eleven(11) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/19/14. Witnesses called and sworn. Court Reporter ESR.(mac, ) (Entered: 06/23/2014)
- 06/19/2014 315 Audio File 6/19/14, 9:30 A.M., regarding Jury Trial Day 11 held on 6/19/14, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/19/2014)
- 06/19/2014 314 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Ten(10) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO,



ROBERT MOY held on 6/18/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/19/2014)

- 06/19/2014 313 ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND HE IS HEREBY DIRECTED TO FURNISH MORNING REFRESHMENTS AND AFTERNOON SNACKS FOR FIFTEEN (15) JURORS ENGAGED IN TRIAL IN THE ABOVE-CAPTIONED MATTER FOR THE WEEKS COMMENCING MONDAY, JUNE 16 AND MONDAY, JUNE 23, 2014 ON MONDAY THOUGH THURSDAY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/19/14.6/19/14 Entered. (mac, ) (Entered: 06/19/2014)
- 06/18/2014 312 Audio File 6/18/2014, 9:30 A.M., regarding Criminal Jury Trial Day 10 - Full Day held on 6/18/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/18/2014)
- 06/17/2014 311 MOTION AND ORDER COMPELLING TESTIMONY OF WILLIAM ARNOLD AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/17/14.6/18/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/18/2014)
- 06/17/2014 310 MOTION AND ORDER COMPELLING TESTIMONY OF ROBERT DEEMILIO AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/16/14.6/18/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/18/2014)
- 06/17/2014 309 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Nine(9) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/17/14.Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/17/2014)
- 06/17/2014 308 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Eight(8) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/16/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/17/2014)
- 06/17/2014 307 Audio File 6/17/14 2:00 pm, regarding Criminal Jury Trial Day 9 PM Session held on 6/17/14, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/17/2014)
- 06/17/2014 306 Audio File 6/17/2014, 9:30 AM, regarding Criminal Trial Day 9 held on 6/17/14, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/17/2014)
- 06/16/2014 305 Audio File 6/16/14 12:47 PM, regarding Criminal Jury Trial Day 8 PM Session held on 6/16/14, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/16/2014)
- 06/16/2014 304 Audio File 6/16/2014 9:21:49 AM, regarding Criminal Jury Trial Day - 8 held on 6/16/2014, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/16/2014)
- 06/06/2014 302 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: JURY TRIAL - DAY 7 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO,

ROBERT MOY held on 6/5/2014. Government witnesses. Exhibits offered and moved into evidence. Court Reporter ESR.(tomg, ) (Entered: 06/06/2014)

- 06/06/2014 [301](#) Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENDEL: JURY TRIAL - DAY 6 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/4/2014. All counsel, parties, jurors present - TRIAL RESUMES. Witnesses called and sworn. Court Reporter ESR.(tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [300](#) MOTION AND ORDER COMPELLING TESTIMONY OF ANTHONY SCARLATA AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/3/2014.6/3/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [299](#) MOTION AND ORDER COMPELLING TESTIMONY OF KEVIN O'DONNELL AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/3/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [298](#) MOTION AND ORDER COMPELLING TESTIMONY OF WALT SMACZYLO AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/4/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [297](#) MOTION AND ORDER COMPELLING TESTIMONY OF FRANCIS LOWRY, JR. AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/4/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [296](#) MOTION AND ORDER COMPELLING TESTIMONY OF JOSEPH MAURO AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/4/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [295](#) MOTION AND ORDER COMPELLING TESTIMONY OF ANTHONY ALBERTO AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/5/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [294](#) MOTION AND ORDER COMPELLING TESTIMONY OF DOMINICK SALVATORE AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENDEL on 6/5/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)
- 06/06/2014 [293](#) ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY THAT DEFT ROBERT MOY'S ORAL MOTION FOR THE CONTINUED AUTHORIZATION OF CRIMINAL JUSTICE ACT FUNDS TO PAY CORNERSTONE LEGAL CONSULTANTS, LLC IS GRANTED. ALL DEFT'S

SHALL CONTRIBUTE TO THE PAYMENT. Signed by HONORABLE LAWRENCE F. STENGEL on 6/5/2014.6/6/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 06/06/2014)

- 06/05/2014 292 Audio File 6/5/2014, 9:34, regarding Criminal Jury Trial Day 7 - Full Day held on 6/5/2014, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/05/2014)
- 06/04/2014 291 Audio File 6-4-14 1:33 PM, regarding Criminal Jury Trial Day 6-PM Session held on 6-4-14, before HONORABLE LAWRENCE F. STENGEL (kf, ) (Entered: 06/04/2014)
- 06/04/2014 290 Audio File 6-4-2014 9:33 AM, regarding Criminal Jury Trial Day 6 - AM Session held on 6-4-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 06/04/2014)
- 06/04/2014 288 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL Jury Trial - Day 5 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/3/14. Witnesses called and sworn. Exhibits offered and moved into evidence.Court Reporter ESR.(mac, ) (Entered: 06/04/2014)
- 06/04/2014 287 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL:Jury Trial - Day Four(4) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 6/2/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Main Document 287 replaced on 6/4/2014) (mac, ). (Entered: 06/04/2014)
- 06/04/2014 286 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial - Day Three(3) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 5/29/14. Trial resumes. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/04/2014)
- 06/04/2014 285 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial- Day 2 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 5/28/14.Government raises motion of immunity for potetntial witnesses. Witnesses called and sworn. Exhibits offered and moved into evidence. Court Reporter ESR.(mac, ) (Entered: 06/04/2014)
- 06/04/2014 284 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Trial -Day One(1) as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 5/27/14. Trial resumes. Jurors are sworn. Preliminary instructions to jury. Opening statements. Witnesses called and sworn.Court Reporter ESR.(mac, ) (Entered: 06/04/2014)
- 06/03/2014 283 Audio File 6/3/2014 1:28 PM, regarding Crinimal Jury Trial Day 5 - PM Session held on 6/3/14, before HONORABLE LAWRENCE F. STENGEL (kah, ) (Entered: 06/03/2014)
- 06/03/2014 282 MOTION AND ORDER COMPELLING TESTIMONY OF GLORIA MCNASBY AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/2/14.6/3/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/03/2014)

- 06/03/2014 281 MOTION AND ORDER COMPELLING TESTIMONY OF MARYANN TROMBETTA AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 6/2/14.6/3/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/03/2014)
- 06/03/2014 280 Audio File 6-3-2014 9:31 AM, regarding Crinimal Jury Trial Day 5 - AM session held on 6-3-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 06/03/2014)
- 06/02/2014 279 Audio File 6-2-2014 1:32 PM, regarding Criminal Jury Trial Day 4 - PM Session held on 6-2-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 06/02/2014)
- 06/02/2014 278 Audio File 6-2-2014 9:47 AM, regarding Criminal Jury Trial Day 4 AM Session held on 6-2-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 06/02/2014)
- 06/02/2014 277 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY, Hearing held on 5/8/14, before Judge ROBERT F. KELLY. (mac, ) (Entered: 06/02/2014)
- 06/02/2014 276 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Selection - Day 2 as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, ROBERT MOY held on 5/22/14. Voir Dire process continues. Jury panel is selected. Court Reporter ESR.(mac, ) (Entered: 06/02/2014)
- 06/02/2014 275 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Jury Selection - Day One as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY held on 5/21/14. Jury panel sworn. Court addressed parties and begins voir dire process.Court Reporter ESR.(mac, ) (Entered: 06/02/2014)
- 05/30/2014 274 MOTION AND ORDER COMPELLING TESTIMONY OF GARTH GITTENS AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 5/28/14.6/2/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/02/2014)
- 05/30/2014 273 MOTION AND ORDER COMPELLING TESTIMONY OF JADE TROMBETTA AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 5/29/14.6/2/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/02/2014)
- 05/30/2014 272 MOTION AND ORDER COMPELLING TESTIMONY OF TONYA HILTON AS OUTLINED HEREIN AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 5/29/14.6/2/14 Entered and Copies E-Mailed. (mac, ) (Entered: 06/02/2014)



- 05/29/2014 271 ) Audio File 5/29/2014 9:30AM, regarding CRIMINAL JURY TRIAL DAY 3 held on 5/29/2014, before HONORABLE LAWRENCE F. STENGEL (uh, ) (Entered: 05/29/2014)
- 05/28/2014 270 ) Audio File 5-28-2014 1:47 PM, regarding Criminal Jury Trial Day 2 PM Session held on 5-28-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 05/28/2014)
- 05/28/2014 269 ) Audio File 5/28/2014 9:27 AM, regarding Criminal Jury Trial Day 2 AM Session held on 5/28/2014, before HONORABLE LAWRENCE F. STENGEL (uh, ) (Entered: 05/28/2014)
- 05/27/2014 268 Minute Entry for proceedings held before HONORABLE LAWRENCE F. STENGEL: Status Conference as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY held on 5/19/14. Court addressed counsel and parties. Court addressed outstanding motions. Court addressed conflicts of interest. Jury Selection will begin on Wednesday, May 21, 2014 in ceremonial courtroom. Trial will begin on Tuesday, May 27, 2014 in 3B at 9:00 a.m.Court Reporter ESR.(mac, ) (Entered: 05/28/2014)
- 05/27/2014 264 ) Audio File 5-27-2014 9:37 AM, regarding Criminal Jury Trial Day 1 held on 5-27-2014, before HONORABLE LAWRENCE F. STENGEL (emo, ) (Entered: 05/27/2014)
- 05/22/2014 261 ORDER THAT ROBERT MOY'S MOTION FOR AUTHORIZATION OF FUNDS FOR INFORMATION TECHNOLOGY SERVICES AND COURTROOM TECHNICAL ASSISTANCE 249 IS GRANTED AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 5/22/14.5/22/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 05/22/2014)
- 05/22/2014 260 ORDER THAT MR. ALFANO'S MOTION IN LIMINE TO EXCLUDE THE CHART MARKED AS EXHIBIT C IN THE GOVERNMENT'S PRE-TRIAL MEMORANDUM 253 IS DENIED. ALL JOINDER MOTIONS (DOCS. NO.254,255,256, AND 257) ARE DENIED AS MOOT AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE LAWRENCE F. STENGEL on 5/22/14.5/22/14 ENTERED AND COPIES E-MAILED. (mac, ) (Entered: 05/22/2014)
- 05/22/2014 259 ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND HE IS HEREBY DIRECTED TO FURNISH MORNING REFRESHMENTS AND AFTERNOON SNACKS FOR SIXTEEN(16) JURORS ENGAGED IN THE ABOVE-CAPTIONED MATTER COMMENCING TUESDAY, MAY 27, 2014 AND CONTINUING FOR THE NEXT THREE WEEKS, MONDAYS THROUGH FRIDAYS. THE SERVICE SHOULD BE PROVIDED IN THE JURY ROOM OF COURTROOM 3B.Signed by HONORABLE LAWRENCE F. STENGEL on 5/21/14.5/22/14 Entered. (mac, ) (Entered: 05/22/2014)
- 05/20/2014 252 TRANSCRIPT of Proceedings as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY, Hearing held on 4/28/14, before Judge ROBERT F. KELLY. (mac, ) (Entered: 05/20/2014)
- 05/19/2014 251 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO,

WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT PURSUANT TO 18:3161(h)(7)(A) AND (B)(i), TRIAL IN THIS MATTER, SCHEDULED TO COMMENCE ON MONDAY, MAY 19, 2014, BEFORE THE HONORABLE ROBERT F. KELLY IS CONTINUED ON THE COURT'S OWN MOTION. Signed by HONORABLE LAWRENCE F. STENGEL on 5/19/14.5/19/14 Entered and Copies E-Mailed. (mac, ) (Entered: 05/19/2014)

- 05/19/2014 250 ORDER REASSIGNING CASE. CASE REASSIGNED TO HONORABLE LAWRENCE F. STENGEL AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY FOR ALL FURTHER PROCEEDINGS. HONORABLE ROBERT F. KELLY NO LONGER ASSIGNED TO CASE. Signed by CHIEF JUDGE PETRESE B. TUCKER on 5/19/14.5/19/14 Entered and Copies E-Mailed. (ke) (Entered: 05/19/2014)
- 05/15/2014 246 TRIAL MEMORANDUM by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY CERTIFICATE OF SERVICE (Attachments: # 1 Exhibit, # 2 Exhibit)(WOLF, DENISE) (Entered: 05/15/2014)
- 05/15/2014 245 ORDER THAT DEFENDANT MICHAEL LOWRY'S MOTION IN LIMINE TO REDACT INFLAMMATORY AND UNDULY PREJUDICIAL PORTIONS OF ELECTRONIC RECORDINGS, IN THE ALTERNATIVE, FOR A NEW TRIAL 166 IS GRANTED IN PART AND DENIED IN PART AS TO MICHAEL LOWRY (2), ROBERT MULGREW (3) THOMASINE TYNES (5). Signed by HONORABLE ROBERT F. KELLY on 5/15/14.5/15/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 05/15/2014)
- 05/14/2014 243 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY THAT ALL COUNSEL AND PARTIES IN THE ABOVE-CAPTIONED CASE ARE TO REPORT TO COURTROOM 11B AT 9:00 A.M., ON MONDAY, 5/19/2014. Signed by HONORABLE ROBERT F. KELLY on 5/14/2014.5/14/2014 Entered and Copies E-Mailed. (tomg, ) (Entered: 05/14/2014)
- 05/14/2014 242 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES THAT THE MOTION FOR A KASTIGAR HEARING 167 IS GRANTED IN SO FAR AS THE COURT HAS HELD A KASTIGAR HEARING. HOWEVER, IT IS FURTHER ORDERED THAT ANY REQUEST THAT EVIDENCE BE SUPPRESSED IS DENIED BECAUSE THE COURT FINDS THAT LOWRY'S FIFTH AMENDMENT RIGHTS WERE NOT VIOLATED WHEN HE CHOSE TO ANSWER THE CHADWICK INVESTIGATOR'S QUESTIONS, ETC.. Signed by HONORABLE ROBERT F. KELLY on 5/14/2014.5/14/2014 Entered and Copies E-Mailed. (ap, ) (Entered: 05/14/2014)
- 05/14/2014 241 FINDINGS OF FACT AND CONCLUSIONS OF LAW AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES. Signed by HONORABLE ROBERT F. KELLY on 5/14/2014.5/14/2014 Entered and Copies E-Mailed. (ap, ) (Entered: 05/14/2014)
- 05/14/2014 240 Supplemental Memorandum in Support by MICHAEL LOWRY re 166 MOTION in Limine to Redact Inflammatory and Unduly Prejudicial Portions of Electronic Recordings and Transcripts or, in the Alternative, For a Separate Trial (DESTEFANO, WILLIAM) (Entered: 05/14/2014)

- 05/13/2014 239 ORDER AS TO MICHAEL LOWRY, ROBERT MULGREW, THOMASINE TYNES THAT UPON CONSIDERATION OF THE MAY 12, 2014 LETTER FROM AUSA ANTHONY J. WZOREK REQUESTING EXPEDITED REVIEW OF THE TRANSCRIPTS OBJECTED TO BY MICHAEL LOWRY IN HIS MOTION IN LIMINE, IT IS HEREBY ORDERED THAT COUNSEL FOR DEFENDANTS SHALL SUBMIT ANY SUGGESTED REDACTIONS TO THE COURT BY NOON ON WEDNESDAY, MAY 14, 2014. Signed by HONORABLE ROBERT F. KELLY on 5/13/14.5/13/14 Entered and Copies E-Mailed. (mac, ) (Entered: 05/13/2014)
- 05/09/2014 238 Minute Entry for proceedings held before HONORABLE ROBERT F. KELLY: Kastigar Hearing as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO held on 5/8/2014. Witnesses called and sworn. Government exhibits called into evidence. Government rests. Defense counsel called witnesses. Defense moved exhibits into evidence. Stipulated to joint exhibit. Court Reporter ESR.(mac, ) (Entered: 05/09/2014)
- 05/02/2014 223 Jury Verdict Sheet as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. Certificate of Service(WZOREK, ANTHONY) (Entered: 05/02/2014)
- 05/02/2014 222 Proposed Voir Dire by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY Certificate of Service(WZOREK, ANTHONY) (Entered: 05/02/2014)
- 05/02/2014 221 Proposed Jury Instructions by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY Certificate of Service(WZOREK, ANTHONY) (Entered: 05/02/2014)
- 05/02/2014 220 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (FILED UNDER SEAL). Signed by HONORABLE ROBERT F. KELLY on 5/2/14.5/2/14 Entered and Copies Mailed. (mac, ) (Entered: 05/02/2014)
- 05/02/2014 219 FINDINGS OF FACT AND CONCLUSIONS OF LAW AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (FILED UDER SEAL). Signed by HONORABLE ROBERT F. KELLY on 5/2/14.5/2/14 Entered and Copies Mailed. (mac, ) (Entered: 05/02/2014)
- 04/29/2014 215 ORDER THAT DEFENDANT MICHAEL SULLIVAN'S MOTION TO DISMISS COUNTS 8,11,12,19,26,34,38, AND 39 OF THE INDICTMENT FOR LACK OF SUBJECT MATTER JURISDICTION 159 IS DENIED AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, ROBERT MOY. Signed by HONORABLE ROBERT F. KELLY on 4/29/14.4/29/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 04/29/2014)
- 04/29/2014 212 Minute Entry for proceedings held before HONORABLE ROBERT F. KELLY:Outstanding Motions Hearing as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY held on 4/28/2014. Evidentiary Hearing purusant to Franks v. Delaware. Witnesses called and

sworn. Government moved exhibits into evidence. Government rests. Defense counsel called witness. Witness called and sworn. Exhibits moved into evidence. Hearing on Government's Motion to Admit Recordings and the Government's Supplemental Motion to Admit Recordings. Arguments regarding all other outstanding motions. Kastigar hearing based upon Michael Lowry's Motion for a Kastigar Hearing has been continued until Thursday, May 8, 2014 at 11:00 a.m. Court Reporter ESR.(mac, ) Modified on 4/29/2014 (ke, ). (Entered: 04/29/2014)

- 04/29/2014 211 NOTICE OF HEARING ON MOTION in case as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY 167 MOTION for Hearing : KASTIGAR HEARING IS SET FOR 5/8/2014 AT 11:00 AM IN COURTROOM 11-B BEFORE HONORABLE ROBERT F. KELLY. (mr, ) (Entered: 04/29/2014)
- 04/29/2014 207 ORDER AS TO MICHAEL LOWRY, THOMASINE TYNES. (FILED UNDER SEAL). Signed by HONORABLE ROBERT F. KELLY on 4/29/14.4/29/14 ENTERED AND COPIES MAILED.(mac, ) (Entered: 04/29/2014)
- 04/29/2014 206 SEALED MOTION FILED BY USA AS TO MICHAEL LOWRY, THOMASINE TYNES. (mac, ) (Entered: 04/29/2014)
- 04/29/2014 205 Sealed Response filed by USA as to MICHAEL LOWRY, THOMASINE TYNES, certificate of service. (mac, ) (Entered: 04/29/2014)
- 04/29/2014 204 ORDER THAT UPON CONSIDERATION OF THE STATEMENTS MADE BY COUNSEL DURING THE HEARING CONDUCTED ON MONDAY, APRIL 28, 2014, THE FOLLOWING MOTIONS ARE DENIED AS MOOT: THE MOTION TO PRODUCE JENCKS ACT MATERIAL BY DEFENDANT ROBERT MOY 47 ; THE MOTION TO RETAIN ROUGH NOTES BY DEFENDANT ROBERT MOY 48 ; THE MOTION FOR DISCLOSURE OF EXCULPATORY EVIDENCE BY DEFENDANT ROBERT MOY 49 ; THE MOTION FOR RELEASE BRADY MATERIALS BY DEFENDANT HENRY P. ALFANO 60 ; THE MOTION FOR DISCOVERY BY DEFENDANT HENRY P. ALFANO 61 ; THE FIRST MOTION TO COMPEL DISCOVERY BY DEFENDANT MICHAEL J. SULLIVAN 63 AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. Signed by HONORABLE ROBERT F. KELLY on 4/29/14.4/29/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 04/29/2014)
- 04/22/2014 199 RESPONSE in Opposition re 167 MOTION for Hearing , 180 First MOTION for Joinder for Motion of Kastigar filed by USA (ASPINWALL, M.) (Entered: 04/22/2014)
- 04/16/2014 187 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW THAT THE GOVERNMENT SHALL FILE A SUR-REPLY BRIEF IN RESPONSE TO MICHAEL J. SULLIVAN'S REPLY BRIEF IN FURTHER SUPPORT OF HIS MOTIONS TO DISMISS BY MONDAY, APRIL 21, 2014, ETC. Signed by HONORABLE ROBERT F. KELLY on 4/16/14.4/16/14 Entered and Copies E-Mailed. (mac, ) (Entered: 04/16/2014)
- 04/14/2014 184 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT THE HEARING SCHEDULED FOR MONDAY, APRIL 28, 2014, AT 9:00 A.M., IN COURTROOM 11B, WILL PROCEED AS OUTLINED HEREIN. Signed by HONORABLE ROBERT



F. KELLY on 4/14/14.4/14/14 Entered and Copies E-Mailed. (mac, ) (Entered: 04/14/2014)

- 04/09/2014 178 RESPONSE to Motion by USA as to MICHAEL LOWRY, ROBERT MULGREW re 166 MOTION in Limine to Redact Inflammatory and Unduly Prejudicial Portions of Electronic Recordings and Transcripts or, in the Alternative, For a Separate Trial, 170 MOTION for Joinder in Defendant Lowry's Motion in Limine filed by USA (WZOREK, ANTHONY) (Entered: 04/09/2014)
- 04/08/2014 176 RESPONSE to Motion by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW re 163 MOTION to Dismiss Count 61 of the Indictment, 159 MOTION to Dismiss for Lack of Jurisdiction , 161 MOTION for Joinder in Co-Defendant Michael J. Sullivan's Motion for Dismissal of Certain Wire Fraud Counts of the Indictment, 168 MOTION for Joinder in Defendant Sullivan's Motion to Dismiss Certain Wire Fraud Counts for Lack of Subject Matter Jurisdiction filed by USA (WZOREK, ANTHONY) (Entered: 04/08/2014)
- 04/07/2014 167 MOTION for A KASTIGAR HEARING by MICHAEL LOWRY. (Attachments: # 1 Text of Proposed Order)(DESTEFANO, WILLIAM) (Entered: 04/07/2014)
- 04/07/2014 166 MOTION in Limine to Redact Inflammatory and Unduly Prejudicial Portions of Electronic Recordings and Transcripts or, in the Alternative, For a Separate Trial by MICHAEL LOWRY. (Attachments: # 1 Text of Proposed Order)(DESTEFANO, WILLIAM) (Entered: 04/07/2014)
- 04/04/2014 162 ORDER THAT DEFENDANT'S MOTION FOR JOINDER IN CO-DEFENDANT MICHAEL J. SULLIVAN'S MOTION TO DISMISS CERTAIN WIRE FRAUD COUNTS OF THE INDICTMENT FOR LACK OF SUBJECT MATTER JURISDICTION 161 IS GRANTED AS TO MICHAEL LOWRY (2). Signed by HONORABLE ROBERT F. KELLY on 4/4/14.4/4/14 ENTERED AND COPIES E-MAILED.(mac, ) (Entered: 04/04/2014)
- 04/03/2014 161 MOTION for Joinder in Co-Defendant Michael J. Sullivan's Motion for Dismissal of Certain Wire Fraud Counts of the Indictment by MICHAEL LOWRY. (Attachments: # 1 Text of Proposed Order)(DESTEFANO, WILLIAM) (Entered: 04/03/2014)
- 03/31/2014 158 MOTION to Compel Testimony by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (Attachments: # 1 Exhibit)(WZOREK, ANTHONY) (Entered: 03/31/2014)
- 03/25/2014 157 Supplemental MOTION to Admit Recordings by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (WZOREK, ANTHONY) (Entered: 03/25/2014)
- 03/25/2014 156 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT ALL MOTIONS WILL BE HEARD ON 4/28/2014 09:00 AM IN COURTROOM 11B. Signed by HONORABLE ROBERT F. KELLY on 3/25/14.3/25/14 Entered and Copies E-Mailed. (ke, ) (Entered: 03/25/2014)
- 03/07/2014 151 MOTION TO ADMIT RECORDINGS, MEMORANDUM OF LAW IN SUPPORT , PROPOSED ORDER AND CERTIFICATE OF SERVICE by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY,

THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY .  
(WOLF, DENISE) (Entered: 03/07/2014)

- 02/26/2014 145 ORDER AS TO MICHAEL LOWRY THAT CHRISTOPHER G. FURLONG, ESQUIRE AND MICHAEL A. SCHWARTZ, ESQUIRE MOTION TO WITHDRAW AS COUNSEL IS GRANTED AND CHRISTOPHER G. FURLONG, ESQUIRE AND MICHAEL A. SCHWARTZ, ESQUIRE IS HEREBY PERMITTED TO WITHDRAW AS COUNSEL FOR DEFENDANT. Signed by HONORABLE ROBERT F. KELLY on 2/24/14.2/26/14 Entered and Copies E-Mailed. (mac, ) (Entered: 02/26/2014)
- 02/24/2014 144 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, HENRY P. ALFANO, ROBERT MOY THAT THE ABOVE-CAPTIONED CASE IS SPECIALLY LISTED FOR TRIAL TO COMMENCE 5/19/2014 AT 9:00 AM IN COURTROOM 11B BEFORE HONORABLE ROBERT F. KELLY. Signed by HONORABLE ROBERT F. KELLY on 2/24/14.2/24/14 Entered and Copies E-Mailed. (mac, ) (Entered: 02/24/2014)
- 02/24/2014 137 NOTICE OF HEARING as to MICHAEL LOWRY CRIMINAL JURY TRIAL IS SET FOR 5/19/2014 AT 9:00 AM IN COURTROOM 11-B BEFORE HONORABLE ROBERT F. KELLY. (mr, ) (Entered: 02/24/2014)
- 09/03/2013 126 SCHEDULING ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT 108 MOTION TO CONTINUE TRIAL DATE FILED BY ROBERT MULGREW IS GRANTED. IT IS FURTHER ORDERED THAT, PURSUANT TO 18 U.S.C. SECS. 3161(h)(7)(A),(B) AND (C), THE ENDS OF JUSTICE ARE SERVED BY GRANTING DEFTS' CONTINUANCE REQUEST AND OUTWEIGH THE PUBLIC'S INTEREST IN A SPEEDY TRIAL. IT IS ORDERED THAT ANT PRETRIAL MOTIONS MUST BE FILED BY 4/7/2014 AND RESPONDED TO BY 4/21/14; THAT ALL MOTIONS WILL BE HEARD ON 4/28/14; THAT ALL JURY INSTRUCTIONS, SUGGESTED VOIR DIRE QUESTIONS AND PROPOSED VERDICT SLIPS MUST BE FILED BY 5/5/14; THAT TRIAL IS SCHEDULED TO BEGIN 5/19/14. Signed by HONORABLE ROBERT F. KELLY on 9/3/13.9/3/13 Entered and Copies E-Mailed. (ke) (Entered: 09/03/2013)
- 08/28/2013 123 Letter as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY BY USA re: Requests for continuance of trial. (ap, ) (Entered: 08/28/2013)
- 08/19/2013 115 ORDER GRANTING MOTION OF DEFT. MICHAEL LOWRY (2) TO JOIN THE MOTION TO CONTINUE TRIAL DATE AND FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS OF DEFT. ROBERT MULGREW(DOC. # 111). Signed by HONORABLE ROBERT F. KELLY on 8/19/13.8/19/13 ENTERED AND COPIES E-MAILED.(jh, ) (Entered: 08/19/2013)
- 08/14/2013 111 MOTION for Joinder to Join Co-Defendants' Motions to Continue Trial Date and For Enlargement of Time to File Pretrial Motions by MICHAEL LOWRY. (Attachments: # 1 Text of Proposed Order)(PAWELSKI, TERRI) (Entered: 08/14/2013)
- 07/25/2013 106 NOTICE OF ATTORNEY APPEARANCE WILLIAM A. DESTEFANO appearing for MICHAEL LOWRY (DESTEFANO, WILLIAM) (Entered: 07/25/2013)
- 07/01/2013 105 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO,

- WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT 69 MOTION TO DISMISS INDICTMENT FILED BY MICHAEL J. SULLIVAN IS DENIED. Signed by HONORABLE ROBERT F. KELLY on 7/1/13.7/1/13 Entered and Copies E-Mailed. (ke) (Entered: 07/01/2013)
- 07/01/2013 104 MEMORANDUM AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY RE: MOTION TO DISMISS. Signed by HONORABLE ROBERT F. KELLY on 7/1/13.7/1/13 Entered and Copies E-Mailed. (ke) (Entered: 07/01/2013)
- 06/26/2013 100 RESPONSE in Opposition re 99 MOTION to Expedite *Briefing of Motion to Dismiss Filed by Mark A. Bruno* filed by USA (WZOREK, ANTHONY) (Entered: 06/26/2013)
- 06/19/2013 93 REPLY TO RESPONSE to Motion by MICHAEL LOWRY re 76 MOTION for Joinder Defendant Michael Sullivan's Motion to Dismiss (FURLONG, CHRISTOPHER) (Entered: 06/19/2013)
- 06/12/2013 89 RESPONSE to Motion by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, HENRY P. ALFANO, ROBERT MOY re 69 MOTION to Dismiss *Indictment*, 73 MOTION for Joinder *and Motion to Dismiss*, 78 MOTION for Joinder in *Co-Defendant's Motion to Dismiss the Indictment*, 77 MOTION for Joinder Defendant Michael Sullivan's Motion to Dismiss, 76 MOTION for Joinder Defendant Michael Sullivan's Motion to Dismiss filed by USA (WZOREK, ANTHONY) (Entered: 06/12/2013)
- 05/08/2013 79 ORDER AS TO MICHAEL LOWRY THAT THE 76 MOTION TO JOIN IN MICHAEL SULLIVAN'S MOTION TO DISMISS FILED BY MICHAEL LOWRY IS GRANTED AND IT IS HEREBY ACKNOWLEDGED THAT DEFENDANT LOWRY HAS JOINED IN THE AFOREMENTIONED MOTION, ETC. Signed by HONORABLE ROBERT F. KELLY on 5/8/13.5/9/13 Entered and Copies E-Mailed. (ke, ) (Entered: 05/09/2013)
- 05/02/2013 76 MOTION for Joinder Defendant Michael Sullivan's Motion to Dismiss by MICHAEL LOWRY. (FURLONG, CHRISTOPHER) (Entered: 05/02/2013)
- 04/30/2013 75 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT 71 MOTION FOR PROTECTIVE ORDER FILED BY THE MINOR JUDICIARY EDUCATION BOARD OF PENNSYLVANIA IS GRANTED. IT IS FURTHER ORDERED THAT PURSUANT TO FED. R. CRIM. P. 16(d)(1), MOVANT'S DOCUMENTS, INCLUDING THE INFORMATION THEY CONTAIN, PRODUCED IN RESPONSE TO THE GOV'T'S. SUBPOENA DATED 3/6/13, SHALL NOT BE DISCLOSED BY THE GOV'T. UNLESS THE GOV'T. INTENDS TO USE THEM AT TRIAL, THEY CONSTITUTE EXCULPATORY MATERIAL UNDER BRADY v. MARYLAND, 373 U.S. 83(1963), OR THE COURT ORDERS OTHERWISE, ETC. Signed by HONORABLE ROBERT F. KELLY on 4/30/13.4/30/13 Entered and Copies E-Mailed. (ke) (Entered: 04/30/2013)
- 04/30/2013 74 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY RE: 70 MOTION TO EXPEDITE BRIEFING OF MOTION TO DISMISS THE INDICTMENT AND FOR ORAL ARGUMENT FILED BY MICHAEL J. SULLIVAN THAT THE GOV'T. MUST FILE A RESPONSE TO THE MOTION TO DISMISS NO LATER THAN 6/13/2013; DEFT. MAY FILE A REPLY TO THE GOV'T'S. RESPONSE WITHIN 5 DAYS OF

THE FILING OF THE GOVT'S. RESPONSE; ORAL ARGUMENT ON THE MOTION TO DISMISS IS SCHEDULED FOR 6/24/2013 AT 09:30 AM IN COURTROOM 11-B. Signed by HONORABLE ROBERT F. KELLY on 4/30/13.4/30/13 Entered and Copies E-Mailed. (ke) (Entered: 04/30/2013)

- 04/26/2013 72 RESPONSE in Opposition re 70 MOTION to Expedite *Briefing of Motion to Dismiss* filed by USA (WOLF, DENISE) (Entered: 04/26/2013)
- 04/25/2013 71 MOTION for Protective Order with *Brief in Support and Certificate of Service* by THE MINOR JUDICIARY EDUCATION BOARD OF PENNSYLVANIA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit A, # 3 Exhibit B) (DALEY, MICHAEL) (Entered: 04/25/2013)
- 04/11/2013 67 CJA 20 AS TO MICHAEL LOWRY: APPOINTMENT OF CHRISTOPHER G. FURLONG, ESQUIRE for MICHAEL LOWRY. Signed by MAGISTRATE JUDGE TIMOTHY R. RICE on 4/5/13.4/11/13 Entered. (mac, ) (Entered: 04/11/2013)
- 04/05/2013 66 Minute Entry for proceedings held before MAGISTRATE JUDGE TIMOTHY R. RICE Attorney Appointment Hearing as to MICHAEL LOWRY held on 4/5/13. CHRISTOPHER G. FURLONG, ESQ., appointed for MICHAEL LOWRY. Court Reporter ESR.(ke) (Entered: 04/08/2013)
- 03/28/2013 65 SCHEDULING ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT DISCOVERY WILL BE PROVIDED BY THE GOVERNMENT ON 4/15/2013 AND 5/15/2013; THAT AFTER THE PRODUCTION OF DISCOVERY, DEFENSE COUNSEL WILL HAVE UNTIL 9/15/213 TO FILE ANY TRIAL CONTINUANCE; THAT ANY PRETRIAL MOTIONS MUST BE FILED BY 10/11/2013 AND RESPONDED TO BY 10/21/213; THAT ALL MOTIONS WILL BE HEARD ON 10/28/2013 AT 9:30 A.M.; THAT ALL JURY INSTRUCTIONS, SUGGESTED VIOR DIRE QUESTIONS, AND PROPOSED VERDICT SLIPS MUST BE FILED BY 11/1/2013; THAT TRIAL IS SCHEDULED TO BEGIN ON 11/12/2013 AT 9:30 A.M.. Signed by HONORABLE ROBERT F. KELLY on 3/28/2013.3/28/2013 Entered and Copies E-Mailed. (ke, ) (Entered: 03/28/2013)
- 03/15/2013 64 PROTECTIVE ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT THE GOVERNMENT'S MOTION FOR A PROTECTIVE ORDER IS GRANTED, ETC. Signed by HONORABLE ROBERT F. KELLY on 3/15/13.3/15/13 Entered and Copies E-Mailed. (mac, ) (Entered: 03/15/2013)
- 03/08/2013 63 First MOTION to Compel *Discovery* by MICHAEL J. SULLIVAN as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (FILED IN ERROR BY ATTY. MOTION ONLY RELATES TO DEFT. #1). (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Text of Proposed Order, # 4 Certificate of Service)(GRUGAN, TERENCE) Modified on 3/8/2013 (ke, ) (Entered: 03/08/2013)
- 02/25/2013 62 MOTION for Protective Order by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY,



CERTIFICATE OF SERVICE. (WOLF, DENISE) Modified on 2/26/2013 (ke, ).  
(Entered: 02/25/2013)

- 02/12/2013 55 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY RE: 54 MOTION FOR COMPLEX CASE DECLARATION AND SPECIAL LISTING FILED BY USA THAT THE CASE IS CONTINUED BEYOND THE TIME LIMITS ESTABLISHED BY THE SPEEDY TRIAL ACT, ETC. Signed by HONORABLE ROBERT F. KELLY on 2/12/13.2/12/13 Entered and Copies E-Mailed. (ke) (Entered: 02/12/2013)
- 02/11/2013 54 MOTION for Complex Case Declaration and Special Listing by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (WZOREK, ANTHONY) (Entered: 02/11/2013)
- 02/05/2013 37 NOTICE , *ENTRY OF APPEARANCE* by USA as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY (WZOREK, ANTHONY) (Entered: 02/05/2013)
- 02/01/2013 O/R Bond Entered as to MICHAEL LOWRY in amount of \$ 20,000.00 (ke) (Entered: 02/04/2013)
- 02/01/2013 16 ORDER SETTING CONDITIONS OF RELEASE AS TO MICHAEL LOWRY (2) THAT THE DEFT. MAY BE RELEASED PENDING DISPOSITION OF THIS MATTER, SUBJECT TO THE CONDITIONS SET FORTH BELOW: DEFT. IS RELEASED ON O/R BAIL IN THE AMOUNT OF \$20,000.00, ETC. Signed by MAGISTRATE JUDGE L. FELIPE RESTREPO on 1/31/13.2/4/13 Entered and Copies E-Mailed. (ke) (Entered: 02/04/2013)
- 02/01/2013 15 Minute Entryfor proceedings held before MAGISTRATE JUDGE L. FELIPE RESTREPOArrestment as to MICHAEL LOWRY (2) Counts 1-50, 69 held on 1/31/13. Plea entered by MICHAEL LOWRY Not Guilty on counts 1-50, 69. Counsel have 14 days to file pretrial motions. Gov't. and Defense have agreed to conditions of release.Court Reporter ESR.(ke) (Entered: 02/04/2013)
- 02/01/2013 8 NOTICE Regarding United States Passport for Criminal Defendant as to MICHAEL LOWRY (ke) (Entered: 02/01/2013)
- 01/31/2013 7 Audio File 1-31-13 1:47PM, regarding Initial Appearances and Arraignments for Deft Sullivan et al held on 1-31-13, before MAGISTRATE JUDGE L. FELIPE RESTREPO (jlr, ) (Entered: 01/31/2013)
- 01/31/2013 \*\*\*INDICTMENT UNSEALED as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY (tomgsl, ) (Entered: 01/31/2013)
- 01/31/2013 6 Letter from AUSA Unsealing Indictment as to MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY (tomgsl, ) (Entered: 01/31/2013)
- 01/30/2013 5 ORDER AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY THAT 4 MOTION TO SUBMIT CORRECTED INDICTMENT REFLECTING CHANGES MADE BY

GRAND JURY PRIOR TO RETURNING A TRUE BILL FILED BY USA IS GRANTED. IT IS ORDERED THAT THE ATTACHED CORRECTED INDICTMENT, PAGES 1-78, BE FILED WITH THE CLERK, AND BE AFFIXED TO THE SIGNATURES ON PAGE 79. Signed by MAGISTRATE JUDGE L. FELIPE RESTREPO on 1/30/13.1/31/13 Entered. (kesl) (tomg, ). (Entered: 01/31/2013)

- 01/30/2013     4     MOTION TO SUBMIT CORRECTED INDICTMENT REFLECTING CHANGES MADE BY GRAND JURY PRIOR TO RETURNING A TRUE BILL FILED BY USA AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY. (kesl) (tomg, ). (Entered: 01/31/2013)
  
- 01/29/2013     2     MOTION AND ORDER TO SEAL INDICTMENT AS TO MICHAEL J. SULLIVAN, MICHAEL LOWRY, ROBERT MULGREW, WILLIE SINGLETARY, THOMASINE TYNES, MARK A. BRUNO, WILLIAM HIRD, HENRY P. ALFANO, ROBERT MOY.. Signed by MAGISTRATE JUDGE ELIZABETH T. HEY on 1/29/13.1/30/13 Entered and Copies Mailed. (jmvsl, ) (tomg, ). (Entered: 01/30/2013)
  
- 01/29/2013     1     SEALED INDICTMENT as to MICHAEL J. SULLIVAN (1) count(s) 1, 2-50, 51-68, MICHAEL LOWRY (2) count(s) 1, 2-50, 69, ROBERT MULGREW (3) count(s) 1, 2-50, 51-68, 70, WILLIE SINGLETARY (4) count(s) 1, 2-50, 51-68, 73-74, THOMASINE TYNES (5) count(s) 1, 2-50, 51-68, 71, 72, MARK A. BRUNO (6) count(s) 1, 2-50, 51-68, WILLIAM HIRD (7) count(s) 1, 2-50, 51-68, 75-77, HENRY P. ALFANO (8) count(s) 1, 2-50, 51-68, ROBERT MOY (9) count(s) 1, 2-50, 51-68. (jmvsl, ) (tomg, ). (Additional attachment(s) added on 2/12/2013: # 1 Designation Form) (jef, ). (Entered: 01/30/2013)

<b>PACER Service Center</b>			
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# **BOARD EXHIBIT**

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# **BOARD EXHIBIT**

**C**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** :

**v.** : **CRIMINAL NO. 13-39**

**MICHAEL J. SULLIVAN** :  
**MICHAEL LOWRY** :  
**ROBERT MULGREW** :  
**WILLIE SINGLETARY** :  
**THOMASINE TYNES** :  
**MARK A. BRUNO** :  
**ROBERT MOY** :

**JURY VERDICT FORM**

As to defendant **MICHAEL J. SULLIVAN**

Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.

We unanimously find **MICHAEL J. SULLIVAN**

Guilty

Not Guilty

*Please proceed to the wire fraud and aiding and abetting counts against Michael J. Sullivan on the next page*



Wire Fraud and Aiding and Abetting Counts against Michael J. Sullivan

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND MICHAEL J. SULLIVAN
3	Ticket #2 (A. Scarlata) PIJ0PK568L4	3/15/10	Interstate telephone call	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
8	Ticket #10 (R. Holmes) X03704481	5/30/11	Interstate computer transmission of adjudication batch	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
9	Tickets #11 and #12 (M. Ambron) X04074103 X04074114	5/12/11	Interstate text message	Guilty _____ Not Guilty <input type="checkbox"/>
10	Tickets #11 and #12 (M. Ambron) X04074103 X04074114	7/5/11	Interstate telephone call	Guilty _____ Not Guilty <input type="checkbox"/>
11	Tickets #11 and #12 (M. Ambron) X04074103 X04074114	7/18/11	Interstate computer transmission of adjudication batch	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
12	Tickets #13 and #14 (R. Capazzoli) X03716801 X03716812	6/22/11	Interstate computer transmission of adjudication batch	Guilty _____ Not Guilty <input type="checkbox"/>
13	Tickets #13 and #14 (R. Capazzoli) X03716801 X03716812	Between on or about 5/18/11 and on or about 6/20/11	Interstate computer check of citation	Guilty _____ Not Guilty <input type="checkbox"/>
14	Tickets #15 through #17 (K. Sarkioglu) X05080176	6/20/11	Interstate text message	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
15	Ticket #18 (G. Chavanne) PIP0J84T431	Between on or about 6/20/11 and on or about 7/15/11	Interstate computer check of citation	Guilty _____ Not Guilty <input checked="" type="checkbox"/>

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND MICHAEL J. SULLIVAN
25	Ticket #31 (N. Mathis) V00194165	Between on or about 6/4/10 and on or about 8/6/10	Interstate computer check of citation	Guilty Not Guilty ✓
26	Ticket #31 (N. Mathis) V00194165	8/9/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty ✓
33	Tickets #39 and #40 (T. Blong) E05442102 E05442113	Between on or about 5.29.08 and on or about 7.31.08	Interstate computer check of citation	Guilty Not Guilty ✓
34	Tickets #39 and #40 (T. Blong) E05442102 E05442113	8/4/08	Interstate computer transmission of adjudication batch	Guilty Not Guilty
37	Ticket #42 (F. Lowry) S00623000	Between on or about 10/18/09 and on or about 12/22/09	Interstate computer check of citation	Guilty Not Guilty ✓
38	Ticket #42 (F. Lowry) S00623000	12/24/09	Interstate computer transmission of adjudication batch	Guilty Not Guilty ✓
39	Ticket #43 (A. Tseng) V01868613	8/16/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty ✓

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Michael J. Sullivan. Please proceed to the mail fraud and aiding and abetting counts against Michael J. Sullivan on the next page.*

**Mail Fraud and Aiding and Abetting Counts against Michael J. Sullivan**

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND MICHAEL J. SULLIVAN
57	Ticket #18 (G. Chavanne) PIPOJ84T431	7/23/11	Refund of money mailed	Guilty <input type="checkbox"/> Not Guilty <input checked="" type="checkbox"/>
61	Ticket #30 (H. Wilcox) V02705021	Between on or about 5/6/11 and on or about 6/8/11	Letter mailed to PennDOT requesting that points be rescinded	Guilty <input type="checkbox"/> Not Guilty <input checked="" type="checkbox"/>
62	Ticket #43 (A. J. Song) V01868613	6/18/10	Citation information mailed	Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/>

*That concludes your deliberation of the counts against Michael J. Sullivan. Please proceed to the counts against defendant Michael Lowry on the next page.*

As to defendant **MICHAEL LOWRY**

Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.

We unanimously find **MICHAEL LOWRY**

Guilty \_\_\_\_\_ Not Guilty

Please proceed to the wire fraud and aiding and abetting counts against Michael Lowry below

Wire Fraud and Aiding and Abetting Counts as to Michael Lowry

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND MICHAEL LOWRY
5	Ticket #8 (D. Salvatore) PIK8JW566M1	11/30/10	Interstate telephone call	Guilty Not Guilty
6	Ticket #8 (D. Salvatore) PIK8JW566M1	11/29/10	Interstate computer check of citation	Guilty Not Guilty <input checked="" type="checkbox"/>
8	Ticket #10 (R. Holmes) X03704481	5/30/11	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
22	Tickets #26 - #29 (Camden Iron) V01988851 V01988862 V01988873 V01988884	Between on or about 11/29/10 and on or about 12/1/10	Interstate computer check of citation	Guilty Not Guilty <input checked="" type="checkbox"/>
23	Tickets #26 - #29 (Camden Iron) V01988851 V01988862 V01988873 V01988884	11/30/10	Interstate telephone call	Guilty Not Guilty

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND MICHAEL LOWRY
27	Tickets #32 and #33 (N. Mathis) V00656084 V00656095	Between on or about 6/26/10 and on or about 8/30/10	Interstate computer check of citation	Guilty Not Guilty <input checked="" type="checkbox"/>
28	Tickets #32 and #33 (N Mathis) V00656084 V00656095	9/1/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
37	Ticket #42 (F. Lowry) S00623000	Between on or about 10/18/09 and on or about 12/22/09	Interstate computer check of citation	Guilty Not Guilty <input type="checkbox"/>
38	Ticket #42 (F. Lowry) S00623000	12/24/09	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Michael Lowry. Please proceed to Count 69 below.*

**Count 69 - Perjury before a grand jury, on or about October 25, 2011.**

We unanimously find MICHAEL LOWRY

Guilty

Not Guilty

*That concludes your deliberation of the counts against Michael Lowry. Please proceed to the counts against defendant Robert Mulgrew on the next page.*

As to defendant **ROBERT MULGREW**

**Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.**

We unanimously find **ROBERT MULGREW**

Guilty \_\_\_\_\_ Not Guilty       ✓      

*Please proceed to the wire fraud and aiding and abetting counts against Robert Mulgrew below*

**Wire Fraud and Aiding and Abetting Counts against Robert Mulgrew**

COUNT	TICKET NO. and CITATION NO	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND ROBERT MULGREW
4	Tickets #3 - #6 (L. Robinson / Oasis) V00311146 V00311150 V00311161 V00311172	3/8/10	Interstate telephone call	Guilty Not Guilty
7	Ticket #9 (B. Davis) S01839412	9/28/09	Interstate computer access to list continuance of case	Guilty Not Guilty ✓
35	Ticket #41 (J. Trombetta) E07371910	Between on or about 10/12/08 and on or about 12/16/08	Interstate computer check of citation	Guilty Not Guilty ✓
36	Ticket #41 (J. Trombetta) E07371910	12/18/08	Interstate computer transmission of adjudication hatch	Guilty Not Guilty ✓

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Robert Mulgrew. Please proceed to the mail fraud and aiding and abetting counts against Robert Mulgrew below.*

Mail Fraud and Aiding and Abetting Counts as to Robert Mulgrew

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND ROBERT MULGREW
55	Ticket #7 (Gianna Salvage, Inc ) V00322394	4/19 10	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
56	Ticket #7 (Gianna Salvage, Inc ) V00322394	Between on or about 4/14/10 and on or about 4/19/10	Citation information mailed	Guilty Not Guilty <input type="checkbox"/>

*That concludes your deliberation of the mail fraud and aiding and abetting counts against Robert Mulgrew. Please proceed to Count 70 below.*

Count 70 Perjury before a grand jury, on or about November 8, 2011.

We unanimously find ROBERT MULGREW

Guilty

Not Guilty

*That concludes your deliberation of the counts against Robert Mulgrew. Please proceed to the counts against defendant Willie Singletary on the next page.*

As to defendant WILLIE SINGLETARY

Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.

We unanimously find WILLIE SINGLETARY

Guilty \_\_\_\_\_ Not Guilty

Please proceed to the wire fraud and aiding and abetting counts against Willie Singletary below.

Wire Fraud and Aiding and Abetting Counts as to Willie Singletary

COUNT	TICKET NO. and CITATION NO	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND WILLIE SINGLETARY
24	Ticket #30 (H Wilcox) V02705021	Between on or about 5/6/11 and on or about 6/8/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
25	Ticket #31 (N Mathis) V00194165	Between on or about 6/4/10 and on or about 8/6/10	Interstate computer check of citation	Guilty Not Guilty
26	Ticket #31 (N. Mathis) V00194165	8/9/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
27	Tickets #32 and #33 (N. Mathis) V00656084 V00656095	Between on or about 6/26/10 and on or about 8/30/10	Interstate computer check of citation	Guilty Not Guilty <input checked="" type="checkbox"/>
28	Tickets #32 and #33 (N. Mathis) V00656084 V00656095	9/1/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
29	Tickets #34 - #36 (A. Harmon) V01892936 V01892940 V01892951	10/7/10	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>



COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND WILLIE SINGLETARY
30	Tickets #34 - #36 (A. Harmon) V01892936 V01892940 V01892951	11/15/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
31	Tickets #37 and #38 (G. Gittens) V00997485 V00997496	Between on or about 7/30/10 and on or about 9/22/10	Interstate computer check of citation	Guilty Not Guilty <input type="checkbox"/>
32	Tickets #37 and #38 (G. Gittens) V00997485 V00997496	7/30/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input type="checkbox"/>
43	Ticket #46 (S. Cao) X05395782	8/24/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
44	Ticket #47 (J. Hu) X04743782	8/17/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
45	Ticket #47 (J. Hu) X04743782	8/12/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
46	Ticket #48 (W. Rong) X04104962	6/17/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
47	Ticket #48 (W. Rong) X04104962	8/12/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
48	Ticket #49 (J. Jiang) X04885090	7/1/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
49	Ticket #49 (J. Jiang) X04885090	8/24/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND WILLIE SINGLETARY
50	Ticket #50 (J. Jiang) X04310180	9/29/11	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Willie Singletary. Please proceed to the mail fraud and aiding and abetting counts against Willie Singletary below.*

**Mail Fraud and Aiding and Abetting Counts as to Willie Singletary**

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND WILLIE SINGLETARY
59	Ticket #29 (J. Belcornte) V02803861	Between on or about 12/11/10 and on or about 2/2/11	Citation information mailed	Guilty Not Guilty <input type="checkbox"/>
61	Ticket #30 (H Wilcox) V02705021	Between on or about 5/6/11 and on or about 6/8/11	Letter mailed to PennDOT requesting that points be rescinded	Guilty Not Guilty <input checked="" type="checkbox"/>
65	Ticket #46 (S. Cao) X05395782	7/6/11	Citation information mailed	Guilty Not Guilty <input type="checkbox"/>
66	Ticket #47 (J. Hu) X04743782	4/20/11	Citation information mailed	Guilty Not Guilty <input type="checkbox"/>
67	Ticket #49 (J. Jiang) X04885090	5/19/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
68	Ticket #50 (J. Jiang) X04310180	8/4/11	Citation information mailed	Guilty Not Guilty <input type="checkbox"/>

*That concludes your deliberation of the mail fraud and aiding and abetting counts against Willie Singletary. Please proceed to Count 73 below*

**Count 73 - False statement to federal investigators, in that Singletary stated that he had never arranged or facilitated preferential treatment to anyone with a matter in Traffic Court, on or about September 21, 2011.**

We unanimously find WILLIE SINGLETARY

Guilty

Not Guilty

**Count 74 - False statement to federal investigators, in that Singletary stated that he never waived any fines, reduced fines, reduced any points, or eliminated any tickets at the request of another judge or employee of the City of Philadelphia, nor through a previous arrangement prior to a court hearing, on or about September 21, 2011.**

We unanimously find WILLIE SINGLETARY

Guilty

Not Guilty

*This concludes your deliberation of the counts against Willie Singletary. Please proceed to the counts against defendant Thomasine Dynes on the next page.*

As to defendant THOMASINE TYNES

Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.

We unanimously find THOMASINE TYNES

Guilty \_\_\_\_\_ Not Guilty

Please proceed to the wire fraud and aiding and abetting counts against Thomasine Tynes below

Wire Fraud and Aiding and Abetting Counts against Thomasine Tynes

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND THOMASINE TYNES
20	Ticket #23 (M. Dinardo) V02677065	Between on or about 1/28/11 and on or about 3/14/11	Interstate computer check of citation	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
21	Tickets #24 and #25 (A. Kodra) V01711511 V01711522	Between on or about 11/1/10 and on or about 12/16/10	Interstate computer check of citation	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
33	Tickets #39 and #40 (T. Blong) E05442102 E05442113	Between on or about 5/29/08 and on or about 7/31/08	Interstate computer check of citation	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
34	Tickets #39 and #40 (T. Blong) E05442102 E05442113	8/4/08	Interstate computer transmission of adjudication batch	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
40	Ticket #44 (G. Li) X03644955	5/6/11	Interstate computer access to list continuance of case	Guilty _____ Not Guilty <input checked="" type="checkbox"/>
41	Ticket #44 (G. Li) X03644955	7/29/11	Interstate computer access to list continuance of case	Guilty _____ Not Guilty <input checked="" type="checkbox"/>

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND THOMASINE TYNES
42	Ticket #45 (O. Siam) V00604844	6/28/10	Interstate computer transmission of adjudication batch	Guilty _____ Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Thomasine Tynes. Please proceed to the mail fraud and aiding and abetting counts against Thomasine Tynes below.*

Mail Fraud and Aiding and Abetting Counts against Thomasine Tynes

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND THOMASINE TYNES
60	Ticket #23 (M. Dinardo) V02677065	2/9/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
63	Ticket #44 (G Li) X03644955	3/15/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
64	Ticket #45 (O Sim) V0044844	5/3/10	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the mail fraud and aiding and abetting counts against Thomasine Tynes. Please proceed to Count 71 below.*

**Count 71 - Perjury before a grand jury, in that Tynes testified that she was never asked to give favorable treatment on a case to anyone, on or about October 4, 2011.**

We unanimously find THOMASINE TYNES

Guilty  Not Guilty

**Count 72 - Perjury before a grand jury, in that Tynes testified that she never took action on a request for favorable treatment, on or about October 4, 2011.**

We unanimously find THOMASINE TYNES

Guilty  Not Guilty

*That concludes your deliberation of the counts against Thomasine Tynes. Please proceed to the counts against defendant Mark A. Bruno on the next page.*

As to defendant **MARK A. BRUNO**

Count 1 - **Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.**

We unanimously find **MARK A. BRUNO**

Guilty

Not Guilty



*Please proceed to the wire fraud and aiding and abetting counts against Mark A. Bruno below*

**Wire Fraud and Aiding and Abetting Count against Mark A. Bruno**

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND MARK A. BRUNO
1	Tickets 73-46 (1- Robinson) V(031114-6 V(031115-0	3/8/10	Interstate telephone call	Guilty Not Guilty

*That concludes your deliberation of the wire fraud and aiding and abetting count against Mark A. Bruno. Please proceed to the mail fraud count against Mark A. Bruno on the next page.*

**Mail Fraud and Aiding and Abetting Count against Mark A. Bruno**

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND MARK A. BRUNO
54	Ticket #3 and #4 (L. Robinson) V0031114-6 V0031115-0	5/21/10	"Receipt" mailed	Guilty Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the counts against Mark A. Bruno. Please proceed to the counts against defendant Robert Moy on the next page*



As to defendant ROBERT MOY

Count 1 - Conspiracy to commit wire and mail fraud, from in or about July 2008 to in or about September 2011.

We unanimously find ROBERT MOY

Guilty \_\_\_\_\_ Not Guilty

Please proceed to the wire fraud and aiding and abetting counts against Robert Moy below

Wire Fraud and Aiding and Abetting Counts as to Robert Moy

COUNT	TICKET NO and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND ROBERT MOY
39	Ticket #41 (A Tseng) V01868613	8/16/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>
40	Ticket #44 (G. Li) X03644955	5/6/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
41	Ticket #44 (G. Li) X03644955	7/29/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
42	Ticket #45 (O. Siam) V00604844	6/28/10	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input type="checkbox"/>
43	Ticket #46 (S. Cao) X05395782	8/24/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
44	Ticket #47 (J. Hu) X04743782	5/13/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input type="checkbox"/>
45	Ticket #47 (J. Hu) X04743782	8/12/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>

COUNT	TICKET NO. and CITATION NO.	DATE	WIRE TRANSMISSION	WE UNANIMOUSLY FIND ROBERT MOY
46	Ticket #48 (W. Rong) X04104962	6/17/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
47	Ticket #48 (W. Rong) X04104962	8/12/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
48	Ticket #49 (J. Jiang) X04885090	7/1/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
49	Ticket #49 (J. Jiang) X04885090	5/1/11	Interstate computer access to list continuance of case	Guilty Not Guilty <input checked="" type="checkbox"/>
50	Ticket #50 (J. Jiang) X04310180	9/29/11	Interstate computer transmission of adjudication batch	Guilty Not Guilty <input checked="" type="checkbox"/>

*That concludes your deliberation of the wire fraud and aiding and abetting counts against Robert Moy. Please proceed to the mail fraud counts against Robert Moy below.*

**Mail Fraud and Aiding and Abetting Counts vs Robert Moy**

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND ROBERT MOY
62	Ticket #43 (A. Tseng) V01868613	6/18/10	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
63	Ticket #44 (G. Li) X03644955	3/15/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
64	Ticket #45 (O. Siam) V00604844	5/3/10	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>

COUNT	TICKET NO. and CITATION NO.	DATE	MAILING	WE UNANIMOUSLY FIND ROBERT MOY
65	Ticket #46 (S. Cao) X05395782	7/6/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
66	Ticket #47 (J. Hu) X04743782	4/20/11	Citation information mailed	Guilty Not Guilty <input checked="" type="checkbox"/>
67	Ticket #49 (J. Jiang) X04885090	5/19/11	Citation information mailed	Guilty Not Guilty
68	Ticket #50 (J. Jiang) X04310180	5/4/11	Citation information mailed	Guilty Not Guilty

*That concludes your deliberation of the counts against Robert Moy*

  
JURY FOREPERSON

Date 7/23/2014

**BOARD EXHIBIT**

**D**

**BOARD EXHIBIT**

**D**

UNITED STATES DISTRICT COURT

EASTERN

District of

PENNSYLVANIA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

MICHAEL LOWRY

Case Number DP AE2.13CR000039 002

USM Number: 68922-066

William A. DeStefano, Esq. & Terri A. Pawelski, Esq.  
Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) \_\_\_\_\_
- pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.
- was found guilty on count(s) 19  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

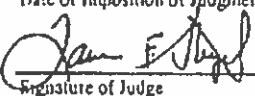
Title & Section	Nature of Offense	Offense Ended	Count
18 1623	Perjury	10/25//2011	19

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) 1, 5, 6, 8, 22, 23, 27, 28 37 & 38
- Count(s) \_\_\_\_\_  is  are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

January 14, 2015  
Date of Imposition of Judgment

  
Signature of Judge

Lawrence F. Stengel, U.S. District Judge  
Name and Title of Judge

1/29/15  
Date

DEFENDANT: MICHAEL LOWRY  
CASE NUMBER: DPAE2:13CR00039-002

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

20 months as to count 69.

- The court makes the following recommendations to the Bureau of Prisons:  
The Court recommends that the defendant be placed in an institution as close to Philadelphia, PA as possible
  
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district
  - \_\_\_\_\_  a.m.  p.m. on \_\_\_\_\_
  - as notified by the United States Marshal
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
  - by 2:00 p.m. on Monday, March 16, 2015
  - as notified by the United States Marshal.
  - as notified by the Probation or Pretrial Services Office

### RETURN

I have executed this judgment as follows:

Defendant delivered \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: MICHAEL LOWRY  
CASE NUMBER: DPAE2:13CR00039-002

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

One (1) year as to count 69.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: MICHAEL LOWRY  
CASE NUMBER: DPAE2:13CR00039-002

### ADDITIONAL SUPERVISED RELEASE TERMS

The defendant is excused from the mandatory drug testing provision; however, the defendant may be requested to submit to drug testing during the period of supervision if the probation officer determines a risk of substance abuse.

The defendant shall contribute 100 hours of community services work as directed by the probation office.

The Court finds that the defendant does not have the ability to pay a fine. The Court will waive the fine in this case.

The defendant shall pay to the United States a total special assessment of \$100.00; the entire amount shall be due by the end of the defendant's term of supervision.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of mailing address or residence that occurs while any portion of the special assessment remains unpaid.



DEFENDANT: MICHAEL LOWRY  
 CASE NUMBER: DPAA2:13CR00039-002

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6

TOTALS	<u>Assessment</u> \$ 100.00	<u>Fine</u> \$ 0.00	<u>Restitution</u> \$ 0.00
--------	--------------------------------	------------------------	-------------------------------

- The determination of restitution is deferred until \_\_\_\_\_ An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

TOTALS                                    \$ \_\_\_\_\_ 0                                    \$ \_\_\_\_\_ 0

- Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine  restitution
  - the interest requirement for the  fine  restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: MICHAEL LOWRY  
CASE NUMBER: DPAL2:13CR00039-002

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A  Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due
- not later than \_\_\_\_\_, or  
 in accordance  C,  D,  E, or  F below; or
- B  Payment to begin immediately (may be combined with  C,  D, or  F below); or
- C  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E  Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F  Special instructions regarding the payment of criminal monetary penalties:  
The defendant shall pay to the United States a total special assessment of \$100.00, which shall be due by the end of the defendant's term of supervision.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

**BOARD EXHIBIT**

**E**

**BOARD EXHIBIT**

**E**

**General Docket  
Third Circuit Court of Appeals**

**Court of Appeals Docket #:** 15-1344  
**USA v. Michael Lowry**  
**Appeal From:** United States District Court for the Eastern District of Pennsylvania  
**Fee Status:** ACJA

**Docketed:** 02/09/2015  
**Termed:** 08/21/2018

**Case Type Information:**

- 1) criminal
- 2) Conviction appeal
- 3) null

**Originating Court Information:**

**District:** 0313-2 : 2-13-cr-00039-002

**Lead:** 14-4754

**Court Reporter:** Joan Carr

**Trial Judge:** Lawrence F Stengel Retired District Judge

**Date Filed:** 01/29/2013

**Date Order/Judgment:**

01/29/2015

**Date Order/Judgment EOD:**

01/29/2015

**Date NOA Filed:**

02/03/2015

**Prior Cases:**

None

**Current Cases:**

Consolidated	Lead	Member	Start	End
	<u>14-4754</u>	<u>14-4804</u>	04/20/2015	
	<u>14-4754</u>	<u>14-4812</u>	04/20/2015	
	<u>14-4754</u>	<u>15-1344</u>	04/20/2015	
	<u>14-4754</u>	<u>15-3769</u>	11/19/2015	

**UNITED STATES OF AMERICA**  
 Plaintiff - Appellee

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v.

**MICHAEL LOWRY (#68922-066)**  
Defendant - Appellant


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UNITED STATES OF AMERICA


v.


MICHAEL LOWRY,  
Appellant


02/09/2015  CRIMINAL CASE DOCKETED. Notice filed by Michael Lowry in District Court No. 2-13-cr-00039-002. (OM) [Entered: 02/09/2015 03:21 PM]  
5 pg, 189.65 KB


02/09/2015 RECORD available on District Court CM/ECF. (OM) [Entered: 02/09/2015 03:50 PM]


02/12/2015  CJA Form 23 Financial Affidavit from Appellant Michael Lowry, treated as a Motion for Appointment of Counsel Under the Provisions of the Criminal Justice Act, filed. (CLW) [Entered: 02/12/2015 12:45 PM]  
0 pg, 0 KB


02/24/2015  ORDER (NYGAARD, Circuit Judges) granting CJA Form 23 Voucher for appointment of counsel under the provisions of the Criminal Justice Act filed by Appellant Michael Lowry, filed. Panel No.: FCO-019. Nygaard, Authoring Judge. (PDB) [Entered: 02/24/2015 02:06 PM]  
1 pg, 6.57 KB


02/24/2015  ORDER appointing William A. DeStefano as CJA counsel to represent Appellant Michael Lowry, filed. (PDB) [Entered: 02/24/2015 02:08 PM]  
0 pg, 0 KB


02/24/2015  Clerk's letter regarding information and deadlines for appointed counsel. (PDB) [Entered: 02/24/2015 02:11 PM]  
3 pg, 79.86 KB


02/24/2015  FOLLOW UP LETTER to M. Taylor Aspinwall, Esq. for USA, Denise S. Wolf, Esq. for USA and Anthony J. Wzorek, Esq. for USA requesting the following document(s): Appearance Form on or before 03/10/2015. (PDB) [Entered: 02/24/2015 02:23 PM]  
2 pg, 23.4 KB


02/24/2015  ECF FILER: ENTRY OF APPEARANCE from Denise S. Wolf on behalf of Appellee(s) USA--[Edited 02/24/2015 by MLR] (DSW) [Entered: 02/24/2015 03:05 PM]  
1 pg, 28.48 KB

03/03/2015  ECF FILER: ENTRY OF APPEARANCE from William A. DeStefano on behalf of Appellant(s) Michael Lowry. [15-1344--[Edited 03/04/2015 by CLW]] (WAD) [Entered: 03/03/2015 04:03 PM]  
1 pg, 71.05 KB


03/03/2015  ECF FILER: CJA Form 24 Request for Authorization for Transcript filed on behalf of Appellant Michael Lowry in 15-1344.--[Edited 03/04/2015 by CLW] (WAD) [Entered: 03/03/2015 04:06 PM]  
1 pg, 89.19 KB


03/03/2015  ECF FILER: CRIMINAL INFORMATION STATEMENT on behalf of Appellant Michael Lowry in 15-1344, filed.] (WAD) [Entered: 03/03/2015 04:07 PM]  
2 pg, 88.52 KB


03/04/2015  ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant Michael Lowry in 15-1344 advising this court that transcripts are needed--[Edited 03/04/2015 by CLW]. Requested date(s) are: 5/27/2014 through 7/23/2014, to be filed by.--[Edited 03/04/2015 by CLW] (WAD) [Entered: 03/04/2015 10:19 AM]  
1 pg, 73.16 KB


03/06/2015  ECF FILER: Motion filed by Appellant Michael Lowry for bail pending appeal. Certificate of Service dated 03/06/2015. (WAD) [Entered: 03/06/2015 01:06 PM]  
10 pg, 442.75 KB


03/06/2015 TEXT ONLY ORDER (Clerk): In light of Appellant's scheduled report date of March 16, 2015, the Government's response to the Motion for Release Pending Appeal must be filed and served on or before March 11, 2015 at 2:00pm. (KGL) [Entered: 03/06/2015 02:53 PM]


03/06/2015  ECF FILER: ENTRY OF APPEARANCE from AUSA Anthony J. Wzorek on behalf of Appellee(s) UNITED STATES OF AMERICA. (AJW) [Entered: 03/06/2015 03:28 PM]  
1 pg, 28.11 KB


03/11/2015  ECF FILER: RESPONSE by Appellee USA to Motion for Bail or Release, filed. Certificate of Service dated 03/11/2015.--[Edited 03/11/2015 by CLW] (DSW) [Entered: 03/11/2015 09:17 AM]  
10 pg, 48.39 KB

03/16/2015  ORDER (AMBRO and JORDAN, Circuit Judges) The Motion by Appellant for Bail pending appeal is denied, filed. Panel No.: BCO-047-E. Ambro, Authoring Judge. (CLW) [Entered: 03/16/2015 01:11 PM]  
1 pg, 175.23 KB

03/30/2015  ECF FILER: UNOPPOSED Motion filed by Appellant William Hird in 14-4754 14-4754, 14-4804, 14-4812, 15-1344, 15-1739. Certificate of Service dated 03/30/2015. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (AH) [Entered: 03/30/2015 11:07 AM]  
5 pg, 84.08 KB

04/20/2015  CLERK ORDER Unopposed Joint Motion to Consolidate Appeals for Scheduling, Appendix, Appellee's Brief and Disposition. The motion is granted. The appeals are hereby consolidated for purposes of scheduling, joint appendix, Appellee's brief, and disposition. Appellants are encouraged to consult with one another regarding the contents of their briefs as the Court disfavors repetitive briefs. Appellants may file a consolidated brief or join in or adopt portions by reference.. See Fed. R. App.P. 28 (i). The briefing and scheduling order issued on February 26, 2015 in No. 14.4754 is hereby VACATED. A consolidated briefing and scheduling order will be issued once all case opening forms and transcripts have been filed in all five cases. It is noted that Appellee's brief must be filed and served within twenty-one (21) days of the date of service to the last Appellant's brief, filed. SEE DOCKET FOR FULL TEXT OF ORDER. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (CLW) [Entered: 04/20/2015 11:40 AM]  
2 pg, 78.03 KB

05/06/2015  ORDER to Court Reporter Ms. Joan Carr directing transcripts, ordered on 05/06/2015, to be filed by 06/08/2015. (CLW) [Entered: 05/06/2015 03:29 PM]  
2 pg, 95.03 KB

05/06/2015  CJA Form 24 sent to Court Reporter Ms. Joan Carr. (CLW) [Entered: 05/06/2015 03:31 PM]

2 pg, 455.15 KB

05/12/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part II) filed by TRANSCRIBERS LTD., for date(s) of 5/29/14; 6/2/14; 6/3/14; 6/4/14; 6/16/14; 6/17/14; 6/19/14; 6/23/14; 6/26/14; 7/14/14; 7/17/14; 7/21/14. (JC) [Entered: 05/12/2015 11:52 AM]

2 pg, 177.97 KB

05/12/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part II) filed by DIANA DOMAN TRANSCRIPTION for date(s) of 5/27/14 (TESTIMONY ONLY) 528/14; 6/5/14; 6/18/14; 6/24/14; 6/25/14; 6/30/14; 7/1/14; 7/2/14; 7/8/14. (JC) [Entered: 05/12/2015 12:21 PM]

2 pg, 166.42 KB

05/12/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part II) filed by VERITEXT TRANSCRIPTION for date(s) of 7/9/14; 7/10/14; 7/15/14; 7/18/14; 8/22/14; 7/23/14. (JC) [Entered: 05/12/2015 12:41 PM]

2 pg, 164.43 KB

06/19/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part III) filed by VERITEXT TRANSCRIPTION for the date(s) of 7/9/14; 7/10/14; 7/15/14; 7/18/14; 7/22/14; 7/23/14. Transcripts were filed in the District Court on 06/16/2015. (JC) [Entered: 06/19/2015 04:45 PM]

1 pg, 70.39 KB

06/25/2015  BRIEFING NOTICE ISSUED. Brief on behalf of Appellant Michael Lowry due on or before 07/27/2015. Appendix due on or before 07/27/2015. Presentence Report due on or before 07/27/2015. (CLW) [Entered: 06/25/2015 11:08 AM]

3 pg, 139.23 KB

07/17/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part III) filed by DIANA DOMAN TRANSCRIPTION for the date(s) of MAY 23, 2014; MAY 28, 2014; JUNE 5, 2014; JUNE 18, 2014; JUNE 24, 2014; JUNE 25, 2014; JUNE 30, 2014; JULY 1, 2014; JULY 2, 2014 & JULY 8, 2014. Transcripts were filed in the District Court on 07/16/2015. (JC) [Entered: 07/17/2015 03:28 PM]

1 pg, 75.89 KB

07/20/2015  ORDER (Clerk) vacating briefing notice issued on 06/25/2015, filed. (CLW) [Entered: 07/20/2015 11:25 AM]

1 pg, 9.75 KB

08/11/2015  ECF FILER: Motion filed by Ms. Joan Carr for Extension of Time to file TRANSCRIPTS until/for AUGUST 11, 2015. Certificate of Service dated 08/11/2015. (JC) [Entered: 08/11/2015 12:24 PM]

1 pg, 21.94 KB

08/18/2015  ECF FILER: TRANSCRIPT PURCHASE ORDER (Part III) filed by TRANSCRIBERS LTD., for the date(s) of 5/29/14; 6/2/14 THRU 6/4/14; 6/16/14 & 6/17/14; 6/19/14; 6/23/14; 6/26/14; 7/14/14; 7/17/14; & 7/21/14. Transcripts were filed in the District Court on 08/18/2015. (JC) [Entered: 08/18/2015 03:31 PM]

1 pg, 72.39 KB

08/19/2015  ORDER (Clerk) Motion by Court Reporter for Extension of Time to File Transcripts until August 11, 2015. The motion is construed as a motion for leave to file transcripts out of time. So construed, the motion is granted with filing of transcripts in the District Court as of August 18, 2015, filed. (CLW) [Entered: 08/19/2015 12:17 PM]

1 pg, 5.84 KB

08/26/2015  ECF FILER: LETTER from Attorney Peter Goldberger, Esq. for Appellant Robert Mulgrew in 14-4812 Reporting that transcripts appear to contain 5 gaps, and reporting effort to correct these.. Certificate of Service dated 08/26/2015. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739] (PG) [Entered: 08/26/2015 02:16 PM]

2 pg, 34.06 KB

11/09/2015  ECF FILER: ENTRY OF APPEARANCE from Michael J. Engle, Esq. on behalf of Appellant(s) Michael Lowry. (MJE) [Entered: 11/09/2015 02:16 PM]

1 pg, 181.87 KB

11/19/2015  ORDER (Clerk) The appeals at Nos. 14-4754, 14-4804, 14-4812, 15-1344, 15-1739 & 15-3765 are hereby consolidated for purposes of scheduling, joint appendix, Appellee's brief, and disposition. A consolidated briefing and scheduling order will be issued once all case opening forms and transcripts have been filed in No. 15-3765, filed. [15-3765, 14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (CLW) [Entered: 11/19/2015 02:41 PM]

2 pg, 76.21 KB

01/14/2016  ECF FILER: LETTER on behalf of Appellant Michael Lowry. Appellant Michael Lowry will adopt the on behalf of Appellant Michael Lowry. Certificate of Service dated 01/14/2016. This document will be SENT TO THE MERITS PANEL if/when applicable. (MJE) [Entered: 01/14/2016 08:40 AM]

1 pg, 281.23 KB


01/26/2016  CLERK ORDER Status Report by Appellants in Nos. 14-4804 and 14-4812 regarding transcript. The Reports are hereby considered. It is noted that a motion to correct the record under Fed. R. App.P. 10(e) (2)(B) was filed in the District Court on December 15, 2015 and remains pending. Given this, the above-docketed appeals are hereby STAYED pending disposition of the motion in the District Court. A consolidated briefing and scheduling order will be issued once any issues regarding the transcripts for these cases has been resolved. The parties are directed to file written reports addressing the status of the pending District Court proceedings on February 26, 2016 and every thirty (30) days thereafter. The parties must immediately advise the Clerk's Office in writing upon disposition of the proceedings. In the event a further stay is necessary after the transcripts are complete, a subsequent motion requesting such must be filed. filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 01/26/2016 09:49 AM]


1 pg, 75.04 KB


02/26/2016  ECF FILER: STATUS REPORT received from Appellee USA in 14-4754.. Certificate of Service dated 02/26/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 02/26/2016 12:39 PM]


2 pg, 40.75 KB





02/26/2016  1 pg, 198.3 KB ECF FILER: STATUS REPORT received from Appellant Thomasine Tynes in 14-4804, Appellant William Hird in 14-4754, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 02/26/2016. [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 02/26/2016 04:49 PM]


03/28/2016  2 pg, 224.29 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 03/28/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 03/28/2016 12:17 PM]


04/26/2016  2 pg, 40.97 KB ECF FILER: LETTER from Attorney Denise S. Wolf, Esq. for Appellee USA in 14-4754 Status reports. Certificate of Service dated 04/26/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 04/26/2016 09:21 AM]


04/26/2016  2 pg, 115.49 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 04/26/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 04/26/2016 05:56 PM]


05/26/2016  2 pg, 228.8 KB ECF FILER: STATUS REPORT received from Appellant Thomasine Tynes in 14-4804, Appellant William Hird in 14-4754, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 05/26/2016. [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 05/26/2016 08:58 AM]


06/15/2016  1 pg, 58.77 KB ECF FILER: ENTRY OF APPEARANCE from Meredith A. Lowry, Esq. on behalf of Appellant(s) Michael Lowry. (MAL) [Entered: 06/15/2016 04:53 PM]


06/27/2016  3 pg, 270.34 KB ECF FILER: STATUS REPORT received from Appellant Thomasine Tynes in 14-4804, Appellant William Hird in 14-4754, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 06/27/2016. [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 06/27/2016 11:13 AM]

07/05/2016  1 pg, 73.89 KB ORDER (Clerk) The status report filed 6/27/16 is considered. Appellants report that additional transcripts have been filed and the District Court has denied their motion under Fed.R. App.P.10. Appellant's report that there are still problems with the transcripts and that they "are evaluating whether [they] have any additional options available...under Fed.R. App.P.10 or have exhausted the possibility of completing the record." The parties' attention is directed to Rule 10(c)(statement of the evidence when the proceedings were not recorded or when transcripts is unavailable), Rule 10(e)(1)(submission to the district court to settle questions about whether the record truly discloses what occurred), and Rule 10(e)(2)(ommissions from the record). See e.g. U.S. v. Sussman, 709 F.3d 155 (3d Cir. 2013). Appellant's must file any motions regarding the record within 21 days of the date of this order. If a motion is filed in the District Court, appellants must provide a copy of the motion to this court. If no motions are filed, the briefing schedule will issue in all cases after 21 days, filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 07/05/2016 03:13 PM]


07/25/2016  10 pg, 25.18 KB ECF FILER: UNOPPOSED Motion filed by Appellant Thomasine Tynes for Extension of Time to file motion in district court for relief pursuant to Fed. R. App. P. 10, filed by Appellant Tynes in 14-4804, Appellant Mulgrew in 14-4812, Appellant Lowry in 15-1344, Appellant Singletary in 15-1739 until/for 14 days. Certificate of Service dated 07/25/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 07/25/2016 03:27 PM]


07/27/2016  1 pg, 10.15 KB ORDER (Clerk) granting Unopposed Motion by Appellants Thomasine Tynes, Robert Mulgrew, Michael Lowry and Willie Singletary to Extend Time to Move District Court for Relief Pursuant to Fed. R. App. P. 10 until August. Appellants must file any motions regarding the record on or before August 9, 2016. If a motion is filed in the District Court, Appellants must provide a copy of the motion to this court. If no motions are filed, the briefing schedule will issue in all cases after August 9, 2016, filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MLR) [Entered: 07/27/2016 02:51 PM]


07/27/2016  2 pg, 228.26 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 07/27/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 07/27/2016 03:48 PM]


08/24/2016  29 pg, 1.14 MB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated


08/24/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 08/24/2016 11:03 AM]

08/26/2016  1 pg, 65.32 KB ECF FILER: LETTER from Attorney Lisa A. Mathewson, Esq. for Appellant Thomasine Tynes in 14-4804 (correction to status report filed 8/24/16). Certificate of Service dated 08/26/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 08/26/2016 02:25 PM]


09/23/2016  8 pg, 296.76 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 09/23/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 09/23/2016 09:53 AM]


10/24/2016  2 pg, 254.63 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 10/24/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 10/24/2016 01:04 PM]


11/22/2016  3 pg, 236.24 KB ECF FILER: STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 11/22/2016. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 11/22/2016 02:02 PM]


12/21/2016  2 pg, 229.81 KB ECF FILER: FINAL STATUS REPORT received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765.. Certificate of Service dated 12/21/2016. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 12/21/2016 12:23 PM]


12/23/2016 TEXT ONLY ORDER (Clerk) Based on the December 21, 2016 Status report filed by Appellant's, the Stay entered on January 26, 2016 is hereby lifted. A briefing and scheduling order will be issued forthwith, filed [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 12/23/2016 12:30 PM]


12/23/2016  3 pg, 140.06 KB BRIEFING NOTICE ISSUED. Brief on behalf of Appellants William Hird, Thomasine Tynes, Robert Mulgrew, Michael Lowry, Willie Singletary and Henry P. Alfano due on or before 01/23/2017. Appendix due on or before 01/23/2017. Presentence Report due on or before 01/23/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765]-[Edited 12/28/2016 by CLW] (CLW) [Entered: 12/23/2016 12:39 PM]


01/13/2017  5 pg, 21.12 KB ECF FILER: UNOPPOSED Motion filed by Appellant Michael Lowry for Extension of Time to file Briefs until/for 40 days from January 23, 2017 - would be due March 6, 2017. Certificate of Service dated 01/13/2017. Service made by ECF. [15-1344, 14-4804, 14-4812] (MJE) [Entered: 01/13/2017 11:07 AM]

01/23/2017  1 pg, 73.57 KB ORDER (Clerk) Unopposed Joint Motion by Appellants for Extension of Time to File Briefs and Appendices until March 6, 2017. The motion is granted. Appellants' brief, appendix and presentence report, if applicable, must be filed and served on or before March 6, 2017. To the extent the Appellants who did not move for an extension of time in which to file their briefs later than the original deadline, their briefs, appendices and presentence reports, if applicable, must also be filed and served on or before March 6, 2017, filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 01/23/2017 01:06 PM]









02/28/2017  4 pg, 14.68 KB JOINT MOTION filed by Appellants Hird, Tynes, Mulgrew, Lowry, Singletary, Alfano to include the complete transcript of trial as part of the appendix but to have that portion of the appendix containing the transcript in electronic format only. The Appellee has consented to the motion. Certificate of Service dated 02/28/2017. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (PD) [Entered: 02/28/2017 04:45 PM]

03/01/2017  3 pg, 14.39 KB ECF FILER: UNOPPOSED Motion filed by Appellant Robert Mulgrew for Extension of Time to file appellants' briefs and the joint appendix until/for 14 days (to 3/20/17). Certificate of Service dated 03/01/2017. Service made by ECF. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 03/01/2017 02:11 PM]









03/09/2017  2 pg, 7.82 KB ORDER (Clerk) Joint Motion by Appellants to Dispense, In part, With Printing of Joint Appendix and Joint Motion by Appellants for an Extension of Time to File Brief and Joint Appendix. The motions are considered. The motion for an extension of time is granted. The brief and appendix must be filed and served on or before March 20, 2017. The request to dispense, in part, with printing of a joint appendix is granted. At the time of filing their brief, Appellants may file an electronic form, a single electronic volume containing the complete trial transcript. In the event the Court requires paper copies of the trial transcripts, Appellants will be notified to provide such paper copies, filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 03/09/2017 04:30 PM]

03/17/2017  4 pg, 14.5 KB ECF FILER: JOINT Motion filed by Appellant Thomasine Tynes for Extension of Time to file brief and appendix until/for 03/23/2017. Certificate of Service dated 03/17/2017. Service made by ECF. [14-4804,


14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 03/17/2017 03:54 PM]


- 03/22/2017 TEXT ONLY ORDER (Clerk) granting Joint Consent Motion for Extension of Time to File Brief and Appendix filed by Appellants William Hird, Thomasine Tynes, Robert Mulgrew, Michael Lowry, Willie Singletary, Henry P. Alfano. Appellants' brief, appendix and presentence report, if applicable, must be filed and served on or before March 23, 2017., filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DW) [Entered: 03/22/2017 10:43 AM]
- 03/23/2017  0 pg, 0 KB ECF FILER: ELECTRONIC JOINT APPENDIX on behalf of Appellant Henry P. Alfano in 15-3765, Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, filed. Certificate of Service dated 03/23/2017 by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765][Changed docket text]-[Edited 03/30/2017 by MCW] (PG) [Entered: 03/23/2017 02:36 PM]
- 03/23/2017  0 pg, 0 KB ECF FILER: ELECTRONIC JOINT APPENDIX on behalf of Appellant Henry P. Alfano in 15-3765, Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, filed. Certificate of Service dated 03/23/2017 by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765][Changed docket text]-[Edited 03/30/2017 by MCW] (PG) [Entered: 03/23/2017 02:54 PM]
- 03/23/2017  114 pg, 1.69 MB ECF FILER: ELECTRONIC VOLUME I of JOINT APPENDIX on behalf of Appellant Henry P. Alfano in 15-3765, Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, filed. Certificate of Service dated 03/23/2017 by US mail, ECF. [15-3765, 14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (MEC) [Entered: 03/23/2017 03:40 PM]
- 03/23/2017 ECF FILER: ELECTRONIC BRIEF on behalf of Appellant Michael Lowry in 15-1344, filed. Certificate of Service dated 03/23/2017 by US mail, ECF. [Attachment removed by Clerk's Office; Brief re-filed on 03/23/2017]-[Edited 03/30/2017 by MCW] (MJE) [Entered: 03/23/2017 04:28 PM]
- 03/23/2017  52 pg, 353.07 KB ECF FILER: ELECTRONIC BRIEF on behalf of Appellant Michael Lowry in 15-1344, filed. Certificate of Service dated 03/23/2017 by US mail, ECF. [Changed docket text]-[Edited 03/30/2017 by MCW] (MJE) [Entered: 03/23/2017 04:41 PM]
- 03/24/2017 HARD COPY RECEIVED from Appellant Michael Lowry in 15-1344 - Brief. Copies: 7.--[Edited 03/30/2017 by MCW] (SJB) [Entered: 03/24/2017 01:51 PM]
- 03/24/2017 HARD COPY RECEIVED from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765 - Joint Appendix Volume I ONLY. Copies: 4. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (EAF) [Entered: 03/27/2017 04:26 PM]
- 03/27/2017 HARD COPY RECEIVED from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765 - Appendix Volume II. Volume I was received on 03/24/17. Volume III is submitted in electronic format only per Clerk's Order of 03/09/17. Copies: 4. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MS) [Entered: 03/30/2017 04:14 PM]
- 03/30/2017  3 pg, 174.46 KB NON COMPLIANCE Order issued to Appellant Michael Lowry regarding the brief filed on 03/23/2017. Please open the attachment for the full text of the Order. Compliance due by 04/03/2017. This Order does not change the deadline for filing the next brief. (MCW) [Entered: 03/30/2017 11:59 AM]
- 03/31/2017  2 pg, 9.7 KB ECF FILER: ELECTRONIC ADDENDUM to BRIEF on behalf of Appellant Michael Lowry in 15-1344, filed. Certificate of Service dated 03/31/2017 by ECF. [Changed docket text]-[Edited 04/03/2017 by MCW] (MJE) [Entered: 03/31/2017 11:52 AM]
- 03/31/2017 COMPLIANCE RECEIVED. Electronic Addendum to Brief received from Appellant Michael Lowry in 15-1344. (MCW) [Entered: 04/03/2017 11:31 AM]
- 04/03/2017  2 pg, 23.97 KB NON COMPLIANCE Order issued to Appellant Michael Lowry regarding the presentence investigation report in 15-1344. Please open the attachment for the full text of the Order. Compliance due by 04/06/2017. This Order does not change the deadline for filing the next brief. (MCW) [Entered: 04/03/2017 12:37 PM]
- 04/04/2017 Appellee USA verbally granted an extension of time to file brief until 04/27/2017 pursuant to Third Cir. LAR 31.4. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (TMM) [Entered: 04/04/2017 09:22 AM]
- 04/05/2017  1 pg, 70.62 KB ECF FILER: LETTER from Michael J. Engle, Esq. for Appellant Michael Lowry and Meredith A. Lowry, Esq. for Appellant Michael Lowry in response to the Court's Order issued on 4/3/17. Certificate of Service dated 04/05/2017. SEND TO MERITS PANEL--[Edited 04/05/2017 by CLW] (MAL) [Entered: 04/05/2017 12:39 PM]
- 04/05/2017 COMPLIANCE RECEIVED. Letter regarding presentence investigation report received from Appellant Michael Lowry. (MCW) [Entered: 04/10/2017 05:21 PM]



- 04/26/2017  5 pg, 24.22 KB ECF FILER: Motion filed by Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 for Extension of Time to file Brief until/for 21 days. Certificate of Service dated 04/26/2017. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 04/26/2017 09:06 AM]
- 05/01/2017 TEXT ONLY ORDER (Clerk) granting Motion for Extension of Time to File Brief filed by Appellee USA . Appellee's brief must be filed and served within twenty-one (21) days of the date of this order, filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DW) [Entered: 05/01/2017 04:41 PM]
- 05/19/2017  5 pg, 24.6 KB ECF FILER: Motion filed by Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 for Extension of Time to file Brief until/for 21 days. Certificate of Service dated 05/19/2017. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 05/19/2017 02:42 PM]
- 05/23/2017 TEXT ONLY ORDER (Clerk) granting Unopposed Motion for Extension of Time to File Brief filed by Appellee USA. Appellee's brief must be filed and served on or before June 12, 2017., filed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DW) [Entered: 05/23/2017 05:33 PM]
- 06/09/2017  7 pg, 32.54 KB ECF FILER: Motion filed by Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 to accept noncompliant filing of Brief. Certificate of Service dated 06/09/2017. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 06/09/2017 09:26 AM]
- 06/09/2017  1 pg, 8.75 KB ECF FILER: LETTER on behalf of Appellant Robert Mulgrew in 14-4812, Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765. Appellant Robert Mulgrew in 14-4812, Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765 will adopt the Motion to File Brief in Excess of the Word Limit on behalf of Appellee USA in 14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765. Certificate of Service dated 06/09/2017. Service made by ECF. This document will be SENT TO THE MERITS PANEL if/when applicable. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 06/09/2017 12:24 PM]
- 06/12/2017 TEXT ONLY ORDER (Clerk) Appellee's request to stay the briefing schedule pending disposition of the motion to file a brief in excess of the word limit is granted. Briefing is hereby stayed pending disposition of the motion. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (HAG) [Entered: 06/12/2017 10:52 AM]
- 06/21/2017  1 pg, 75.37 KB ORDER (CHAGARES, JORDAN and VANASKIE, Circuit Judges) Motion by Appellee to File Overlength Brief of 25,000 words. The motion to file brief in excess of the word limit is granted. Appellee's brief containing no more than 25,000 words must be filed and served within fourteen (14) days of the date of this order, filed. Panel No.: XCO-023. Chagares, Authoring Judge. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 06/21/2017 12:53 PM]
- 07/05/2017  129 pg, 454.32 KB ECF FILER: ELECTRONIC BRIEF on behalf of Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765, filed. Certificate of Service dated 07/05/2017 by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (DSW) [Entered: 07/05/2017 04:18 PM]
- 07/05/2017  0 pg, 0 KB ECF FILER: SUPPLEMENTAL ELECTRONIC APPENDIX on behalf of Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765, filed. Certificate of Service dated 07/05/2017 by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] - [Entry edited by the Clerk's Office to reflect the correct event]-[Edited 07/06/2017 by MS] (DSW) [Entered: 07/05/2017 04:29 PM]
- 07/06/2017 HARD COPY RECEIVED from Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 - Brief. Copies: 7. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (SJB) [Entered: 07/06/2017 04:46 PM]
- 07/06/2017 HARD COPY RECEIVED from Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 - Supplemental Appendix. Copies: 4. Volumes: 1 [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MCW) [Entered: 07/07/2017 04:22 PM]
- 07/12/2017 ECF FILER: LETTER from Attorney Meredith A. Lowry, Esq. for Appellant Michael Lowry. Counsel is unavailable for the following dates: 09/19/2017, 09/20/2017, 09/27/2017, 09/28/2017, (MJE) [Entered: 07/12/2017 04:35 PM]
- 07/13/2017 ECF FILER: LETTER from Attorney Michael J. Engle, Esq. for Appellant Michael Lowry. Counsel is unavailable for the following dates: 09/19/2017, 09/20/2017, 09/27/2017, 09/28/2017, (MJE) [Entered: 07/13/2017 09:42 AM]
- 07/13/2017  3 pg, 88.43 KB ECF FILER: JOINT Motion filed by Appellant Robert Mulgrew for Extension of Time to file Appellants' reply briefs until/for 30 days, to 8/18/2017 (unopposed). Certificate of Service dated 07/13/2017. Service made by ECF. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 07/13/2017 06:57 PM]
- 07/14/2017 TEXT ONLY ORDER (Clerk) As it is noted that Michael J. Engle, Esq. and Meredith A. Lowry, Esq. have entered their appearances as retained counsel on behalf of Appellant, William A. DeStefano, Esq. is hereby relieved of his appointment under the CJA. (KAG) [Entered: 07/14/2017 06:05 PM]

07/17/2017 TEXT ONLY ORDER (Clerk) granting Motion for extension of time filed by Appellants. Appellants' reply brief must be filed and served on or before August 18, 2017. Pursuant to 3d Cir. L.A.R. 31.4, only one motion for extension of time to file a reply brief may be granted, filed. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (MB) [Entered: 07/17/2017 02:24 PM]


08/08/2017  0 pg, 0 KB ECF FILER: LETTER from Attorney Peter Goldberger, Esq. for Appellant Robert Mulgrew in 14-4812. Counsel is unavailable for the following dates: 10/24/2017, [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 08/08/2017 02:54 PM]


08/17/2017  19 pg, 123.95 KB ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellant Michael Lowry, filed. Certificate of Service dated 08/17/2017 by ECF. (MJE) [Entered: 08/17/2017 01:09 PM]

08/18/2017 HARD COPY RECEIVED from Appellant Michael Lowry - Reply Brief. Copies: 7. (SJB) [Entered: 08/18/2017 03:37 PM]

08/21/2017 HARD COPY RECEIVED from Appellant Thomasine Tynes in 14-4804 - Reply Brief. Copies: 7. [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (KEL) [Entered: 08/21/2017 02:38 PM]


08/25/2017 HARD COPY RECEIVED from Appellant William Hird in 14-4754 - Reply Brief. Copies: 7. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (KEL) [Entered: 08/25/2017 03:12 PM]

08/28/2017  2 pg, 29.95 KB Calendared for Monday, 10/23/2017. Calendar Clerk: TLG. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (TLG) [Entered: 08/28/2017 03:27 PM]

09/11/2017  1 pg, 20.83 KB ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Meredith A. Lowry, Esq. for Appellant Michael Lowry. Certificate of Service dated 09/11/2017. Service made by ECF. (MAL) [Entered: 09/11/2017 04:21 PM]

10/02/2017 TEXT ONLY ORDER (Clerk) directing Angela Halim, Esq. for Appellant William Hird and Gregory J. Pagano, Esq. for Appellant William Hird in 14-4754, Louis R. Busico, Esq. for Appellant Thomasine Tynes, Charles L. Leone, Esq. for Appellant Thomasine Tynes and Lisa A. Mathewson, Esq. for Appellant Thomasine Tynes in 14-4804, Peter Goldberger, Esq. for Appellant Robert Mulgrew and Angela Halim, Esq. for Appellant Robert Mulgrew in 14-4812, Michael J. Engle, Esq. for Appellant Michael Lowry and Meredith A. Lowry, Esq. for Appellant Michael Lowry in 15-1344, Attorney William J. Brennan, Esq. for Appellant Willie Singletary in 15-1739, Attorney Mark E. Cedrone, Esq. for Appellant Henry P. Alfano in 15-3765 to submit 2 hard copies in white covers for the joint appendix volume III e-filed on 03/23/2017, filed. Due on or before 10/10/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MCW) [Entered: 10/02/2017 03:57 PM]


10/06/2017 Oral Argument Notification for Monday, 10/23/2017. Courtroom & Time: Maris Courtroom/9:30am. Location: Philadelphia, PA. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (TLG) [Entered: 10/06/2017 08:30 AM]


10/06/2017  2 pg, 99.91 KB Oral Argument Notification for Monday, 10/23/2017. Courtroom & Time: Maris Courtroom/9:30am. Location: Philadelphia, PA. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (TLG) [Entered: 10/06/2017 08:36 AM]


10/10/2017 COMPLIANCE RECEIVED. Two (2) hard copies of joint appendix volume III received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MCW) [Entered: 10/10/2017 02:09 PM]

10/10/2017 COMPLIANCE RECEIVED. Two (2) hard copies of joint appendix volume III received from Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Willie Singletary in 15-1739, Appellant Henry P. Alfano in 15-3765. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (MCW) [Entered: 10/11/2017 03:13 PM]

10/11/2017 ECF FILER: SUMMARY OF ORAL ARGUMENT submitted by Attorney Peter Goldberger, Esq. for Appellant Robert Mulgrew. Case Summary: Does city or state's interest in potential fines constitute property of which it is defrauded by scheme to fix traffic tickets? Were acquitted defendants prejudiced? Can ambiguous question or literally true answer to ill-framed query establish perjury?. Post Video: YES. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 10/11/2017 10:34 AM]


10/11/2017  6 pg, 339.61 KB ECF FILER: JOINT Motion filed by Appellant Thomasine Tynes requesting additional time to argue. Certificate of Service dated 10/11/2017. Service made by ECF. [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 10/11/2017 10:58 AM]


10/12/2017  1 pg, 82.83 KB ECF FILER: ENTRY OF APPEARANCE from Robert A. Zauzmer on behalf of Appellee(s) United States of America. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (RAZ) [Entered: 10/12/2017 03:44 PM]


10/12/2017  2 pg, 7.93 KB ORDER (GREENAWAY Jr., NYGAARD and FISHER, Circuit Judges) granting Joint Consent Motion of Appellants for Guidance Pursuant to LAR 34.1(c) and or increase the time allotted for oral argument, filed.


Joseph A. Greenaway, Jr., Authoring Judge. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (TLG) [Entered: 10/12/2017 04:18 PM]


- 10/16/2017  1 pg. 75.81 KB ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Robert A. Zauzmer, Esq. for Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765. Certificate of Service dated 10/16/2017. Service made by ECF. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (RAZ) [Entered: 10/16/2017 09:55 AM]
- 10/18/2017  2 pg. 91.07 KB ECF FILER: DIVISION OF TIME FORM filed by Attorney Peter Goldberger, Esq. for Appellant Robert Mulgrew. Certificate of Service dated 10/18/2017. Service made by ECF. [14-4812, 14-4754, 14-4804, 15-1344, 15-1739, 15-3765] (PG) [Entered: 10/18/2017 01:39 PM]
- 10/23/2017  5 pg. 89.88 KB COURT MINUTES OF ARGUED/SUBMITTED CASES. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765, 17-1576, 17-1161, 16-3588, 16-4301, 16-3585, 17-1884] (TLG) [Entered: 10/23/2017 09:45 AM]
- 10/23/2017 ARGUED on Monday, October 23, 2017. Panel: GREENAWAY Jr., \*NYGAARD, and FISHER, Circuit Judges. Mark E. Cedrone arguing for Appellants Henry P. Alfano; Michael J. Engle arguing for Appellant Michael Lowry; Peter Goldberger arguing for Appellant Robert Mulgrew; Lisa A. Mathewson arguing for Appellant Thomasine Tynes. Robert A. Zauzmer, Esq. arguing for Appellee United States of America. (\*Participating by Video Conference.). [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765]--[Edited 08/21/2018 by TLG] (TLG) [Entered: 10/23/2017 01:58 PM]
- 10/23/2017  6 pg. 133.51 KB ECF FILER: LETTER from Attorney Lisa A. Mathewson, Esq. for Appellant Thomasine Tynes in 14-4804 Response to New Matter at Oral Argument. Certificate of Service dated 10/23/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (LAM) [Entered: 10/23/2017 07:06 PM]
- 10/25/2017  3 pg. 40.27 KB ECF FILER: Response filed by Appellee USA in 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765 to letter. Certificate of Service dated 10/25/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (RAZ) [Entered: 10/25/2017 01:25 PM]
- 10/25/2017 TEXT ONLY ORDER (Clerk) The Court has determined that video of oral argument should be posted to the Court's website. Any objections should be filed using the Response event and are due by 5pm EST on 10/26/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (TLG) [Entered: 10/25/2017 02:08 PM]
- 10/26/2017  1 pg. 89.16 KB ECF FILER: Response filed by Appellant Robert Mulgrew to. Certificate of Service dated 10/26/2017. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (PG) [Entered: 10/26/2017 04:10 PM]
- 10/26/2017 TEXT ONLY ORDER (Clerk) At the direction of the Court, video of oral argument will be posted within 24 hours. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (GPK) [Entered: 10/26/2017 05:01 PM]
- 08/21/2018  53 pg. 378.47 KB PRECEDENTIAL OPINION Coram: GREENAWAY JR., NYGAARD and FISHER, Circuit Judges. Total Pages: 53. Judge: NYGAARD Authoring. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CJG) [Entered: 08/21/2018 08:42 AM]
- 08/21/2018  6 pg. 37.12 KB JUDGMENT, the judgments of said District Court entered on December 10, 2014, December 17, 2014, January 29, 2015 and November 2, 2015 are hereby Affirmed. The judgment of said District Court entered on March 31, 2015 is hereby Reversed and Remanded. Costs shall not be taxed. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CJG) [Entered: 08/21/2018 08:44 AM]
- 08/31/2018  5 pg. 14.45 KB ECF FILER: UNOPPOSED Joint Motion filed by Appellants for Extension of Time to file petition for panel rehearing and/or petition for rehearing en banc until/for forty-five (45) days. Certificate of Service dated 08/31/2018. Service made by ECF. [15-3765, 14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (MEC) [Entered: 08/31/2018 12:50 PM]
- 09/06/2018  1 pg. 8.62 KB ORDER (NYGAARD, Circuit Judges) Unopposed Motion filed by Appellants for Extension of Time to File Petition for Panel Rehearing and/or Petition for En Banc for Forty-five (45) days is granted, filed. Nygaard, Authoring Judge. (CLW) [Entered: 09/06/2018 12:39 PM]
- 10/16/2018  5 pg. 14.97 KB ECF FILER: UNOPPOSED Joint Motion filed by Appellants for Extension of Time to file petition for panel rehearing and/or petition for rehearing en banc until/for fourteen (14). Certificate of Service dated 10/16/2018. Service made by ECF. [15-3765, 14-4754, 14-4804, 14-4812, 15-1344, 15-1739] (MEC) [Entered: 10/16/2018 04:19 PM]
- 10/22/2018  1 pg. 8.83 KB ORDER (NYGAARD, Circuit Judge) granting Appellants' 2nd Joint Motion for Extension of Time in Which to Petition for Rehearing until November 2, 2018, filed. Nygaard, Authoring Judge. [14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765] (CLW) [Entered: 10/22/2018 11:12 AM]
- 11/03/2018  85 pg. 892.63 KB ECF FILER: Petition filed by Appellant Michael Lowry for Rehearing before original panel and the court en banc. Certificate of Service dated 11/03/2018. Service made by ECF. [15-1344] (MAL) [Entered: 11/03/2018 03:34 PM]
- 11/03/2018  3 pg. 73.17 KB ECF FILER: UNOPPOSED Motion filed by Appellant Michael Lowry to file Appellant Michael Lowry's Petition for Rehearing by Panel and the Court En Banc out of time. Certificate of Service dated 11/03/2018. Service made by ECF. [15-1344] (MAL) [Entered: 11/03/2018 03:41 PM]


11/13/2018  1 pg, 5.58 KB ORDER (NYGAARD, Circuit Judges) The motion filed by Appellant to file petition for rehearing out of time and to attach exhibits is granted, filed. Nygaard, Authoring Judge. (CLW) [Entered: 11/13/2018 10:23 AM]


12/07/2018  2 pg, 17.86 KB ORDER (SMITH, Chief Judge, MCKEE, AMBRO, CHAGARES, JORDAN, HARDIMAN, GREENAWAY JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, NYGAARD\* and FISHER\*, Circuit Judges) denying Petition En Banc and Panel Rehearing filed by Appellant Michael Lowry, filed. Nygaard, Authoring Judge. \* Pursuant to Third Circuit I.O.P. 9.5.3, Judge Richard L. Nygaard's and Judge D. Michael Fisher's votes are limited to panel rehearing. (LMR) [Entered: 12/07/2018 10:30 AM]


12/17/2018  57 pg, 430.03 KB MANDATE ISSUED, filed. (CJG) [Entered: 12/17/2018 07:51 AM]

01/18/2019  2 pg, 17.49 KB ORDER (SMITH, Chief Judge, MCKEE, AMBRO, CHAGARES, JORDAN, HARDIMAN, GREENAWAY JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, NYGAARD and FISHER, Circuit Judges) the petition for rehearing en banc filed by appellant Robert Mulgrew in No. 14-4812 is DENIED. The petition for rehearing by the panel is GRANTED IN PART, solely as to Appellant's claim that he is entitled to a consideration of the sufficiency of the evidence of perjury based upon an accurate understanding of his argument relating to his response to a particular question. After consideration of Appellant's argument, the panel has agreed to amend the opinion, which will be filed simultaneously with this order in all of the consolidated cases. Each of the judgments entered August 21, 2018, shall remain in full force and effect, filed. Nygaard, Authoring Judge. \*Pursuant to Third Circuit I.O.P. 9.5.3., Judge Richard L. Nygaard's and Judge D. Michael Fisher's votes are limited to panel rehearing.--[Edited 01/18/2019 by PDB] (PDB) [Entered: 01/18/2019 12:16 PM]

01/18/2019  2 pg, 10.59 KB ORDER (SMITH, Chief Judge, MCKEE, AMBRO, CHAGARES, JORDAN, HARDIMAN, GREENAWAY JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, NYGAARD and FISHER\*, Circuit Judges) The petition for rehearing en banc filed by appellant Thomasine Tynes in No. 14-4804 is DENIED. The petition for rehearing by the panel is GRANTED IN PART, solely as to the claim that there was insufficient evidence to support Tynes' conviction. After consideration of Appellant's argument, the panel has agreed to amend the opinion, which will be filed simultaneously with this order in all of the consolidated cases. Each of the judgments entered August 21, 2018, shall remain in full force and effect, filed. Nygaard, Authoring Judge. \*Pursuant to Third Circuit I.O.P. 9.5.3, Judge Richard L. Nygaard's and Judge D. Michael Fisher's votes are limited to panel rehearing--[Edited 01/18/2019 by PDB] (PDB) [Entered: 01/18/2019 12:36 PM]

01/18/2019  53 pg, 209.65 KB AMENDED PRECEDENTIAL OPINION Coram: GREENAWAY JR., NYGAARD and FISHER, Circuit Judges. Total Pages: 53. Authoring Judge: Nygaard [14-4804, 14-4754, 14-4812, 15-1344, 15-1739, 15-3765] (PDB) [Entered: 01/18/2019 12:52 PM]

02/01/2019  120 pg, 992.8 KB ECF FILER: Motion filed by Appellant Michael Lowry to recall the mandate and correct reliance on material not admitted at trial. Certificate of Service dated 02/01/2019. Service made by ECF. [15-1344]--[Edited 02/04/2019 by LMR]--[Edited 02/04/2019 by LMR] (MAL) [Entered: 02/01/2019 07:21 PM]

02/07/2019  1 pg, 6.34 KB ORDER (GREENAWAY JR., NYGAARD and FISHER, Circuit Judges) denying motion to recall the mandate and correct reliance on material not admitted at trial, filed by Appellant Michael Lowry, filed. Nygaard, Authoring Judge. (LMR) [Entered: 02/07/2019 01:49 PM]

04/16/2019 U.S. Supreme Court Letter dated 04/11/2019 granting Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Henry P. Alfano in 15-3765 an extension of time to and including 05/18/2019 to file petition for writ of certiorari. Supreme Court Application No. 18A1048. [14-4754, 14-4804, 14-4812, 15-1344, 15-3765] (CND) [Entered: 04/16/2019 09:14 AM]

05/16/2019 U.S. Supreme Court Letter dated 05/13/2019 granting Appellant William Hird in 14-4754, Appellant Thomasine Tynes in 14-4804, Appellant Robert Mulgrew in 14-4812, Appellant Michael Lowry in 15-1344, Appellant Henry P. Alfano in 15-3765 an extension of time to and including 06/17/2019 to file petition for writ of certiorari. Supreme Court Application No. 18A1048. [14-4754, 14-4804, 14-4812, 15-1344, 15-3765] (CRG) [Entered: 06/12/2019 12:43 PM]

06/21/2019 NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by William Hird, Henry P. Alfano, Thomasine Tynes, Robert Mulgrew and Michael Lowry on 06/17/2019. Supreme Court Case No. 18-1552. [14-4754, 14-4804, 14-4812, 15-1344, 15-3765] (TMK) [Entered: 06/21/2019 08:32 AM]

06/27/2019 NOTICE from U.S. Supreme Court. Petition for Writ of Certiorari filed by Thomasine Tynes on 06/17/2019 and placed on the docket 06/26/2019 as Supreme Court Case No. 18-1581. [14-4804, 14-4812, 15-1344] (CND) [Entered: 06/27/2019 03:19 PM]

12/09/2019 NOTICE of U.S. Supreme Court disposition at No. 18-1552. Petition for Writ of Certiorari filed by Thomasine Tynes denied on 12/09/2019. [14-4804, 14-4812, 15-1344] (TMK) [Entered: 12/10/2019 10:24 AM]

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# **BOARD EXHIBIT**

**F**

# **BOARD EXHIBIT**

**F**

PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos. 14-4754, 14-4804, 14-4812, 15-1344, 15-1739, 15-3765

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UNITED STATES OF AMERICA

v.

WILLIAM HIRD,  
Appellant at No. 14-4754

---

UNITED STATES OF AMERICA

v.

THOMASINE TYNES,  
Appellant at No. 14-4804

---

UNITED STATES OF AMERICA

v.

ROBERT MULGREW,  
Appellant at No. 14-4812

---

UNITED STATES OF AMERICA

v.

MICHAEL LOWRY,  
Appellant at No. 15-1344

---

UNITED STATES OF AMERICA

v.

WILLIE SINGLETARY,  
Appellant at No. 15-1739

---

UNITED STATES OF AMERICA

v.

HENRY P. ALFANO,  
aka Ed, aka Eddie,  
  
Henry P. Alfano,  
Appellant at No. 15-3765

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**On Appeal from the United States District Court  
for the Eastern District of Pennsylvania**

(E.D. Pa. Nos. 2-13-cr-00039-007;  
2-13-cr-00039-005, 2-13-cr-00039-003,  
2-13-cr-00039-002, 2-13-cr-00039-004 &  
2-13-cr-00039-008)

District Judge: Honorable Robert F. Kelly  
District Judge: Honorable Lawrence F. Stengel

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Argued October 23, 2017

BEFORE: GREENAWAY, JR., NYGAARD,  
and FISHER, *Circuit Judges*

(Opinion Filed: August 21, 2018)

Angela Halim  
Halim Drossner  
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Louis D. Lappen  
Denise S. Wolf  
Anthony J. Wzorek  
Robert A. Zauzmer [Argued]  
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615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106  
*Counsel for Appellee*

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OPINION OF THE COURT

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NYGAARD, *Circuit Judge*.

I.

In the run-up to a joint trial on a 77-count indictment that charged Appellants with operating a ticket-fixing scheme in the Philadelphia Traffic Court, the District Court denied a motion, under Federal Rule of Criminal Procedure 12(b)(3)(B)(v), to dismiss charges of conspiracy (18 U.S.C. § 1349), mail fraud (18 U.S.C. § 1341), and wire fraud (18 U.S.C. § 1343). Appellants Henry Alfano (private citizen) and William Hird (Traffic Court administrator) subsequently pleaded guilty to all counts against them. But now they appeal the District Court's decision on this motion,

questioning whether the indictment properly alleged offenses of mail fraud and wire fraud.<sup>1</sup>

Appellants Michael Lowry, Robert Mulgrew, and Thomasine Tynes (Traffic Court judges) proceeded to a joint trial and were acquitted on the fraud and conspiracy counts, but they were convicted of perjury for statements they made before the Grand Jury. Lowry, Mulgrew, and Tynes dispute the sufficiency of the evidence on which they were convicted by arguing that the prosecutor's questions were vague, and that their answers were literally true. Lowry and Mulgrew contend alternatively that the jury was prejudiced by evidence presented at trial on the fraud and conspiracy counts. Mulgrew also complains that the District Court erred by ruling that certain evidence was inadmissible.

At the same trial, the jury convicted Willie Singletary (Traffic Court judge) of making false statements during the investigation. He claims the District Court made errors when it sentenced him.<sup>2</sup> The Government concurs with Singletary's challenge to his sentence.

We have consolidated these appeals for efficiency and have grouped the arguments to the extent that it is possible—by common issues. We agree with Singletary and the Government that he should be resentenced. We will

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<sup>1</sup> Alfano and Hird preserved their right to appeal. *See infra* subsection I.C.

<sup>2</sup> Singletary also attempted to join additional arguments raised by other appellants, but for reasons we explain later, *see infra* note 33, we focus only on his challenge to his sentence.

reverse the judgment and remand his cause to the District Court for this purpose. We are not persuaded by the rest of Appellants' arguments and will affirm their judgments of conviction.<sup>3</sup>

## II.

### Appellants Alfano<sup>4</sup> and Hird<sup>5</sup>

#### A.

We begin with a brief look at the indictment's description of the Traffic Court and its operations to contextualize the arguments made by Alfano and Hird. The Philadelphia Traffic Court was part of the First Judicial District of Pennsylvania. App. 186 (Indictment ¶ 2).<sup>6</sup> It

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<sup>3</sup> The District Court had jurisdiction pursuant to 18 U.S.C. § 3231. We have jurisdiction to review these claims under 28 U.S.C. § 1291 and 18 U.S.C. § 3742(a).

<sup>4</sup> Appellant Alfano pleaded guilty to Conspiracy (Count 1), Wire Fraud (Counts 2, 3, 4, 5, 6, 7) and Mail Fraud (Counts 51, 52, 53, 54, 55, 56).

<sup>5</sup> Appellant Hird pleaded guilty to Conspiracy (Count 1), Wire Fraud (Counts 3, 4, 5, 6, 16, 17, 18, 19, 20, 22, 23) and Mail Fraud (Counts 58, 59, 60).

<sup>6</sup> Philadelphia Traffic Court was abolished and its jurisdiction was transferred to the Municipal Court in 2013 by an Act of the Pennsylvania General Assembly. 42 Pa.Con.Stat.



adjudicated violations of the Pennsylvania Motor Vehicle Code occurring in the City of Philadelphia, no matter whether the Philadelphia Police or the Pennsylvania State Police issued the tickets. App. 187 (Indictment ¶5). When a person was cited for a violation he or she was required—within ten days—to enter a plea of guilty or not guilty. If the person failed to plead, the Traffic Court issued a notice that his or her license was being suspended. App. 189 (Indictment ¶ 12). A person who pleaded not guilty proceeded to a hearing with a Traffic Court judge presiding. App. 187 (Indictment ¶ 6).

A guilty plea, or a determination of guilt by a Traffic Court judge after a hearing, resulted in a judgment ordering payment of statutory fines and court costs. App. 188 (Indictment ¶ 8).<sup>7</sup> The Traffic Court was responsible for collecting these fines (sending them to the City and Commonwealth) and costs (which it distributed to several pre-designated funds). App. 188-89 (Indictment ¶ 9). Finally, it reported the disposition of each adjudication to the Pennsylvania Department of Transportation (PennDOT). App. 189 (Indictment ¶ 11).

B.

The indictment charged that, at the behest of Alfano (App. 193 (Indictment ¶ 25)) and others, the Traffic Court

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§1121(a)(2) (2013). The court is now known as the Traffic Division of the Municipal Court.

<sup>7</sup> Although other penalties are prescribed by the Pennsylvania Motor Vehicle Code (App. 188), this appeal is limited to the monetary fines and costs. App. 355.

administrator and judges operated an “extra-judicial system, not sanctioned by the Pennsylvania court system” that ignored court procedure and gave preferential treatment (“consideration”) to select individuals with connections to the court who had been cited for motor vehicle violations. App. 196 (Indictment ¶ 31). The special treatment included:

(1) dismissing tickets outright; (2) finding the ticketholder not guilty after a “show” hearing; (3) adjudicating the ticket in a manner to reduce fines and avoid assignment of points to a driver’s record; and (4) obtaining continuances of trial dates to “judge-shop,” that is find a Traffic Court judge who would accede to a request for preferential treatment.

App. 195-196 (Indictment ¶ 30). All of this was “not available to the rest of the citizenry.” App. 196 (Indictment ¶ 32). It also alleged that Appellants cooperated with each other to fulfill requests they and their staffs received. App. 194-95 (Indictment ¶ 27). Finally, it charged that “[i]n acceding to requests for ‘consideration,’ defendants were depriving the City of Philadelphia and the Commonwealth of Pennsylvania of money which would have been properly due as fines and costs.” App. 197 (Indictment ¶ 38).<sup>8</sup>

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<sup>8</sup> An example of the many allegations involving Alfano and Hird is: A.S. requested assistance from Appellant Alfano and Appellant Hird on Citation Number P1J0PK568L4 on or

After extending consideration to favored individuals, Traffic Court judges would report the final adjudication to “various authorities, including PennDOT, as if there had been a fair and open review of the circumstances.” App. 197 (Indictment ¶ 34). Appellant Hird provided a printout to Appellant Alfano showing citations that had been “dismissed or otherwise disposed of.” App. 198-99 (Indictment ¶ 42). Such “receipts” were not routinely issued in cases.

C.

Hird and Alfano pleaded guilty to all the charges against them in the indictment. But, in their plea agreement they reserved the right to appeal “whether the Indictment sufficiently alleged that the defendants engaged in a scheme to defraud the Commonwealth of Pennsylvania and the City of Philadelphia of money in costs and fees.” App. 355 (Plea Agreement ¶ 9(b)(4)). So they now appeal the District Court’s order denying the motion to dismiss, asserting that the indictment failed to allege violations of mail fraud and wire fraud.

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around February 17, 2010. The citation charged A.S. with driving a tractor-trailer from which snow and ice fell, striking vehicles on Interstate 95. The violation carried a \$300 fine and costs of \$142. Appellant Hird promised that he would “stop all action” on the citation and instructed A.S. to ignore the ticket. Although A.S. did not appear at the hearing, the Traffic Court judge (who is not an appellant here) ruled A.S. not guilty. App. 210-12 (Indictment ¶¶ 25-34).

“To be sufficient, an indictment must allege that the defendant performed acts which, if proven, constitute a violation of the law that he is charged with violating.” *United States v. Small*, 793 F.3d 350, 352 (3d Cir. 2015). We assume in our review that the allegations in the indictment are true. *United States v. Hedaithy*, 392 F.3d 580, 583 (3d Cir. 2004). “The question of whether the . . . indictments alleged facts that are within the ambit of the mail fraud statute is a question of statutory interpretation subject to plenary review.” *Id.* at 590 n.10.

To indict on mail or wire fraud, the Government must allege that defendants “devised or intend[ed] to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises” and used mail or wire to effect the scheme. 18 U.S.C. §§ 1341, 1343. Alfano and Hird claim the Government failed to allege that the scheme to commit wire and mail fraud had an objective of “obtaining money or property.”<sup>9</sup>

The District Court ruled that the indictment sufficiently alleged that the scheme “involved defrauding the Commonwealth and the City of money.” App. 20. It noted, among others, allegations that:

The conspirators used the  
Philadelphia Traffic Court

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<sup>9</sup> In the context of mail fraud (§ 1341) and wire fraud (§1343) the term “money” has the same meaning. The same is true for the term “property.” *Carpenter v. United States*, 484 U.S. 19, 25 n. 6 (1987).

("Traffic Court") to give preferential treatment to certain ticketholders, most commonly by "fixing" tickets for those with whom they were politically and socially connected. By doing so, the conspirators defrauded the Commonwealth of Pennsylvania and the City of Philadelphia of funds to which the Commonwealth and the City were entitled.

*Id.* at 18; *see also id.* at 185 (Indictment ¶ 1). Similarly, it referred to the following.

In acceding to requests for "consideration," defendants were depriving the City of Philadelphia and the Commonwealth of Pennsylvania of money which would have been properly due as fines and costs.

*Id.* at 9; *see also id.* at 197 (quoting Indictment ¶ 38). Highlighting the references to "funds" and "money," and that the monetary amounts of the fines are specifically pleaded, the District Court cited to a case from the Court of Appeals for the Eighth Circuit which concluded succinctly that "[m]oney is money." *United States v. Sullivan*, No. 2:13-cr-00039, 2013 WL 3305217, at \*7 (E.D. Pa. July 1, 2013) (quoting *United States v. Granberry*, 908 F.2d 278, 280 (8th

Cir. 1990)). The District Court was satisfied that the indictment alleged enough.

“Money, of course, is a form of property.” *Reiter v. Sonotone Corp.*, 442 U.S. 330, 338 (1979). But Alfano and Hird argue that the mere mention of money in an indictment is not enough. They point to a string of Supreme Court and Court of Appeals decisions analyzing Section 1341 and Section 1343 which reinforce the point that crimes of mail fraud and wire fraud are “limited in scope to the protection of property rights.” *McNally v. United States*, 483 U.S. 350, 360 (1987).<sup>10</sup> The Supreme Court said that “[a]ny benefit which the government derives from the [mail fraud] statute must be limited to the Government’s interests *as a property holder*.” *Id.* at 359 n.8 (emphasis added). Appellants are convinced that money in the form of traffic fines and costs cannot be regarded as the Government’s “property” for purposes of mail or wire fraud, and they identify two decisions as particularly supportive of their position: *Cleveland v. United States*, 531 U.S. 12 (2000); and *United States v. Henry*, 29 F.3d 112 (3d Cir. 1994).

The Court in *Cleveland* examined the mail fraud convictions of individuals who received a state video poker license by submitting a license application that withheld

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<sup>10</sup> The District Court cited to a number of cases that came after *McNally*: *Carpenter v. United States*, 484 U.S. 19 (1987); *Cleveland v. United States*, 531 U.S. 12 (2000); *Pasquantino v. United States*, 544 U.S. 349 (2005).

important information. *Cleveland*, 531 U.S. 12.<sup>11</sup> The Court noted that the video poker licenses were part of a state program that was “purely regulatory.” *Id.* at 22 (citation omitted).<sup>12</sup> It ruled that licenses are a “paradigmatic exercise[] of the States’ traditional police powers.” *Id.* at 23. The Court went on to say that the state’s regulatory powers involving “intangible rights of allocation, exclusion, and control” (which are embodied in a license) are not interests that traditionally have been recognized as property. *Id.* Therefore, even though appellants may have obtained the license through deception, this was not mail fraud because the license—at least while still in the hands of the state—was not property. *Id.* at 26-27. It was a purely administrative tool used to achieve regulatory objectives. *Id.* at 21.

The state responded to the Court’s concerns by agreeing that the licenses served a regulatory purpose, but it directed attention to the revenue it received from fees collected for license applications and renewals, as well as

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<sup>11</sup> The licenses were part of a regulatory scheme that had as its purpose to increase public confidence in the honesty of gaming activities that are free of criminal involvement. *Cleveland*, 531 U.S. at 20–21 (quoting La. Rev. Stat. Ann. § 27:306(A)(1) (2000) (repealed 2012)).

<sup>12</sup> The Court rebuffed the Government’s attempts to analogize licenses to other forms of property like patents and franchise rights. As for likening licenses to franchise rights, the Court observed that the Government did not enter the video poker business, but rather decided to “permit, regulate, and tax private operators of the games.” *Id.* at 24.

device fees. *Id.* at 21-22. It argued that this revenue is a property interest. *Id.* The Court was not convinced:

Tellingly, as to the character of Louisiana's stake in its video poker licenses, the Government nowhere alleges that Cleveland defrauded the State of any money to which the State was entitled by law. Indeed, there is no dispute that TSG paid the State of Louisiana its proper share of revenue, which totaled more than \$1.2 million, between 1993 and 1995. If Cleveland defrauded the State of "property," *the nature of that property cannot be economic.*

*Id.* at 22 (emphasis added). It concluded that "[e]ven when tied to an expected stream of revenue, the State's right of control does not create a property interest any more than a law licensing liquor sales in a State that levies a sales tax on liquor." *Id.* at 23.<sup>13</sup> The money collected from application and processing fees was an integral part of the state regulatory program and it did not create any property interest. *See id.*

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<sup>13</sup> *Cleveland* also held that Government-issued licenses have no intrinsic economic worth before they are given to applicants. *Id.* at 23.



The purpose of the Pennsylvania Motor Vehicle Code is to “promote the safety of persons and property within the state.” *Mauer v. Boardman*, 7 A.2d 466, 472 (Pa. 1939). Moreover, issuing traffic tickets is a crucial element in the enforcement of the Motor Vehicle Code: it is a quintessential exercise of state police power. Alfano and Hird conclude, much like *Cleveland*, that no property interest could arise from revenue generated from the state’s exercise of its police power in the form of a traffic-ticket fine. They see nothing but a regulatory program here. But this ignores crucial aspects of the case before us that make it different.

Simply stated, fees charged to obtain a license cannot be equated with fines and costs that result from a traffic ticket. The license fee was imposed, adjusted, and collected solely by the state’s exercise of its regulatory authority. In contrast, here the state’s police power is exercised when a citation is issued, but this ticket merely establishes the summary violation with which the person is charged. Once a person has been charged, it is judicial power (not the state’s police power) that is exercised to determine whether the person is guilty and, if guilty, to impose the fine and costs.<sup>14</sup> These fines and costs, although specified by the Motor Vehicle Code, cannot be cabined as a product of the state’s regulatory authority. They are part and parcel of the judgment of the court. With this in mind, it is significant that the indictment does not focus on how the citations were

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<sup>14</sup> The Traffic Court was not an administrative tribunal. Rather, it was part of the First Judicial District of Pennsylvania. App. 186 (Indictment ¶ 2). *See also supra* note 6 and accompanying text.

issued (which would implicate police power), but rather alleges that the judicial process was rigged to produce only judgments that imposed lower fines—or most often—no fines and costs at all.<sup>15</sup>

But this raises a further question: can a criminal judgment held by the government ever be “property?” The Court in *Cleveland* offered a critique in its analysis of a different issue (whether licenses were analogous to patents) that is apropos to answering this question.

[W]hile a patent holder may sell her patent, see 35 U.S.C. § 261 . . . . “patents shall have the attributes of personal property” . . . the State may not sell its licensing authority. Instead of a patent holder’s interest in an unlicensed patent, the better analogy is to the

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<sup>15</sup> On this point, it is noteworthy that the Supreme Court also said the following: “We resist . . . [any invitation] to approve a sweeping expansion of federal criminal jurisdiction in the absence of a clear statement by Congress. . . . ‘[U]nless Congress conveys its purpose clearly, it will not be deemed to have significantly changed the federal-state balance’ in the prosecution of crimes.” *Cleveland*, 531 U.S. at 24-25 (quoting *Jones v. United States*, 529 U.S. 848, 858 (2000)). As we discuss later, the legal tradition of understanding judgments as property is long-established. Consequently, the concern about expanding the reach of federal fraud statutes to new classes of property that was present in the deliberation of state licenses in *Cleveland* is not at issue here.

Federal Government's interest in an unissued patent. That interest, like the State's interest in licensing video poker operations, surely implicates the Government's role as sovereign, not as property holder.

*Cleveland*, 531 U.S. at 23–24. Fines imposed by judges are criminal penalties that “implicate[] the Government's role as sovereign.” *Id.* at 24. Judgments ordering traffic fines and costs cannot be sold and, in the logic of *Cleveland*, would seem then to have no intrinsic *economic* value. Indeed, the penal (non-economic) nature of the fine is undeniable because the failure to pay a fine can result in the imposition of sentences of greater consequence, including imprisonment. *See* Pa. R. Crim. P. 706 cmt. But *Cleveland* is not the last word. As we will discuss below, a Supreme Court opinion issued five years later, *Pasquantino v. United States*, 544 U.S. 349 (2005), forecloses the defendants' argument.

Finally, we note a dissimilarity between this case and *Cleveland*, highlighted by the District Court, on the significance of the monetary interest that the Government associates with the fraud. The *Cleveland* Court regarded the licensing fees as integral to the regulatory effort and collateral to the matter at hand. The indictment there centered on the scheme to obtain licenses, and did not even raise the licensing fees. *See Cleveland*, 531 U.S. at 22. Indeed, those charged with the fraud paid all the appropriate fees; there was no evidence that the government suffered any economic detriment. *Id.*

In contrast, the indictment here explicitly states that the scheme deprived the City and the Commonwealth of money, and it describes the object of the scheme as obviating judgments of guilt that imposed the fines and costs. Unlike *Cleveland*, the fines and costs play a central role in the scheme as alleged.

Alfano and Hird next focus on our decision in *Henry* to argue that the Government cannot claim to have a property right because the Government never had a legal claim to the fines and costs at any point in the scheme. In *Henry*, we examined convictions for wire fraud arising from a competitive bidding process among banks to receive deposits of a public agency's bridge tolls. *Henry v. United States*, 29 F.3d 112 (3d Cir. 1994). Appellants—public employees—were convicted of mail fraud for giving one bank confidential information about bids from other banks. *Id.* at 113. We identified several problems,<sup>16</sup> but Alfano and Hird highlight our observation in *Henry* that the object of the mail and wire fraud must be something to which the victim could claim a right of entitlement. *Id.* at 115 (“a grant of a right of exclusion”) (citing *Carpenter*, 484 U.S. at 26-27)).<sup>17</sup> Indeed,

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<sup>16</sup> The Supreme Court had already made clear that “a government official’s breach of his or her obligations to the public or an employee’s breach of his or her obligations to an employer” did not fall within the scope of Section 1343. *Henry*, 29 F.3d at 114 (citing *Carpenter*, 484 U.S. at 25).

<sup>17</sup> To assess whether a particular claim is a legal entitlement, “we look to whether the law traditionally has recognized and enforced [the entitlement] as a property right.” *Henry*, 29 F.3d at 115.

we noted that a bank's property right to the tolls would attach only after the funds were deposited. *Id.* at 114. So the banks that lost the bidding process never had a basis to claim any legally recognized entitlement to the toll deposits.<sup>18</sup> *Id.* at 115. A fraud claim cannot rest on the bidders being cheated out of an *opportunity* to receive the deposits. For these reasons, we concluded that the indictment did not allege a scheme to obtain fraudulently someone's "property." *Id.* at 116.

Here, the Government alleged that the defendants "were depriving . . . Philadelphia and . . . Pennsylvania of money which would have been properly due as fines and costs" by making it possible for certain well-connected individuals to avoid a judgment of guilt that imposed an obligation to pay appropriate statutory fines. App. 197 (Indictment ¶ 38). But Appellants stress that, like the deposits in *Henry*, the indictment here alleged an entitlement that does not yet exist because a person must be adjudicated (or plead) guilty before they must pay any fines or costs. None of the cases directly associated with Alfano and Hird resulted in a guilty judgment. As a result, they argue, the Government cannot claim here that it was cheated of an entitlement, because they were only fines and costs that the people *might* have owed *if* they had been found guilty.

The District Court said it well. Accepting this argument "would permit the alleged conspirators" to take

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<sup>18</sup> They were, no doubt, robbed of a fair process, but we could not identify any legal tradition that recognized this deprivation as a property right. *Id.* at 115.

advantage of their “unique position” in this case “to enter into a scheme to commit fraud and then hide behind the argument that the success of their fraud precludes prosecution under the ‘money or property interest’ requirement of the mail and wire fraud statutes.” *Sullivan*, 2013 WL 3305217, at \*7. Appellants cannot rest on the very object of their scheme (to work on behalf of favored individuals to obviate judgments of guilt and the imposition of fines and costs) as the basis to claim that there is no fraud. Indeed, the not-guilty judgments that Alfano and Hird worked to obtain through the extrajudicial system were alleged in the indictment as evidence of the scheme itself.

Even if some of the cases in the extra-judicial system would have been judged not guilty in a real adjudication it is (as the District Court correctly noted) the intent of the scheme, not the successful execution of it, that is the basis for criminal liability. *See Neder v. United States*, 527 U.S. 1, 25 (1999) (In the criminal context, the court focuses on the objective of the scheme rather than its actual outcome; what operatives intended to do, not whether they were successful in doing it.); *United States v. Rowe*, 56 F.2d 747, 749 (2d Cir.) (“Civilly of course the [mail fraud statute] would fail without proof of damage, but that has no application to criminal liability.”), *cert. denied* 286 U.S. 554 (1932). The indictment generally alleges not just that Appellants operated a system that operated outside the bounds of Traffic Court procedures, but that it did so for the purpose of obviating judgments of guilt imposing fines and costs in those selected cases. *See, e.g., supra* note 8. Moreover, we note that in one case not directly involving either Alfano or Hird, the indictment alleged that fines and costs were not just obviated, but were actually erased by an alleged co-conspirator traffic court

judge who ignored the conviction, backdated a continuance, and “adjudicated” the person not-guilty. App. 228-29 (Indictment ¶¶ 108-113). This episode serves to highlight that the entire scheme was centered on keeping (or taking) judgments out of the hands of the Government to prevent the imposition of fines and costs. As a result, Appellants’ reliance on our justice system’s presumption of innocence as a basis to argue against the existence of a governmental property interest is a red herring that is properly disregarded here.

Accordingly, we conclude that the indictment’s allegation that the scheme had an objective of depriving “Philadelphia and . . . Pennsylvania of money which *would have been properly due* as fines and costs” is not undermined by the lack of guilty verdicts. App. 197 (Indictment ¶38 (emphasis added)).

Alfano and Hird next highlight that, in *Henry*, our property interest analysis centered on “whether the law traditionally has recognized and enforced [the entitlement in question] as a property right.” 29 F.3d at 115. Appellants assert that traffic fines and costs typically have not been considered economic property and are unsupported by any legal tradition sufficient to ground charges of wire and mail fraud. As we have already noted we disagree with any conclusion that the fines and costs at issue have no intrinsic economic value. But we turn to another decision of the Supreme Court that came after *Cleveland* to address squarely whether jurisprudence supports our conclusion.

In 2005 the Supreme Court reviewed convictions arising from a scheme to smuggle large quantities of liquor

from the United States into Canada, evading Canadian taxes. *See Pasquantino v. United States*, 544 U.S. 349, 353 (2005). The Court noted that the right to be paid has been routinely recognized as property, *id.* at 355–56,<sup>19</sup> observing that there is an equivalence between “money in hand and money legally due,” *id.* at 356. Affirming the conviction, the Court said: “Had petitioners complied with this legal obligation, they would have paid money to Canada. Petitioners’ tax evasion deprived Canada of that money, inflicting an economic injury no less than had they embezzled funds from the Canadian treasury.” *Id.* It concluded that: “[t]he object of petitioners’ scheme was to deprive Canada of money legally due, and their scheme thereby had as its object the deprivation of Canada’s ‘property.’” *Id.* Under *Pasquantino*, then, traffic tickets (or more precisely, judgments arising from them) are considered an “entitlement to collect money from individuals, the possession of which is ‘something of value.’” 544 U.S. at 355 (quoting *McNally*, 483 U.S. at 358).<sup>20</sup> We conclude that

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<sup>19</sup> The Court cited 3 W. Blackstone, Commentaries on the Laws of England 153–155 (1768), which classified the right to sue on a debt as personal property.

<sup>20</sup> We also note that Pennsylvania law permits the government to remedy the nonpayment of fines and costs as an unpaid debt through civil process, enabling the government to become a judgment creditor. Pa. R. Crim. P. 706 cmt. (“Nothing in this rule [concerning criminal fines] is intended to abridge any rights the Commonwealth may have in a civil proceeding to collect a fine or costs.”). Because of this, a separate legal tradition is implicated that recognizes the judgment itself as property. *See, e.g., Armada (Singapore) PTE Ltd. v. Amcol International Corp.*, 885 F.3d 1090, 1094



a scheme to obviate judgments imposing fines, effectively preventing the government from holding and collecting on such judgments imposes an economic injury that is the equivalent of unlawfully taking money from fines paid out of the Government's accounts. *See id.* at 358.

Alfano and Hird focus, finally, on the role that a judge's discretion plays in the adjudication of a case, asserting that the uncertainty this creates about outcomes in any given case undermines any argument that a judgment in a Traffic Court case can be claimed as an entitlement to property. To the extent that this merely rephrases the issue of guilt or innocence on particular charges, we have already addressed it above. To the degree that it refers to a judge's discretion in sentencing, as the District Court noted, there is no such discretion here.<sup>21</sup> The Motor Vehicle Code imposes

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(7th Cir. 2018). This long, stable legal tradition of recognizing civil judgments for money as property supports the conclusion that the fines arising from judgments in traffic court cannot be regarded merely as implicating the act of a sovereign imposing a criminal penalty. They can be collected by civil process as a debt and are, thus, a property interest.

<sup>21</sup> We question, in general, the relevance of an entity's authority to relinquish a just entitlement or to forbear an obligation that an entitlement imposes upon another, as a basis to call into doubt the legitimacy of, or the very existence of the entitlement. *But see United States v. Mariani*, 90 F. Supp. 2d 574, 583 (M.D. Pa. 2000) (Discretionary civil fines and penalties "may be too speculative to constitute a valid property interest.") (internal citation omitted).

finances and costs for each violation, eliminating any judicial discretion in this regard.

D.

All of this leads us to conclude that the District Court did not err by denying the motion to dismiss. We conclude that, as alleged, this scheme had the objective of preventing the City of Philadelphia and the Commonwealth of Pennsylvania from possessing a lawful entitlement to collect money in the form of fines and costs—a property interest—from individuals who Alfano and Hird assisted. We will thus affirm the convictions of Appellants Alfano and Hird.

III.

Appellants Tynes, Lowry, and Mulgrew

A.

In 2011, the United States Attorney presented to the Grand Jury evidence arising from the Federal Bureau of Investigation's inquiry into the Traffic Court. Appellants Lowry, Mulgrew, and Tynes testified and the Government brought perjury charges against them for statements they made to the Grand Jury. After Hird and Alfano pleaded guilty, the rest of the Appellants went to trial. The jury acquitted Lowry, Mulgrew, and Tynes of all counts against them on wire fraud, mail fraud, and conspiracy. But it found them guilty of perjury. Tynes, Lowry, and Mulgrew challenge their convictions by raising similar legal arguments about the sufficiency of the evidence.

As with all challenges to the sufficiency of the evidence, we use a highly deferential standard of review. See *United States v. Caraballo-Rodriguez*, 726 F.3d 418, 430 (3d Cir. 2013) (en banc). We examine the record in a light most favorable to the prosecution, and will not disturb the verdict if “any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *United States v. McGee*, 763 F.3d 304, 316 (3d Cir. 2014) (emphasis in original) (quoting *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)). Tynes, Lowry, and Mulgrew argue that the questions asked of them at trial were fatally vague and/or that their answers were truthful. As a result, they contend that these questions and answers are an inadequate basis for a perjury conviction.

A conviction for perjury before a grand jury requires the Government to prove that the defendant took an oath before the grand jury and then knowingly made a “false material declaration.” 18 U.S.C. § 1623. But we recognized (in the context of a sentencing enhancement for perjury) that sometimes “confusion, mistake, or faulty memory” results in inaccuracies that cannot be categorized as a “willful attempt to obstruct justice” under perjury statutes. *United States v. Miller*, 527 F.3d 54, 75 (3d Cir. 2008) (quoting U.S. Sentencing Guidelines Manual § 3C1.1 cmt. n.2 (U.S. Sentencing Comm’n 2003)). So we do understand that “[p]recise questioning is imperative as a predicate for the offense of perjury.” *Bronston v. United States*, 409 U.S. 352, 362 (1973).

Precision, however, is assessed in context. An examiner’s line of questioning should, at a minimum, establish the factual basis grounding an accusation that an

answer to a particular question is false. *Miller*, 527 F.3d at 78. So a perjury conviction is supported by the record “when the defendant’s testimony ‘can reasonably be inferred to be knowingly untruthful and intentionally misleading, even though the specific question to which the response is given may itself be imprecise.’” *United States v. Serafini*, 167 F.3d 812, 823 (3d Cir. 1999) (quoting *United States v. DeZarn*, 157 F.3d 1042, 1043 (6th Cir. 1998)).

Challenges to the clarity of a question are typically left to the jury, which has the responsibility of determining whether the defendant understood the question to be confusing or subject to many interpretations. *United States v. Slawik*, 548 F.2d 75, 86 (3d Cir. 1977). Moreover, consistent with our standard of review, we will not disturb a jury’s determination that a response under oath constitutes perjury unless “it is ‘entirely unreasonable to expect that the defendant understood the question posed to him.’” *Serafini*, 167 F.3d at 820 (quoting *United States v. Ryan*, 828 F.2d 1010, 1015 (3d Cir. 1987), *abrogated on other grounds by United States v. Wells*, 519 U.S. 482 (1997)).<sup>22</sup> On appeal,

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<sup>22</sup> The Court of Appeals for the Second Circuit underscored the high bar this establishes for appellants by noting that a fundamentally ambiguous question is “not a phrase with a meaning about which men of ordinary intellect could agree, nor one which could be used with mutual understanding by a questioner and answerer unless it were defined at the time it were sought and offered as testimony.” *United States v. Lighte*, 782 F.2d 367, 375 (2d Cir. 1986) (quoting *United States v. Lattimore*, 127 F. Supp. 405, 410 (D. D.C.), *aff’d*, 232 F.2d 334 (D.C. Cir. 1955)).

we review every aspect of the record pertinent to both the question and answer to reach a conclusion about whether, in context, the witness understood the question well enough to give an answer that he or she knew to be false. *See Miller*, 527 F.3d at 78. Our review, however, is focused on glaring instances of vagueness or double-speak by the examiner at the time of questioning (rather than artful post-hoc interpretations of the questions) that—by the lights of any reasonable fact-finder—would mislead or confuse a witness into making a response that later becomes the basis of a perjury conviction. Questions that breach this threshold are “fundamentally ambiguous” and cannot legitimately ground a perjury conviction. *Id.* at 77.<sup>23</sup>

That is the law applicable to the claims raised by Tynes, Lowry and Mulgrew. But, because our review is fact-dependent, and because each raises some unique issues, we will address each of their claims individually.<sup>24</sup>

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<sup>23</sup> The rule of fundamental ambiguity is intended to “preclude convictions that are grounded on little more than surmise or conjecture, and . . . prevent witnesses . . . from unfairly bearing the risks associated with the inadequacies of their examiners.” *Ryan*, 828 F.2d at 1015.

<sup>24</sup> Adopting the arguments made by Alfano and Hird, Appellants Lowry, Mulgrew and Tynes assert that the Government improperly charged them with conspiracy, wire fraud, and mail fraud. Therefore, they assert, their joint trial on these counts of the indictment prejudiced the jury’s deliberation on the charges of perjury. They claim such evidence would have been excluded under Federal Rule of Evidence. 403. They also contend that, without a charge of

B.

Appellant Tynes<sup>25</sup>

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conspiracy, the joinder of their cases would have been impermissible under Federal Rule of Criminal Evidence 8(b) or, at the very least, severance of their cases would have been warranted under Federal Rule of Criminal Procedure 14(a). Certainly, where there is evidence of prejudice resulting from “spillover” evidence from counts that should have been dismissed, reversal is warranted. *See United States v. Wright*, 665 F.3d 560, 575-577 (3d Cir. 2012). But we have concluded that the District Court did not err by denying the motion, under Federal Rule of Civil Procedure 12(b)(3), to dismiss the conspiracy, wire fraud and mail fraud counts of the indictment. Thus, Appellants’ spillover argument has been nullified. Likewise, Appellants have no basis to claim that the Court unfairly prejudiced them by not granting separate trials.

<sup>25</sup> Tynes filed a separate motion to dismiss. App. 291-99. The record also contains Tynes’ proposed order to join Sullivan’s motion to dismiss. App. 290. However, Tynes’ motion contains no such request. Moreover, the Government’s response to the motions notes that Lowry and Mulgrew moved to join (without argument), and makes no mention of Tynes. The District Court’s ruling on Tynes’ motion to dismiss relates only to the arguments she made separately in her brief. As a result, we cannot consider Tynes’ arguments on appeal that relate to those raised in Sullivan’s motion. Moreover, since she failed to raise any of the arguments she made in her separate motion to dismiss,

Appellant Tynes claims her convictions for perjury at Count 71 and Count 72 lack sufficient evidence because she was responding to questions that were fundamentally ambiguous. The perjury charged at Count 71 arises from the following exchange.

Q. In all the years you've been [at Traffic Court] have you ever been asked to give favorable treatment on a case to anybody?

A. No, not favorable treatment. People basically know me. The lawyers know me. The court officers know me. I have been called a nonsense person because I'm just not that way. I take my position seriously, and the cards fall where they may.

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these arguments are waived. With that said, we will affirm the District Court's ruling on the Motion raised by Sullivan and joined by the five Appellants. Therefore, we need not address Tynes' assertion that the District Court's mishandled her joinder motion because it does not prejudice the outcome of her appeal.

App. 255, 5720.<sup>26</sup> Tynes contends that the Government pursued a novel theory here (applying federal fraud statutes to allegations of ticket fixing) and used the vague term “favorable treatment” to gloss over its uncertainty about what, ultimately, would constitute an illegal act. She points out that the term had not been used before in reference to this case and that the Government offered no explanation or definition of the term to alert Tynes to the intent of the question.

Also, from Tynes’ perspective, every litigant appearing before a court seeks an outcome that is favorable, thus making “favorable treatment” a term that essentially referred to “how litigation works.” She claims that its use amounted to a fishing expedition designed to capture unfairly the entirety of her conduct in the courtroom. She warns that this is precisely the type of “open-ended construction” in questioning that we found unacceptable in *Serafini*. 167 F.3d at 822.

Tynes makes a related argument against her perjury conviction for Count 72. That conviction is based on this exchange.

Q. You’ve never taken  
action on a request?

A. No.

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<sup>26</sup> We cite to the testimony quoted in the indictment and the Grand Jury that was used at trial. We note that there are some typographical inconsistencies between these sources and in those instances we have quoted the Grand Jury testimony.



App. 257, 5722. She maintains that the word “request” was presented to the jury as a follow-on to the question grounding Count 71, requiring a person to link the term “favorable treatment” and the word “request” to make sense of it. She argues that the Government took advantage of the ambiguity of “favorable treatment,” forcing the jury to speculate that Tynes interpreted “request” as “favorable treatment.” This reliance on “sequential referents” is, from her perspective, exactly what we criticized in *Serafini*. 167 F.3d at 821. But she misconstrues our holding.

In *Serafini*, the surrounding questions focused on a different topic. This bolstered appellant’s argument in that case that the question on which the perjury conviction rested was fundamentally ambiguous. *Id.* The appellant said the multiplicity of topics in surrounding questions caused the jury to speculate improperly on how he understood the question at issue. We said: “The meaning of individual questions and answers is not determined by ‘lifting a statement . . . out of its immediate context,’ when it is that very context which fixes the meaning of the question.” *Serafini*, 167 F.3d at 821 (quoting *United States v. Tonelli*, 577 F.3d 194, 198 (3d Cir. 1978)). In the case of *Serafini*, the context made the confusing nature of the question apparent. The various topics in surrounding questions created sufficient ambiguity to undermine the conviction. *Id.*

Here, however, even though the terms used by the examiner changed, we conclude that the line of questioning—including both questions that ground Count 71 and 72—have an obvious, consistent focus.

Q. In all the years you've been [at Traffic Court] have you ever been asked to give favorable treatment on a case to anybody?

A. No, not favorable treatment. People basically know me. The lawyers know me. The court officers know me. I have been called a nonsense person because I'm just not that way. I take my position seriously and the cards fall where they may. Most of the time . . . the people in my Court plea bargain. They know that most of the time, ninety percent of the time, say 90 percent, I go with the police officer's recommendation. . . .

Q. So, in all those years no one has ever asked you to find somebody not guilty--

A. No.

Q. --or to find a lesser violation; find a lesser fine; anything along those lines?

A. No. I will say to people go to court, go to trial and see what happens. . . .

Q. Ward leaders, politicians has anyone called you and said I have Johnny Jones coming up next week and I would appreciate it if -- if you would look favorably on him when he comes through? Has anything like that ever happened?

A. Throughout the years ward leaders and people have called all the time and asked me questions. The only thing I will say to them is they need to go to court. If you think it's a problem, they need to hire a lawyer, or make sure you bring all your evidence to court. If it's something like

inspection, make sure you bring your -- papers and things like that. That's what I would tell them to do. I give advice that way. I don't know if that's wrong or not, but I do.

Q. You've never taken action on a request?

A. No.

App. 528-29, 530; 5720-22. This broader context would give any reasonable fact-finder more than enough basis to conclude that the witness knew the point of reference for both the term "favorable treatment" and "request" was ticket fixing. In fact, Tynes is asking us to do precisely the thing we criticized in *Serafini*, to lift a phrase or statement out of its context. *Serafini*, 167 F.3d at 821. Tynes has not persuaded us that the question harbors any fatal ambiguity.

Tynes next contends that her responses to questions grounding Count 71 and Count 72 cannot support convictions for perjury because they were literally true. Of course, perjury arises only from making knowingly false material declarations. 18 U.S.C. § 1623. Therefore, a witness who answers an ambiguous question with a non-responsive answer that the witness believes is true—even if the answer is misleading—does not commit perjury. See *Bronston*, 409 U.S. at 361-62; see also *United States v. Reilly*, 33 F.3d 1396, 1416 (3d Cir. 1994).

Tynes argues that, because she regarded the question about favorable treatment as vague, she interpreted it as asking whether she accepted any bribes in exchange for a judgment of not guilty or a reduced punishment. Her response of “no” (grounding Count 71) is literally true—she says—because there is no evidence that she accepted any bribes in return for giving preferential outcomes in the adjudication of some individuals who were cited for breaking the law. Under this theory, the same argument can also negate the charges at Count 72 since she says she did not accept any “requests” (bribes) in exchange for preferential treatment.

Although the jury is permitted reasonable inferences drawn from the record about the witness’ understanding of the truth or falsity of the answer, it is not (as we noted above) permitted to reach conclusions based merely on speculation or conjecture. *See Bronston*, 409 U.S. at 359. Tynes’ assertion of literal truth is undermined because the trial record supports no reasonable inference that the Government was asking her about matters outside of the alleged bribes, nor does it provide any reason why Tynes would interpret the question in this way. For all of these reasons, we will affirm the judgment of conviction on perjury as to Appellant Tynes.

C.

Appellant Lowry<sup>27</sup>

Like Tynes, Appellant Lowry advances arguments of fundamental ambiguity and literal truth. His perjury conviction centered on one question and answer.

Q. So if I understand your testimony, you're saying you don't give out special favors; is that right?

A. No, I treat everybody in that courtroom the same.

App. 489. Lowry attacks the Government's use of the term "special favors" as one with many potential meanings. However, as we noted above in our reference to *Serafini*, we reject arguments that lift individual questions or answers—or individual phrases embedded in either—from the context of surrounding questions that help fix their meaning. *Serafini*, 167 F.3d at 821. The larger context for the question asked of Lowry is as follows.

Q. So if I understand your testimony, you're saying you don't give out special favors; is that right?

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<sup>27</sup> Lowry was charged with perjury in Count 69 of the indictment.

A. Well, I know it appears that way; and it's hard for me to prove to you . . .

Q. I'm just asking, your testimony is you don't give out special favors, is that right?

A. No, I treat everybody in that courtroom the same.

Q. You treat everybody fairly?

A. I'm a lenient judge. I will admit to that.

Q. You treat everybody fairly?

A. Yes, I do.

Q. And these notices that you get from your personal or from other people, they don't affect you in any way; is that right?

A. Virtually no effect  
at all.

App. 489-90.

Lowry's assertion that the phrase "special favors" is subject to many interpretations is unconvincing. We note two things. First, the line of questioning reasonably supports a conclusion that this inquiry referenced conduct associated with allegations of ticket fixing. Second, Lowry answered as if his understanding of the question was consistent with this interpretation. He said that he was aware it may "appear" that he gave special favors. He also defended himself by saying that such requests did not affect his conduct in the courtroom at all. If—as he says—he understood "special favors" to mean fair treatment, his answer makes no sense.

Lowry next claims that, since the question was structured to elicit a negative response, his answer cannot be used as the basis of a perjury charge. Relatedly, he contends that the question was merely a summation of an answer that he gave just before this question. In essence he argues that this was a leading question. We have concluded, in the context of a trial, that the propriety of leading questions in direct examinations is a matter left to the sound discretion of the trial judge. *See United States v. Montgomery*, 126 F.2d 151, 153 (3d Cir. 1942). We extend the same deference here to the District Court's decision to admit this portion of the Grand Jury transcript. We do not regard the question as fundamentally unfair or unclear, or something outside the norm of questions typically employed on direct examination.



For these reasons, we conclude that the District Court did not abuse its discretion here.

Alternatively, Lowry argues that—if the term is understood to reference fixing tickets--there is no evidence to contradict his response that requests for special favors did not impact any of his adjudications. We do not agree. The record contains the following testimony.

Kevin O'Donnell, who was Lowry's personal assistant, testified about Lowry's involvement with requesting and giving consideration. He said that Lowry made four to five requests each month for consideration and that O'Donnell transmitted them to the personal assistants of other Traffic Court judges. App. 1854. Likewise, he said other judges transmitted requests for consideration to Lowry through their personal assistants. App. 1812-13. Appellant Hird and various politicians also made requests of Lowry for consideration. App. 1827-28, 1832-33. O'Donnell said he would give the requests to Lowry on the day scheduled for hearing on the citation. App. 1818-19. The requests were for preferential treatment in the adjudication of particular citations: typically the requests were for "removing points" and obtaining a "not guilty" judgment. App. 1819. O'Donnell said he sometimes had to signal Lowry in the courtroom to remind him that a particular case was supposed to receive consideration. App. 1822-23. He testified from his own observation that Lowry typically honored requests for consideration. App. 1829. He also declared if Lowry claimed he never gave consideration or asked it of others, this would not be truthful. App. 1813. The same assistant testified that if Lowry testified that he ignored requests for consideration, or that he never honored requests for

consideration, that testimony would not be true. App. 1855. The Government also asked: "If [Lowry] claimed that . . . consideration requests had no impact when he disposed of cases, would that be true?" The assistant responded, "probably not." *Id.*

Another witness, Walt Smaczylo, employed as a court officer in the Traffic Court, provided an example of how "consideration" worked in the courtroom.

When someone comes in, for example, for a reckless driving ticket and that judge normally comes down pretty hard and finds that defendant guilty and then the same type cases come in and you see a defendant walk out either not guilty or a significantly reduced charge.

App. 1912. The Government asked Smaczylo if he saw Lowry preside over such instances, and he answered: "That's correct, yes." *Id.* Smaczylo testified that requests for consideration were written on small note cards or "sticky" notes and that he saw Lowry in possession of these cards and notes. App. 1914. He also provided a generalized example of consideration, based on his observation and understanding, in which a reckless driving citation would be reduced to careless driving. In such instances, he indicated that a \$300 to \$400 fine would be cut in half. He said: "So, that money was not collected, obviously, by the state. If that ticket was fixed then I saw it as stealing." App. 1919. Smaczylo was asked: "[I]f Judge Lowry testified at the [G]rand [J]ury he didn't give consideration would that be a truth or would that

be a lie?" He responded: "That would not be the truth." App. 1921.

All of this testimony provides more than a sufficient basis to support a reasonable jury's conclusion that Lowry was not truthful when he responded to the Government's question about special favors.<sup>28</sup>

Finally, Lowry argues that the Government's question sought a dispositive response from him on the charges of conspiracy and fraud. He says an affirmative answer to whether he gave "special favors" to certain individuals would have been enough to convict him of conspiracy and fraud. Thus, he maintains that his acquittal on charges of mail fraud, wire fraud, and conspiracy is *res judicata* as to the perjury charges that are based on his answer. He said he did not commit fraud and the jury agreed with him. Therefore, he says, he did not perjure himself. However, even if we accepted Lowry's characterization of the question, we reject this argument.

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<sup>28</sup> Lowry points to the cross-examination of both witnesses in which they seem to equivocate on some of their observations and responses to the Government. For instance O'Donnell stated his view that giving consideration was no different from the leniency that Lowry extended to every other person who pleaded not guilty and appeared at the hearing. However, we do not weigh the credibility of evidence in the record. We only judge whether there is sufficient evidence in the record to support a reasonable fact-finder's determination that the record supported conviction of Lowry on a charge of perjury. See *United States v. Richardson*, 658 F.3d 333, 337 (3d Cir. 2011).

First, a jury's determination that Lowry's ticket-fixing conduct did not constitute wire fraud, mail fraud, and conspiracy does not preclude its determination that he lied about this conduct before the Grand Jury. Moreover, as the Supreme Court has articulated, a verdict on one count that seems to be at odds with another "shows that either in the acquittal or the conviction the jury did not speak their real conclusions, but that does not show that they were not convinced of the defendant's guilt." *United States v. Powell*, 469 U.S. 57, 63 (1984) (quoting *Dunn v. United States*, 284 U.S. 390, 393 (1932)). It is impossible to know in such cases whether the verdicts were an exercise of lenity by the jury or outright error.

Nonetheless, as the *Powell* Court noted, any assessment of the jury's rationale for its verdicts "would be based either on pure speculation or would require inquiries into the jury's deliberations that courts generally will not undertake." *Id.* at 58. So, even if Lowry was correct that the acquittal is relevant to his response to the question grounding his perjury conviction, we are not convinced that his perjury conviction is unfounded. Given the substantial body of evidence presented to the jury, nothing here demands that we abandon the deference we traditionally give to the collective judgment of the jury. For all these reasons, we will affirm the jury's verdict as to Lowry.

D.

Appellant Mulgrew<sup>29</sup>

Mulgrew does not argue that the question asked at the Grand Jury was ambiguous, he simply maintains that his statement was truthful.<sup>30</sup> The questions and answers grounding his perjury conviction are as follows.

Q. How about your personal, has your personal received any *calls* like that from other judges, other ward leaders that she's conveyed to you, saying so-and-so has called about this case?

A. If she did, she didn't convey them to me.

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<sup>29</sup> Mulgrew was charged with perjury in Count 70 of the indictment.

<sup>30</sup> Mulgrew's claims are reviewed for plain error because he did not make the same argument before the District Court. *United States v. Syme*, 276 F.3d 131, 148 (3d Cir. 2002).

App. 432-33 (emphasis added). Shortly after this, the following exchange occurred:

Q. Have you ever seen any index cards or notations on the file indicating that a person *has called* or taken some special interest in this case?

A. Nope.

App. 433 (emphasis added). Mulgrew claims that the Government's use of the word "call" referred exclusively to telephone calls. This mattered to him, he says, because others had testified that personal assistants of other Traffic Court judges would give index cards to his personal assistant in his chambers or robing room containing names of some individuals whose tickets were listed for hearing. Mulgrew claims that there is no evidence that he ever received any phone calls asking that he act extrajudicially to give well-connected individuals preferential treatment. The implication is that, had the Government asked him about receiving index cards with such requests, his answer would have been completely different.

As with Tynes and Lowry, our review of claims of literal truth drives us to examine the context of the question.

Q. How about other judges, have other

judges ever approached you or called to you or get a message to you either themselves or through their personals saying that someone is going to be on your list next week or next Monday and can you could some special way towards the case?

A. No, they haven't.

Q. Never?

A. No.

Q. How about your personal, has your personal received any *calls* like that from other judges, other ward leaders that she's conveyed to you saying so and so has called about this case?

A. If she did, she didn't convey them to me.

Q. And your personal is who?

A. Gloria McNasby.

Q. Have you ever seen on traffic court files --You actually get a file when someone's case is called?

A. Right.

Q. So the case is called and you get a file presented to you; is that right?

A. uh-huh.

Q. Have you ever seen any index cards or notations on the file indicating that a person *has called* or taken some special interest in this case?

A. Nope.



....

Q. Let me make sure as well that if I got your testimony correct [sic]. You're saying that if other people, whether they be political leaders, friends and family, anybody is approaching your personal and asking her specifically to look out for a case, see what she can do in a case, give preferential treatment, however you want to phrase it, that she is not relaying any of that information on to you; is that correct?

A. No, she isn't.

Q. Wouldn't you want to know it?

A. No, I don't want to know. Then I never

have to worry about  
what I do in the  
courtroom.

App. 432-33, 437-38 (emphasis added). The transcript makes it obvious that Mulgrew's singular reliance on the reference to a "call" ignores the thrust of the Government's line of questions. The questions focus on the substance of the communications between Mulgrew's personal assistant and himself, rather than the mode of those communications. The evidence is sufficient for a reasonable jury to conclude that Mulgrew understood the question asked of him and that he answered in the negative.

Mulgrew alternatively asserts that the District Court erred by refusing to admit additional testimony from the Grand Jury that he claims is relevant to his perjury conviction.<sup>31</sup> After the Government introduced Mulgrew's Grand Jury testimony, Mulgrew sought the admission of other portions of his testimony. But the District Court sustained the Government's hearsay objection. The portion of the transcript supporting the perjury conviction is as follows:

Q. [W]hether you have ever been asked to provide, what I'll call, favorable treatment for people in traffic court or however you define that, whether it

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<sup>31</sup> We review the District Court's ruling on the admissibility of evidence for abuse of discretion. *United States v. Green*, 617 F.3d 233, 239 (3d Cir. 2010).

would be special handling, keep an eye out for a ticket, do me a favor. Have you ever been asked to provide any type of treatment like that for people in traffic court?

A. People have asked me for consideration, but I give consideration to everybody that comes in my courtroom[,] so it doesn't make a difference to me.

App. 422-23. The basis for the Government's hearsay objection to this portion of the testimony was that it raised an out-of-court statement not offered by a party opponent.

Mulgrew first contends that the District Court erred by ruling that this was hearsay because it was not offered for the truth of the matter asserted. He says that the testimony was instead offered to show his state of mind later in his testimony. *See United States v. Hoffecker*, 530 F.3d 137, 191-92 (3d Cir. 2008). However, we conclude that it was not an abuse of discretion for the District Court to sustain the Government's hearsay objection. It was reasonable for the District Court to conclude here that his response relied on out-of-court statements offered to assert his innocence since his response conveys a declaration that he treated no person different from another.

Mulgrew also argues that this portion of the transcript is admissible under Federal Rule of Evidence 106: “[i]f a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part—or any other writing or recorded statement—that in fairness ought to be considered at the same time.” Mulgrew maintains that this question and answer provides context showing that he did not commit perjury. He also maintains that the “doctrine of completeness” applies here: fairness demanded the admission of the statements. See *United States v. Soures*, 736 F.2d 87, 91 (3d Cir. 1984).<sup>32</sup> We are not convinced.

The excerpt at issue occurs many pages before the testimony regarded as perjurious. It is unrelated in the overall sequence of questions and to the answers grounding his conviction. Moreover, as the intervening pages suggest, it was separated by the passage of time during questioning. We also fail to see how Mulgrew’s equivocation over the term “consideration” gives helpful context to his later denial of receiving requests for consideration. For these reasons, we conclude the District Court did not abuse its discretion by sustaining the Government’s hearsay objection.

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<sup>32</sup> “Under this doctrine of completeness, a second writing may be required to be read if it is necessary to (1) explain the admitted portion, (2) place the admitted portion in context, (3) avoid misleading the trier of fact, or (4) insure a fair and impartial understanding.” *Soures*, 736 F.2d at 91.

#### IV.

#### Appellant Singletary<sup>33</sup>

During the investigation of the Traffic Court by the Federal Bureau of Investigation, Appellant Singletary was among those interviewed. The jury acquitted Singletary of all counts of wire fraud, mail fraud, and conspiracy. It found him guilty of false statements made to the Federal Bureau of Investigation. At sentencing, over Singletary's objection, the District Court sentenced Singletary using the Guideline on obstruction.

The Government agrees that the single count on which he was convicted does not contain all of the elements of obstruction. U.S.S.G. § 2J1.2. For this reason, the Government agrees with Singletary that he is entitled to a

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<sup>33</sup> Appellant Singletary was charged with making false statements in Counts 73 and 74 of the indictment. He states in his brief that he 'joins all arguments on behalf of co-appellants pursuant to Federal Rules of Appellate Procedure 28(i).' Singletary Br. 19. To the extent that he joins the argument of prejudice resulting from the trial on the fraud and conspiracy charges, we already have determined that the indictment was proper and no prejudice resulted from bringing these charges to trial. As for the challenges to perjury in Counts 72 and 74, we note that Singletary was charged with a different crime: false statements in a federal investigation pursuant to 18 U.S.C. § 1001. In addition, the challenges to all of such charges are inherently fact-intensive. As he did not provide a factual basis for such a challenge, we regard the issue to be waived.

remand for resentencing. Accordingly, we will vacate the judgment of sentence as to Singletary and remand to the District Court for resentencing.

V.

For all of these reasons, we will vacate the judgment of sentence of the District Court with regard to Appellant Singletary and remand for resentencing. We will affirm the judgments of the District Court as to Appellants Alfano, Hird, Lowry, Mulgrew and Tynes.

# **BOARD EXHIBIT**

## **G**

# **BOARD EXHIBIT**

## **G**

Search documents in this case:		Search
<b>No. 18-1581</b> <b>Vide 18-1552</b>		
<b>Title:</b>	<b>Michael Lowry, Robert Mulgrew, and Thomasine Tynes, Petitioners</b> <b>v.</b> <b>United States</b>	
<b>Docketed:</b>	June 26, 2019	
Linked with 18A1048		
<b>Lower Ct:</b>	United States Court of Appeals for the Third Circuit	
<b>Case Numbers:</b>	(14-4804, 14-4812, 15-1344)	
<b>Decision Date:</b>	January 18, 2019	

DATE	PROCEEDINGS AND ORDERS
Apr 08 2019	Application (18A1048) to extend the time to file a petition for a writ of certiorari from April 18, 2019 to June 3, 2019, submitted to Justice Alito.  <div style="display: flex; justify-content: space-around;"> <span><b>Main Document</b></span> <span><b>Lower Court</b></span> </div> <div style="display: flex; justify-content: space-around;"> <span><b>Orders/Opinions</b></span> <span><b>Proof of Service</b></span> </div>
Apr 11 2019	Application (18A1048) granted by Justice Alito extending the time to file until May 18, 2019.
May 09 2019	Application (18A1048) to extend further the time from May 18, 2019 to June 17, 2019, submitted to Justice Alito.  <div style="display: flex; justify-content: space-around;"> <span><b>Written Request</b></span> <span><b>Proof of Service</b></span> </div>
May 13 2019	Application (18A1048) granted by Justice Alito extending the time to file until June 17, 2019.
Jun 17 2019	Petition for a writ of certiorari filed. (Response due July 26, 2019)



	<b>Petition Count</b>	<b>Appendix Proof of Service</b>	<b>Certificate of Word Count</b>
Jul 17 2019		Motion to extend the time to file a response from July 26, 2019 to August 26, 2019, submitted to The Clerk.	
		<b>Main Document</b>	
Jul 18 2019		Motion to extend the time to file a response is granted and the time is extended to and including August 26, 2019.	
Aug 07 2019		Motion to extend the time to file a response from August 26, 2019 to September 25, 2019, submitted to The Clerk.	
		<b>Main Document</b>	
Aug 09 2019		Motion to extend the time to file a response is granted and the time is further extended to and including September 25, 2019.	
Sep 19 2019		Motion to extend the time to file a response from September 25, 2019 to October 25, 2019, submitted to The Clerk.	
		<b>Main Document</b>	
Sep 20 2019		Motion to extend the time to file a response is granted and the time is further extended to and including October 25, 2019.	
Oct 25 2019		Brief of respondent United States in opposition filed.	
		<b>Certificate of Word Count</b>	<b>Main Document</b>
Nov 11 2019		Reply of petitioners Michael Lowry, et al. filed. (Distributed)	
		<b>Main Document</b>	<b>Certificate of Word Count</b> <b>Proof of Service</b>
Nov 13 2019		DISTRIBUTED for Conference of 12/6/2019.	
Dec 09 2019		Petition DENIED.	

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**BOARD EXHIBIT**

**H**

**BOARD EXHIBIT**

**H**

# Supreme Court of the United States

No. 18-1581

Michael Lowry, Robert Mulgrew, and Thomasine Tynes,

Petitioners

v.

United States

ON PETITION FOR A WRIT OF CERTIORARI to the United States Court of Appeals for the Third Circuit, No. 14-4804, 14-4812, 15-1344.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit.

IT IS ORDERED by this Court that the said petition is denied.

December 9, 2019

A true copy SCOTT S. HARRIS

Test:

Clerk of the Supreme Court of the United States

By \_\_\_\_\_ Deputy