



CLOSED, MAG

**United States District Court  
District of Massachusetts (Boston)  
CRIMINAL DOCKET FOR CASE #: 1:92-cr-10369-EFH-1**

Case title: USA v. Shay, et al

Date Filed: 12/16/1992

Assigned to: Senior Judge  
Edward F. Harrington

**Defendant**

**Thomas A. Shay (1)**  
*TERMINATED: 12/15/1998*

represented by **Jefferson W. Boone**  
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*TERMINATED: 10/12/1993*  
*LEAD ATTORNEY*  
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**William H. Kettlewell**  
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*TERMINATED: 12/15/1998*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Retained*

## Pending Counts

18:371 Conspiracy.  
(1s)

## Disposition

The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl

18:844(i), 2. Attempted malicious destruction of property by means of explosive.  
(3s)

The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for ea ch count; total \$100.

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

18:371 Conspiracy.  
(1)

**Disposition**

Dismissed

18:844(d), 2. Receipt of explosive materials.  
(2-3)

Dismissed

The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50

18:844(d), 2. Receipt of explosive materials.

(2s)

for ea ch count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court re commends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by th e U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl

18:844(i), 2. Attempted malicious destruction of property by means of explosive.

(4-5)

Dismissed

**Highest Offense Level**  
**(Terminated)**

Felony

**Complaints**

None

**Disposition**

**Interested Party**

**WLVI-TV**

represented by **James J. Dillon**  
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**Interested Party**

**Globe Newspaper CO.**

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**Interested Party**

**News Group Boston, Inc.**

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**Plaintiff**

**USA**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
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12/16/1992	1	SEALED INDICTMENT as to Thomas A. Shay (1) count(s) 1, 2-3, 4-5, Alfred W. Trenkler (2) count(s) 1, 2-3, 4-5 (fbd) (Entered: 12/17/1992)
12/16/1992		Arrest WARRANT issued as to Thomas A. Shay, Alfred W. Trenkler (fbd) (Entered: 12/17/1992)
12/16/1992	2	Judge Rya W. Zobel . ORDER OF REFERENCE as to Thomas A. Shay, Alfred W. Trenkler to Mag/Judge Marianne B. Bowler (fbd) (Entered: 12/17/1992)
12/17/1992		Indictment unsealed as to Thomas A. Shay, Alfred W. Trenkler (fbd) (Entered: 12/17/1992)
12/17/1992		Initial appearance as to Thomas A. Shay held (Defendant informed of rights.) (lau) (Entered: 12/29/1992)
12/17/1992		APPEARANCE Through Counsel by Thomas A. Shay (lau) (Entered: 12/29/1992)
12/17/1992		Arraignment as to Thomas A. Shay held Thomas A. Shay (1) count(s) 1, 2-3, 4-5 (lau) (Entered: 12/29/1992)
12/17/1992		PLEA entered by Thomas A. Shay . Court accepts plea. Not Guilty: Thomas A. Shay (1) count(s) 1, 2-3, 4-5 (lau) (Entered: 12/29/1992)
12/17/1992	4	Mag/Judge Marianne B. Bowler . CLERK'S NOTES as to Thomas A. Shay :, set Discovery Motions deadline to 1/8/93 for Thomas A. Shay , gov't response to discovery by 1/20/93; set Jury trial for 9:00 2/22/93 for Thomas A. Shay ; detention hearing waived; (lau) (Entered: 12/29/1992)
12/17/1992	5	Mag/Judge Marianne B. Bowler . CJA 20 as to Thomas A. Shay : Appointment of Attorney Jefferson Boone; Voucher # 0496247 (lau) (Entered: 12/29/1992)
12/17/1992	6	Mag/Judge Marianne B. Bowler . ORDER OF VOLUNTARY DETENTION as to Thomas A. Shay (lau) (Entered: 12/29/1992)
12/17/1992	9	CJA 23 FINANCIAL AFFIDAVIT by Thomas A. Shay (lau) (Entered: 12/29/1992)
12/17/1992		ARREST of Thomas A. Shay (lau) (Entered: 02/17/1993)
12/18/1992	24	Exhibit and Witness list of 12/18/92 (lau) (Entered: 01/06/1993)
12/21/1992	10	Mag/Judge Marianne B. Bowler . CJA 20 as to Thomas A. Shay : Appointment of Attorney Nancy Gertner Voucher # 0496245 (lau) (Entered: 12/29/1992)



12/21/1992	11	Preliminary Status Report as to Thomas A. Shay & Alfred W. Trenkler (lau) (Entered: 12/29/1992)
12/21/1992	12	MOTION by Thomas A. Shay for appointment of counsel (lau) (Entered: 12/29/1992)
12/21/1992	13	MEMORANDUM by Thomas A. Shay in support of [12-1] motion for appointment of counsel (lau) (Entered: 12/29/1992)
12/21/1992	14	AFFIDAVIT of Thomas Shay (lau) (Entered: 12/29/1992)
12/21/1992	15	AFFIDAVIT of Jefferson W. Boone as to Thomas A. Shay Re: [12-1] motion for appointment of counsel (lau) (Entered: 12/29/1992)
12/21/1992	16	MOTION by Thomas A. Shay for transcripts (lau) (Entered: 12/29/1992)
12/21/1992	17	MOTION by Thomas A. Shay for Order re: personal effects (lau) (Entered: 12/29/1992)
12/21/1992	18	MOTION by Thomas A. Shay for authorization to hire an investigator (lau) (Entered: 12/29/1992)
12/21/1992	19	AFFIDAVIT of Jefferson W. Boone as to Thomas A. Shay Re: [18-1] motion for authorization to hire an investigator (lau) (Entered: 12/29/1992)
12/21/1992	26	Mag/Judge Marianne B. Bowler . ORDER ON EXCLUDABLE DELAY as to Thomas A. Shay, Alfred W. Trenkler Time ordered excluded from 12/17/92 to 1/8/93 (lau) (Entered: 01/06/1993)
01/04/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [16-1] motion for transcripts as to Thomas A. Shay (1) (lau) (Entered: 01/05/1993)
01/04/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [12-1] motion for appointment of counsel as to Thomas A. Shay (1) (lau) (Entered: 01/05/1993)
01/04/1993		Status conference as to Thomas A. Shay held (lau) (Entered: 01/06/1993)
01/04/1993	25	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Goverment moves to dismiss case involving bomb threat #92-10276, allowed by the court. Mr. Boone's motion to be appointed, allowed. Ms. Gertner shall be lead counsel. set motion filing deadline for 2/12/93 for Thomas A. Shay , Response to motion 2/26/93 , set pretrial conference for 3:00 3/8/93 for Thomas A. Shay (lau) (Entered: 01/06/1993)



01/12/1993	38	MOTION by WLVI-TV as to Thomas A. Shay, Alfred W. Trenkler to quash subpoena for documents (lau) (Entered: 01/19/1993)
01/12/1993	39	MEMORANDUM by WLVI-TV as to Thomas A. Shay, Alfred W. Trenkler in support of [38-1] motion to quash subpoena for documents (lau) (Entered: 01/19/1993)
01/26/1993	46	Mag/Judge Marianne B. Bowler . Final STATUS REPORT by Magistrate as to Thomas A. Shay, Alfred W. Trenkler , setting Jury Trial Assignment for 9:00 2/22/93 for Thomas A. Shay, for Alfred W. Trenkler ; (lau) (Entered: 01/27/1993)
01/28/1993	48	MOTION by USA as to Thomas A. Shay for order directing WLVI-TV (Channel 56)to produce videotaped interview with defendant Thomas A. Shay (lau) (Entered: 01/28/1993)
01/28/1993	49	MOTION by USA as to Thomas A. Shay for leave to file memorandum in excess of twenty pages (lau) (Entered: 01/28/1993)
01/28/1993	128	MEMORANDUM by USA as to Thomas A. Shay, Alfred W. Trenkler in support of [48-1] motion for order directing WLVI-TV (Channel 56) to produce videotaped interview with defendant Thomas A. Shay (lau) (Entered: 05/20/1993)
02/09/1993	52	MOTION by WLVI-TV as to Thomas A. Shay, Alfred W. Trenkler to extend time to respond to Goverment's rule 17(c) motion for order directing productions of videotaped interview through and including 2/19/93 (lau) (Entered: 02/09/1993)
02/10/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay, Alfred W. Trenkler granting [52-1] motion to extend time to respond to Goverment's rule 17(c) motion for order directing productions of videotaped interview through and including 2/19/93 as to Thomas A. Shay (1), Alfred W. Trenkler (2) (lau) (Entered: 02/10/1993)
02/10/1993	55	MOTION by Thomas A. Shay to continue the date for motions until 2/25/93 (lau) (Entered: 02/11/1993)
02/12/1993	58	AFFIDAVIT of Scott P. Lopez Re: [57-1] motion for relief from prejudicial joinder and severance (lau) (Entered: 02/16/1993)

02/17/1993	69	AFFIDAVIT of John Cates in support of Re: [68-1] motion to suppress statements of February 4, 1992, [67-1] motion to suppress statements of January 31, 1992, [66-1] motion to suppress statements of November 5-6, 1991, [64-1] motion to suppress evidence derived from search of the Offices of Arcomm, located at 82 Broad Street, Weymouth, Ma., pursuant to warrant, [63-1] motion to suppress evidence derived from search of a garage, located at 7 Whitelawn Avenue, Milton, Ma. pursuant to Warrant, [62-1] motion to suppress evidence derived from search of the basement apartment, located at 133 Atlantic Street, Quincy, Ma., pursuant to warrant (lau) (Entered: 02/18/1993)
02/17/1993	70	AFFIDAVIT of Martin Cosgrove, Esquire (lau) (Entered: 02/18/1993)
02/17/1993	71	AFFIDAVIT of Alfred W. Trenkler in support of Re: [68-1] motion to suppress statements of February 4, 1992, [67-1] motion to suppress statements of January 31, 1992, [66-1] motion to suppress statements of November 5-6, 1991, [64-1] motion to suppress evidence derived from search of the Offices of Arcomm, Inc., located at 82 Broad Street, Weymouth, Ma., pursuant to warrant, [63-1] motion to suppress evidence derived from search of a garage, located at 7 Whitelawn Avenue, Milton, Ma. pursuant to Warrant, [62-1] motion to suppress evidence derived from search of the basement apartment, located at 133 Atlantic Street, Quincy, Ma., pursuant to warrant (lau) (Entered: 02/18/1993)
02/19/1993	73	MOTION by USA as to Thomas A. Shay, Alfred W. Trenkler to continue trial date to 5/17/93 (fmr) (Entered: 02/23/1993)
02/19/1993	74	MEMORANDUM by WLVI-TV as to Thomas A. Shay in opposition to [48-1] motion for order directing WLVI-TV (Channel 56)to produce videotaped interview with defendant Thomas A. Shay (lau) (Entered: 02/24/1993)
02/25/1993	76	MOTION by Thomas A. Shay to continue the date for motions until 3/2/93 (assesnted to) (lau) (Entered: 03/01/1993)
02/25/1993	80	AFFIDAVIT of John Cates Re: [68-1] motion to suppress statements of February 4, 1992, [67-1] motion to suppress statements of January 31, 1992, [66-1] motion to suppress statements of November 5-6, 1991, [64-1] motion to suppress evidence derived from search of the Offices of Arcomm, Inc., located at 82 Broad Street, Weymouth, Ma., pursuant to warrant, [63-1] motion to suppress evidence derived from search of a garage, located at 7 Whitelawn Avenue, Milton, Ma. pursuant to Warrant, [62-1] motion to suppress evidence derived from search of the basement apartment, located at 133 Atlantic Street, Quincy, Ma., pursuant to warrant (lau) (Entered: 03/04/1993)

02/26/1993	77	Ex Parte MOTION by Thomas A. Shay for expenses for psychiatric experts (lau) Modified on 03/03/1993 (Entered: 03/03/1993)
02/26/1993	78	Ex Parte MOTION by Thomas A. Shay for appointment of investigator (lau) (Entered: 03/03/1993)
03/01/1993	79	Ex Parte MOTION by Thomas A. Shay for appointment of explosives expert (lau) (Entered: 03/03/1993)
03/02/1993	81	MOTION by Thomas A. Shay for statements of defendant Thomas A> SHay and statement of co-defendant (lau) (Entered: 03/04/1993)
03/02/1993	82	MOTION by Thomas A. Shay to suppress statements obtained in violation of proffer agreement (lau) (Entered: 03/04/1993)
03/02/1993	83	MOTION by Thomas A. Shay for oral argument (lau) (Entered: 03/04/1993)
03/02/1993	84	MOTION by Thomas A. Shay for Disclosure of Exculpatory evidence (lau) (Entered: 03/04/1993)
03/02/1993	85	MOTION by Thomas A. Shay to suppress statements (lau) (Entered: 03/04/1993)
03/02/1993	86	MOTION by Thomas A. Shay for Bill of Particulars (lau) (Entered: 03/04/1993)
03/02/1993	87	MOTION by Thomas A. Shay for Disclosure of Bad Acts, "Specific Conduct" and criminal convictions, if any (lau) (Entered: 03/04/1993)
03/02/1993	88	MOTION by Thomas A. Shay to suppress identification (lau) (Entered: 03/04/1993)
03/03/1993	89	MOTION by Thomas A. Shay for further discovery (lau) (Entered: 03/04/1993)
03/04/1993	91	Ex Parte MOTION by Thomas A. Shay for Clarification of Rates , FILED. (cmg) (Entered: 03/09/1993)
03/05/1993	90	MOTION by USA as to Thomas A. Shay for leave to file reply brief (fmr) (Entered: 03/05/1993)
03/05/1993	92	MOTION by USA as to Thomas A. Shay, Alfred W. Trenkler to extend time to respond to motions of defendants' to and including March 26, 1993 (lau) (Entered: 03/09/1993)

03/05/1993	127	REPLY by USA as to Thomas A. Shay, Alfred W. Trenkler to response to [48-1] motion for order directing WLVI-TV (Channel 56) to produce videotaped interview with defendant Thomas A. Shay (lau) (Entered: 05/20/1993)
03/08/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay, Alfred W. Trenkler granting [73-1] motion to continue trial date to 5/17/93 as to Thomas A. Shay (1), Alfred W. Trenkler (2), reset Jury trial for 6/28/93 for Thomas A. Shay, for Alfred W. Trenkler (lau) (Entered: 03/09/1993)
03/08/1993		Scheduling conference as to Thomas A. Shay held (lau) (Entered: 03/09/1993)
03/08/1993	93	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Ms. Gertner would like to complete the discovery motion before USMJ and then schedule a hearing on evidentiary; set evidentiary hearing for 2:00 4/13/93 for Thomas A. Shay , set Jury trial for 6/28/93 for Thomas A. Shay (lau) (Entered: 03/09/1993)
03/08/1993	94	Ex Parte MOTION by Thomas A. Shay for expenses for psychiatric experts (lau) Modified on 03/09/1993 (Entered: 03/09/1993)
03/08/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [94-1] motion for expenses for psychiatric experts as to Thomas A. Shay (1) (lau) (Entered: 03/09/1993)
03/08/1993	95	Ex Parte MOTION by Thomas A. Shay for appointment of investigator (lau) (Entered: 03/09/1993)
03/08/1993	96	Ex Parte MOTION by Thomas A. Shay for appointment of explosives expert (lau) (Entered: 03/09/1993)
03/08/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [96-1] motion for appointment of explosives expert as to Thomas A. Shay (1) (lau) (Entered: 03/09/1993)
03/08/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [95-1] motion for appointment of investigator as to Thomas A. Shay (1) (lau) (Entered: 03/16/1993)
03/10/1993	97	Copy of a letter from Frank A. Libby, Jr. to Mr. Dillon by USA as to Thomas A. Shay re: a hearing set for 3/17/93 at 2:00 (lau) (Entered: 03/12/1993)

03/12/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay mooting [79-1] motion for appointment of explosives expert as to Thomas A. Shay (1). See docket #96 (lau) (Entered: 03/16/1993)
03/12/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay mooting [77-1] motion for expenses for psychiatric experts as to Thomas A. Shay (1) (See docket #94) (lau) (Entered: 03/16/1993)
03/15/1993	100	REPLY by USA as to Thomas A. Shay to response to [89-1] motion for further discovery, [87-1] motion for Disclosure of Bad Acts, "Specific Conduct" and criminal convictions, if any, [86-1] motion for Bill of Particulars, [84-1] motion for Disclosure of Exculpatory evidence, [81-1] motion for statements of defendant Thomas A> SHay and statement of co-defendant (lau) (Entered: 03/17/1993)
03/16/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay mooting [78-1] motion for appointment of investigator as to Thomas A. Shay (1) See document #95 (lau) (Entered: 03/17/1993)
03/17/1993	99	Mag/Judge Marianne B. Bowler . Criminal ORDER OF REFERENCE as to Thomas A. Shay, Alfred W. Trenkler re futher discovery (lau) (Entered: 03/17/1993)
03/17/1993		Motion hearing as to Thomas A. Shay re: [38-1] motion to quash subpoena for documents (lau) (Entered: 03/22/1993)
03/17/1993	106	Mag/Judge Marianne B. Bowler . MEMORANDUM AND ORDER as to Thomas A. Shay granting in part, denying in part [81-1] motion for statements of defendant Thomas A> SHay and statement of co-defendant as to Thomas A. Shay (1), granting in part, denying in part [87-1] motion for Disclosure of Bad Acts, "Specific Conduct" and criminal convictions, if any as to Thomas A. Shay (1), denying [86-1] motion for Bill of Particulars as to Thomas A. Shay (1), granting in part, denying in part [84-1] motion for Disclosure of Exculpatory evidence as to Thomas A. Shay (1), granting in part, denying in part [89-1] motion for further discovery as to Thomas A. Shay (1) (lau) (Entered: 03/22/1993)
03/17/1993		Motion(s) no longer referred as to Thomas A. Shay, Alfred W. Trenkler : [51-1] motion for reconsideration of portions of [45-1] order as to Alfred W. Trenkler (2),, [72-1] motion for reconsideration of portions of USM's discovery order of 2/15/93 as to Alfred W. Trenkler (2), [83-1] motion for oral argument as to Thomas A. Shay (1),,,, [92-1] motion to extend time to respond to motions of defendants' to and including March 26, 1993 as to Thomas A. Shay (1), Alfred W. Trenkler (2) (lau) (Entered: 03/23/1993)



03/17/1993		CASE NO LONGER REFERRED TO Mag/Judge Marianne B. Bowler (lau) (Entered: 03/23/1993)
03/18/1993	103	Letter from Mark E. Tully by WLVI-TV re Thomas Shay's competency to stand trial (lau) (Entered: 03/19/1993)
03/22/1993	104	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : [38-1] motion to quash subpoena for documents taken under advisement as to Thomas A. Shay (1), Alfred W. Trenkler (2) (lau) (Entered: 03/22/1993)
03/26/1993	109	Copy of a letter from Paul Kelly and Frank Libby as to Thomas A. Shay re: competency to stand trial. (lau) (Entered: 03/30/1993)
03/31/1993	110	MOTION by Thomas A. Shay to extend time to file objections to discovery rulings up to and including 4/5/93 (assented to) (lau) (Entered: 04/02/1993)
03/31/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [91-1] motion for Clarification of Rates as to Thomas A. Shay (1). Nancy Gertner shall be paid at the rate of \$200 per hour; Jeffrey Boone at the rate of \$85 perhour and Amy Baron Evans at the rate of \$50 per hour. Entered cc/cl (lau) (Entered: 04/05/1993)
04/02/1993	111	Judge Rya W. Zobel . MEMORANDUM OF DECISION as to Thomas A. Shay denying [48-1] motion for order directing WLVI-TV (Channel 56)to produce videotaped interview with defendant Thomas A. Shay as to Thomas A. Shay (1) without prejudice. Entered cc/cl (lau) (Entered: 04/07/1993)
04/06/1993	113	MOTION by Thomas A. Shay to extend time to file objections to the Magistrate's ruling up to and including 4/7/93 (lau) (Entered: 04/08/1993)
04/07/1993	112	MEMORANDUM by Thomas A. Shay in opposition to [106-1] order (lau) (Entered: 04/07/1993)
04/12/1993	129	MOTION by Thomas A. Shay to continue suppression hearing (lau) (Entered: 05/20/1993)
04/12/1993	130	Amendment to MOTION by Thomas A. Shay to suppress statements (lau) (Entered: 05/20/1993)
04/13/1993		Motion hearing as to Thomas A. Shay re: [88-1] motion to suppress identification (lau) (Entered: 04/16/1993)

04/13/1993	115	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : testimony of government witnesses #1 - #2; recessed 4:00 p.m. (lau) (Entered: 04/16/1993)
04/14/1993		Motion hearing as to Thomas A. Shay re: [88-1] motion to suppress identification (lau) (Entered: 04/16/1993)
04/14/1993	114	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : hearing on defendants motion to suppress continued; governments witnesses #3 - #4 testimony; testimony to resume May 7, 1993 at 9:00 a. m. court recessed (lau) (Entered: 04/16/1993)
04/16/1993	116	MOTION by Thomas A. Shay for leave to file Notice of Insanity defense and intention to introduce expert testimony late (lau) (Entered: 04/20/1993)
04/16/1993	117	Ex Parte MOTION by Thomas A. Shay for expenses for neuropsychological testing ( with affidavit of Robert T.M. Phillips, M. D. attached) (lau) (Entered: 04/20/1993)
04/22/1993	120	MOTION by USA as to Thomas A. Shay for order submitting to examination pursuant to 18 U.S.C. 4242 (lau) (Entered: 04/23/1993)
04/29/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [117-1] motion for expenses for neuropsychological testing as to Thomas A. Shay (1) (lau) (Entered: 05/04/1993)
04/30/1993	121	MOTION by Thomas A. Shay for order precluding any access to or use of statements made during examination pursuant to 18 U.S.C. 4242 (lau) (Entered: 05/03/1993)
04/30/1993	170	Renewed MOTION by USA as to Thomas A. Shay for order to produce videotaped interview (lau) (Entered: 06/10/1993)
05/03/1993	122	MOTION by Thomas A. Shay to seal (lau) (Entered: 05/04/1993)
05/03/1993	123	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 4/14/93 (lau) (Entered: 05/04/1993)
05/03/1993	124	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 4/13/93 (lau) (Entered: 05/04/1993)
05/04/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [122-1] motion to seal as to Thomas A. Shay (1) (lau) (Entered: 05/04/1993)



05/05/1993	131	MOTION by USA as to Thomas A. Shay to preclude recall of civilian witness (Dwayne Armbrister) at continued suppression hearing (lau) (Entered: 05/20/1993)
05/05/1993	132	REPLY by USA as to Thomas A. Shay to response to [121-1] motion for order precluding any access to or use of statements made during examination pursuant to 18 U.S.C. 4242 (lau) (Entered: 05/20/1993)
05/05/1993	133	Memorandum of Law by USA as to Thomas A. Shay re: fees (lau) (Entered: 05/20/1993)
05/05/1993	134	MOTION by USA as to Thomas A. Shay to compel disclosure of identity of defendant's psychiatric expert and production of any evaluative reports (lau) (Entered: 05/20/1993)
05/06/1993	135	RESPONSE by Thomas A. Shay in opposition to [131-1] motion to preclude recall of civilian witness (Dwayne Armbrister) at continued suppression hearing (lau) (Entered: 05/20/1993)
05/07/1993		Motion hearing as to Thomas A. Shay re: [88-1] motion to suppress identification, [85-1] motion to suppress statements (lau) (Entered: 05/12/1993)
05/07/1993	125	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay :, Motion hearing set for 2:00 5/11/93 for Thomas A. Shay for [88-1] motion to suppress identification, set for 2:00 5/11/93 for Thomas A. Shay for [85-1] motion to suppress statements (lau) (Entered: 05/12/1993)
05/07/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [134-1] motion to compel disclosure of identity of defendant's psychiatric expert and production of any evaluative reports as to Thomas A. Shay (1) (lau) (Entered: 05/20/1993)
05/11/1993		Motion hearing as to Thomas A. Shay re: [130-1] motion to suppress statements (lau) (Entered: 05/20/1993)
05/11/1993	136	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : motion to suppress statements - hearing continued. Government witness #8-10 testimony; continued until 5/12/93 at 2:00. (lau) (Entered: 05/20/1993)
05/12/1993		Motion hearing as to Thomas A. Shay re: [130-1] motion to suppress statements (lau) (Entered: 05/20/1993)

05/12/1993	137	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Motion to suppress statement - continued. Government witnesses #11 - 13 testimony; evidence closed; briefs to be filed; argument scheduled 6/8/93 at 3:00; defendant brief by 5/21/93; government reply by 5/28/93 (lau) (Entered: 05/20/1993)
05/14/1993	139	RESPONSE by WLVI-TV as to Thomas A. Shay in opposition to Goverment's renewed rule 17(c) motion (lau) (Entered: 05/20/1993)
05/17/1993	141	Memorandum by USA as to Thomas A. Shay concerning attorney's fees. (lau) (Entered: 05/20/1993)
05/21/1993	143	Assented to MOTION by Thomas A. Shay to continue the date for motions (lau) (Entered: 05/24/1993)
05/21/1993	144	MOTION by Thomas A. Shay for order requiring the Goverment Psychiatric Examination be conducted at Essex County House of Correction (lau) (Entered: 05/24/1993)
05/24/1993	145	RESPONSE by USA as to Thomas A. Shay in opposition to [144-1] motion for order requiring the Goverment Psychiatric Examination be conducted at Essex County House of Correction (lau) (Entered: 05/24/1993)
05/26/1993	147	TRANSCRIPT filed in case as to Thomas A. Shay for dates of May 11, 1993 (lau) (Entered: 05/26/1993)
05/26/1993	148	TRANSCRIPT filed in case as to Thomas A. Shay for dates of May 12, 1993 (lau) (Entered: 05/26/1993)
05/26/1993	151	MOTION by Thomas A. Shay to extend time to file motions currently due May 25, 1993 up to and including 5/27/93 (lau) (Entered: 06/02/1993)
05/27/1993	152	Goverment's demand for notice of alibi as to Thomas A. Shay (lau) (Entered: 06/02/1993)
05/27/1993	155	MEMORANDUM by Thomas A. Shay in support of [130-1] motion to suppress statements (lau) (Entered: 06/02/1993)
05/28/1993	158	AFFIDAVIT of James Karolides in support Re: [156-1] motion for issuance of subpoenas pursuant to F.R.CR.P.17(c) (lau) (Entered: 06/02/1993)
06/01/1993	159	MEMORANDUM by Thomas A. Shay in support of [88-1] motion to suppress identification (lau) (Entered: 06/02/1993)

06/01/1993	166	MOTION by USA as to Thomas A. Shay to extend time for submission of Government's responsive brief (2 days) until June 4, 1993 (lau) (Entered: 06/09/1993)
06/03/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [151-1] motion to extend time to file motions currently due May 25, 1993 up to and including 5/27/93 as to Thomas A. Shay (1) (lau) (Entered: 06/07/1993)
06/04/1993	160	MEMORANDUM by USA as to Thomas A. Shay in opposition to [130-1] motion to suppress statements, [88-1] motion to suppress identification, [85-1] motion to suppress statements, [82-1] motion to suppress statements obtained in violation of proffer agreement, FILED. (c/s) (cmg) (Entered: 06/07/1993)
06/04/1993	161	RESPONSE by Thomas A. Shay to Govt's Demand for Notice of Alibi, FILED.(c/s) (cmg) (Entered: 06/07/1993)
06/04/1993	162	MOTION by Thomas A. Shay, Alfred W. Trenkler for Disclosure of Intention to Use , or, in the alternative to Exclude Evidence of Other Crimes, Wrongs or Acts , FILED.(c/s) (cmg) (Entered: 06/07/1993)
06/04/1993	163	Ltr. to Court from Nancy Gertner as to Thomas A. Shay requesting Court review Deft's Objections to the Magistrate's Memo and Order on pre-trial motions, FILED.(c/s) (cmg) (Entered: 06/07/1993)
06/07/1993	168	REPLY by USA as to Thomas A. Shay to response to demand for notice of alibi, filed. (lau) (Entered: 06/09/1993)
06/08/1993		Motion hearing as to Thomas A. Shay re: [88-1] motion to suppress identification Motion hearing held, [85-1] motion to suppress statements Motion hearing held, [82-1] motion to suppress statements obtained in violation of proffer agreement (lau) (Entered: 06/09/1993)
06/08/1993	169	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Hearing on motions to suppress - closing arguments. Motions taken under advisement. Court will take papers. (lau) (Entered: 06/09/1993)
06/09/1993	226	Letter by USA as to Thomas A. Shay,filed. (lau) (Entered: 06/29/1993)
06/10/1993	171	MOTION by USA as to Thomas A. Shay in limine to admit evidence of 1986 bombing (lau) (Entered: 06/11/1993)
06/10/1993	172	MEMORANDUM by USA as to Thomas A. Shay in support of [171-1] motion in limine to admit evidence of 1986 bombing (lau) (Entered: 06/11/1993)

06/11/1993	174	MOTION by Thomas A. Shay, Alfred W. Trenkler to dismiss multiplicitous counts (lau) (Entered: 06/11/1993)
06/11/1993	175	MEMORANDUM by Thomas A. Shay, Alfred W. Trenkler in support of [174-1] motion to dismiss multiplicitous counts (lau) (Entered: 06/11/1993)
06/14/1993	176	Emergency MOTION by Thomas A. Shay for further discovery (lau) (Entered: 06/15/1993)
06/14/1993	177	Ex Parte MOTION by Thomas A. Shay for appointment of statistician (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [88-1] motion to suppress identification as to Thomas A. Shay (1) (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [116-1] motion for leave to file Notice of Insanity defense and intention to introduce expert testimony late as to Thomas A. Shay (1) (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [121-1] motion for order precluding any access to or use of statements made during examination pursuant to 18 U.S.C. 4242 as to Thomas A. Shay (1) to the extent defendant seeks protection in excess of those provided by Rule 12(c). Entered cc/cl (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [131-1] motion to preclude recall of civilian witness (Dwayne Armbrister) at continued suppression hearing as to Thomas A. Shay (1) (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting in part, denying in part [130-1] motion to suppress statements as to Thomas A. Shay (1). See motion #130 for more details. Entered cc/cl (lau) (Entered: 06/15/1993)
06/15/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [85-1] motion to suppress statements as to Thomas A. Shay (1). See motion #85 for more details. Entered cc/cl (lau) (Entered: 06/15/1993)
06/15/1993	179	MEMORANDUM by Thomas A. Shay in opposition to [171-1] motion in limine to admit evidence of 1986 bombing (lau) (Entered: 06/15/1993)

06/16/1993	180	Ex Parte MOTION by Thomas A. Shay for Forensics Expert (lau) (Entered: 06/17/1993)
06/18/1993	181	REPLY by Thomas A. Shay to response to [134-1] motion to compel disclosure of identity of defendant's psychiatric expert and production of any evaluative reports (lau) (Entered: 06/18/1993)
06/18/1993	182	MOTION by Thomas A. Shay for leave to disclose intention to offer defense of alibi five days before trial (lau) (Entered: 06/21/1993)
06/18/1993	514	Letter (non-motion) filed by USA by Paul V. Kelly as to Thomas A. Shay dated: 6/18/93 re: pretrial discovery (lau) (Entered: 02/28/1994)
06/21/1993	183	MOTION by Thomas A. Shay for issuance of subpoena pursuant to Fed. R.Crim.P.17(c) (proposed order attached) (lau) (Entered: 06/22/1993)
06/22/1993	185	MEMORANDUM by Thomas A. Shay in opposition to [171-1] motion in limine to admit evidence of 1986 bombing (lau) (Entered: 06/22/1993)
06/22/1993	186	AFFIDAVIT of Denny L. Kline in support of motion to exclude all evidence relating to 1986 device. (lau) (Entered: 06/22/1993)
06/24/1993	202	PETITION by USA for Writ of Habeas Corpus ad testificandum in case as to Thomas A. Shay (tmc) (Entered: 06/25/1993)
06/24/1993	203	PETITION by USA for Writ of Habeas Corpus ad testificandum in case as to Thomas A. Shay (tmc) (Entered: 06/25/1993)
06/24/1993	204	PETITION by USA for Writ of Habeas Corpus ad testificandum in case as to Thomas A. Shay (tmc) (Entered: 06/25/1993)
06/24/1993	205	SUPERSEDING INDICTMENT as to Thomas A. Shay (1) count(s) 1s, 2s, 3s, Alfred W. Trenkler (2) count(s) 1s, 2s, 3s (fbd) (Entered: 06/25/1993)
06/24/1993		DISMISSAL of Count(s) on Government Motion as to Thomas A. Shay . Counts Dismissed: Thomas A. Shay (1) count(s) 1, 2-3, 4-5 (tmc) (Entered: 06/15/1994)
06/25/1993	188	MOTION by Thomas A. Shay to continue (tmc) (Entered: 06/25/1993)
06/25/1993	189	MOTION by Thomas A. Shay for vior dire questions, juror questionnaire and other relief (tmc) (Entered: 06/25/1993)
06/25/1993	190	MOTION by Thomas A. Shay to bifurcate trial (tmc) (Entered: 06/25/1993)



06/25/1993	191	MEMORANDUM by Thomas A. Shay in support of [190-1] motion to bifurcate trial (tmc) (Entered: 06/25/1993)
06/25/1993	192	MOTION by Thomas A. Shay to suppress address book (tmc) (Entered: 06/25/1993)
06/25/1993	193	MOTION by Thomas A. Shay to preclude evidence of flight and use of name "James Keough" during flight (tmc) (Entered: 06/25/1993)
06/25/1993	194	AFFIDAVIT of Nancy Gertner Re: [193-1] motion to preclude evidence of flight and use of name "James Keough" during flight (tmc) (Entered: 06/25/1993)
06/25/1993	195	MOTION by Thomas A. Shay to preclude evidence of alleged use of aliases (tmc) (Entered: 06/25/1993)
06/25/1993	196	MOTION by Thomas A. Shay to preclude evidence of an alleged theft by Shay Jr. (tmc) (Entered: 06/25/1993)
06/25/1993	197	AFFIDAVIT of Amy Baron-Evans in support of [196-1] motion to preclude evidence of an alleged theft by Shay Jr. (tmc) (Entered: 06/25/1993)
06/25/1993	198	MOTION by Thomas A. Shay to preclude evidence of a false bomb threat in November 1990 (tmc) (Entered: 06/25/1993)
06/25/1993	199	MOTION by Thomas A. Shay to preclude use of Shay Jr.'s social and psychological history (tmc) (Entered: 06/25/1993)
06/25/1993	200	MOTION by Thomas A. Shay to suppress psychiatric and social history records (tmc) (Entered: 06/25/1993)
06/25/1993	201	AFFIDAVIT of Amy Baron-Evans in support of [200-1] motion to suppress psychiatric and social history records (tmc) (Entered: 06/25/1993)
06/25/1993	206	MOTION by Thomas A. Shay to preclude coconspirator hearsay statements not made in the course or in furtherance of the conspiracy (lau) (Entered: 06/28/1993)
06/25/1993	207	RESPONSE by USA as to Thomas A. Shay in opposition to [188-1] motion to continue (lau) (Entered: 06/28/1993)
06/25/1993	208	REPLY by USA as to Thomas A. Shay, Alfred W. Trenkler to response to [171-1] motion in limine to admit evidence of 1986 bombing (lau) (Entered: 06/28/1993)
06/25/1993	209	AFFIDAVIT of Albert W. Gleason (lau) (Entered: 06/28/1993)

06/28/1993	210	Further MOTION by Thomas A. Shay to continue (lau) (Entered: 06/29/1993)
06/28/1993	211	MOTION by Thomas A. Shay to sequester jury (lau) (Entered: 06/29/1993)
06/28/1993	212	Letter by USA as to Thomas A. Shay re: pending motions (lau) (Entered: 06/29/1993)
06/28/1993	213	Proposed Voir Dire Questions by USA as to Thomas A. Shay and response to defendant Shay's motion for voir dire questions, juror questionnaire and other relief (lau) (Entered: 06/29/1993)
06/28/1993	214	MOTION by USA as to Thomas A. Shay for a jury view of the crime scene (lau) (Entered: 06/29/1993)
06/28/1993	215	MOTION by USA as to Thomas A. Shay for reconsideration of [0-0] endorsed order (lau) (Entered: 06/29/1993)
06/28/1993	216	WITHDRAWAL by USA withdrawing [170-1] motion to produce videotaped interview as to Thomas A. Shay (1) (lau) (Entered: 06/29/1993)
06/28/1993	217	MOTION by USA as to Thomas A. Shay in limine to exclude any reference to or offering of improper evidence (lau) (Entered: 06/29/1993)
06/28/1993	218	RESPONSE by USA as to Thomas A. Shay in opposition to [192-1] motion to suppress address book (lau) (Entered: 06/29/1993)
06/28/1993	219	RESPONSE by USA as to Thomas A. Shay in opposition to [196-1] motion to preclude evidence of an alleged theft by Shay Jr. (lau) (Entered: 06/29/1993)
06/28/1993	220	REPLY by USA as to Thomas A. Shay to response to [199-1] motion to preclude use of Shay Jr.'s social and psychological history, [198-1] motion to preclude evidence of a false bomb threat in November 1990, [195-1] motion to preclude evidence of alleged use of aliases (lau) (Entered: 06/29/1993)
06/28/1993	221	RESPONSE by USA as to Thomas A. Shay in opposition to [193-1] motion to preclude evidence of flight and use of name "James Keough" during flight (lau) (Entered: 06/29/1993)
06/28/1993	222	RESPONSE by USA as to Thomas A. Shay in opposition to [190-1] motion to bifurcate trial (lau) (Entered: 06/29/1993)



06/28/1993	223	Prospective Witness list by USA as to Thomas A. Shay (lau) (Entered: 06/29/1993)
06/28/1993	224	Witness list by Thomas A. Shay (lau) (Entered: 06/29/1993)
06/28/1993	225	AFFIDAVIT of William M. Maffie, III as to Thomas A. Shay Re: [213-1] voir dire jury, [211-1] motion to sequester jury, [210-1] motion to continue (lau) (Entered: 06/29/1993)
06/28/1993		Voir dire begun as to Thomas A. Shay (1) count(s) 1s, 2s, 3s (lau) (Entered: 07/01/1993)
06/28/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/01/1993)
06/28/1993	237	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury of 12 + 4 alt. selected. Adjourn 6:00 p.m. (lau) (Entered: 07/01/1993)
06/29/1993	227	Judge Rya W. Zobel . MEMORANDUM AND ORDER as to Thomas A. Shay: In sum, the motion to suppress statements (#'s 85, 130) is allowed in part and denied in part. The motion to suppress the identification of Dwayne Armbrister (#88) is allowed. See Memo for more details Entered cc/cl (lau) (Entered: 06/30/1993)
06/29/1993		Jury trial as to Thomas A. Shay held (Day 2) (lau) (Entered: 07/01/1993)
06/29/1993	238	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Hearing re: pending motions (see record). Adjourn 12:30 - to recommence 9:00 a.m. (lau) (Entered: 07/01/1993)
06/30/1993	228	Ex Parte MOTION by Thomas A. Shay for daily transcript (lau) (Entered: 06/30/1993)
06/30/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [228-1] motion for daily transcript as to Thomas A. Shay (1) (copy) (lau) (Entered: 06/30/1993)
06/30/1993	229	Supplemental AFFIDAVIT of Donald L. Hansen as to Thomas A. Shay (lau) (Entered: 06/30/1993)
06/30/1993	230	AFFIDAVIT of Donald L. Hansen as to Thomas A. Shay (lau) (Entered: 06/30/1993)
06/30/1993	231	MOTION by Thomas A. Shay in camera review of entire channel 56 tape (lau) (Entered: 06/30/1993)
06/30/1993	232	RESPONSE by Thomas A. Shay to [215-1] motion for reconsideration of [0-0] endorsed order (lau) (Entered: 06/30/1993)

06/30/1993	233	Letter from David M. Creagh as to Thomas A. Shay re: juror. (lau) (Entered: 06/30/1993)
06/30/1993	234	MOTION by Thomas A. Shay for in camera review of entire channel 56 tape (lau) (Entered: 06/30/1993)
06/30/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [234-1] motion for in camera review of entire channel 56 tape as to Thomas A. Shay (1) (lau) (Entered: 06/30/1993)
06/30/1993	235	MOTION by WLVI-TV as to Thomas A. Shay for reconsideration of [0-0] endorsed order (lau) (Entered: 06/30/1993)
06/30/1993	236	Judge Rya W. Zobel . MEMORANDUM OF DECISION as to Thomas A. Shay: The defendant has demonstrated that he is entitled to such review. The motion (#234) is accordingly allowed. Entered cc/cl (lau) (Entered: 06/30/1993)
06/30/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/01/1993)
06/30/1993	239	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : 2 additional jurors empanelled. Jury and court travelled to Roslindale for a view. Jury admonished and discharged at 12:25 p.m. (lau) (Entered: 07/01/1993)
07/01/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/02/1993)
07/01/1993	240	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Day three trial: Government opening; defendants opening; Government witnesses #1-4; testimony; recessed 12:55 (lau) (Entered: 07/02/1993)
07/01/1993	251	Letter from Mark Tull by WLVI-TV as to Thomas A. Shay re: video tape. (lau) (Entered: 07/09/1993)
07/02/1993	241	Ex Parte MOTION by Thomas A. Shay for additional funds for psychiatric expert (lau) (Entered: 07/02/1993)
07/02/1993	242	MOTION by Thomas A. Shay for a mistrial (lau) (Entered: 07/02/1993)
07/02/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [241-1] motion for additional funds for psychiatric expert as to Thomas A. Shay (1) (lau) (Entered: 07/06/1993)
07/02/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/06/1993)
07/02/1993	243	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Government witnesses #4- 8 testimony; adjourned 1:00 p.m. continued to 7/6/93 at 9:00 a.m. (lau) (Entered: 07/06/1993)

07/06/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [235-1] motion for reconsideration of [0-0] endorsed order as to Thomas A. Shay (1). Because the government intends to show the jury the published portions of the interview, defendant requires the entire out take both to put in context the published portion and to show the jury any possible inconsistencies in his statements. Entered cc/cl (lau) Modified on 07/06/1993 (Entered: 07/06/1993)
07/06/1993	244	MOTION by Thomas A. Shay to sequester witnesses (lau) (Entered: 07/07/1993)
07/06/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/07/1993)
07/06/1993	245	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Government witnesses # 8 - #9 testimony; adjourned 1:00 p.m. (lau) (Entered: 07/07/1993)
07/07/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/07/1993)
07/07/1993	246	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day seven: Government witnesses # 9 - 10 testimony; adjourned at 1:00 p.m. (lau) (Entered: 07/07/1993)
07/08/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/09/1993)
07/08/1993	249	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day eight: Government witnesses #10 - testimony; adjourned at 1:00 p.m. (lau) (Entered: 07/09/1993)
07/09/1993	248	Further MOTION by USA as to Thomas A. Shay to admit evidence of 1986 bombing (lau) (Entered: 07/09/1993)
07/09/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/13/1993)
07/09/1993	252	Renewed MOTION by WLVI-TV as to Thomas A. Shay for order directing WLVI-TV to produce videotaped interview with defendant (lau) (Entered: 07/14/1993)
07/09/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying as moot [252-1] motion to produce videotaped interview with defendant as to Thomas A. Shay (1) (lau) (Entered: 07/14/1993)
07/09/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/14/1993)
07/09/1993	253	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury Trial Day Nine: Government witnesses #11-13 testimony; adjourned at 1:00 p.m. (lau) (Entered: 07/14/1993)

07/12/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/14/1993)
07/12/1993	254	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury Trial Day Ten: Government witnesses #13-15 testimony; adjourned at 1:00 p.m. (lau) (Entered: 07/14/1993)
07/12/1993	515	Letter (non-motion) filed by Nancy Gertner dated: 6/12/93 re: evidentiary issues (lau) (Entered: 02/28/1994)
07/13/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/14/1993)
07/13/1993	256	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury Trial Day Eleven: Government witnesses #15-17 testimony; defense witnesses #1-2 testimony (taken out of turn) adjourned 1:00 p.m. (lau) (Entered: 07/14/1993)
07/15/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/16/1993)
07/15/1993	257	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day thirteen: Government witnesses #20 -23 testimony; adjourned at 1:00 p.m. (lau) (Entered: 07/16/1993)
07/16/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/19/1993)
07/16/1993	258	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day fourteen: Government witnesses #23 - 24 testimony; set tentative time for voir dire on evidentiary issues for 7/19/93 and 7/21/93; adjourned at 1:00 p.m. (lau) (Entered: 07/19/1993)
07/19/1993		MOTION in open court by Thomas A. Shay for admissibility of psychiatric testimony (lau) (Entered: 07/20/1993)
07/19/1993	259	MEMORANDUM by Thomas A. Shay in support of [0-0] oral motion for admissibility of psychiatric testimony (lau) (Entered: 07/20/1993)
07/19/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/20/1993)
07/19/1993	260	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day fifteen: Government witnesses #24-28 testimony; recessed at 1:00 p.m. until 2:00 p.m. 2:00 p.m. voir dire re: Government motion to admit 1986 bomb evidence (#171); government witnesses #1-2 testimony; defense witnesses #1 testimony; adjourned 5:10 p.m. (lau) (Entered: 07/20/1993)
07/19/1993	261	Exhibit and Witness list, filed. (lau) (Entered: 07/20/1993)
07/20/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/20/1993)

07/20/1993	262	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day sixteen: Government witnesses #28-29 testimony; denying [0-0] oral motion for admissibility of psychiatric testimony as to Thomas A. Shay (1) (motion raised in open court - memorandum filed later per court's instruction (#259), denying [171-1] motion in limine to admit evidence of 1986 bombing as to Thomas A. Shay (1); adjourned at 12:30 p.m. (lau) (Entered: 07/20/1993)
07/21/1993	263	Proposed Jury Instructions by Thomas A. Shay (lau) (Entered: 07/22/1993)
07/21/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/22/1993)
07/21/1993	265	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day seventeen: Government witness # 30 testimony; defense witnesses #3 - 9 testimony; adjourned at 12:10. (lau) (Entered: 07/22/1993)
07/22/1993	264	Proposed Jury Instructions by USA as to Thomas A. Shay (lau) (Entered: 07/22/1993)
07/22/1993	266	Short brief by USA as to Thomas A. Shay, filed. (lau) (Entered: 07/22/1993)
07/22/1993	267	Supplemental Proposed Jury Instructions by Thomas A. Shay (lau) (Entered: 07/22/1993)
07/22/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/22/1993)
07/22/1993	268	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day eighteen: defense witness #10-11 testimony; jury released at 11:00 a.m.; defense rests; charge conference; adjourned at 11:30 (lau) (Entered: 07/22/1993)
07/22/1993	269	Exhibit and Witness list, filed. (lau) (Entered: 07/22/1993)
07/22/1993	272	Exhibit and Witness list, filed. (lau) (Entered: 07/28/1993)
07/23/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/28/1993)
07/23/1993	271	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day nineteen; closing arguments; jury charged; deliberations commenced 12:35 p.m. released at 4:00 p.m. (lau) (Entered: 07/28/1993)
07/26/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/28/1993)



07/26/1993	273	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day twenty; Jury deliberations continued; released at 6:00 p.m. to recommence at 9:00 a.m. 7/27/93 (lau) (Entered: 07/28/1993)
07/26/1993	279	MOTION by Globe Newspaper CO. as to Thomas A. Shay for immediate post-verdict access to jury list (lau) (Entered: 07/30/1993)
07/26/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay mooting [279-1] motion for immediate post-verdict access to jury list as to Thomas A. Shay (1) (already received) (lau) (Entered: 07/30/1993)
07/27/1993		Jury trial as to Thomas A. Shay held (lau) (Entered: 07/28/1993)
07/27/1993	274	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Jury trial day twenty one; deliberations continued; verdict returned 12;25 p. m. Ct.#1 guilty; Ct.#2 not guillty; Ct.#3 guilty; jury polled; all agreed. (lau) (Entered: 07/28/1993)
07/27/1993	275	JURY VERDICT as to Thomas A. Shay Guilty: Thomas A. Shay (1) count(s) 1s, 3s Not Guilty on Count II (lau) (Entered: 07/28/1993)
07/27/1993	277	Ex Parte MOTION by Thomas A. Shay for further investigative expenses (lau) (Entered: 07/28/1993)
07/28/1993	278	MOTION by News Group Boston, as to Thomas A. Shay for immediate post-verdict access to jury list (lau) (Entered: 07/29/1993)
07/28/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay mooting [278-1] motion for immediate post-verdict access to jury list as to Thomas A. Shay (1) (already received) (lau) (Entered: 07/29/1993)
07/30/1993	280	WRIT of Habeas Corpus ad Testificandum returned unexecuted for Lawrence Plant in case as to Thomas A. Shay (lau) (Entered: 07/30/1993)
08/02/1993		Deadline updated as to Thomas A. Shay, reset Sentencing for 2:00 10/6/93 for Thomas A. Shay (lau) (Entered: 08/02/1993)
08/02/1993	282	MOTION by Thomas A. Shay to extend time in which to file motion for new trial no later than Aug. 5, 1993 (lau) (Entered: 08/03/1993)
08/02/1993	283	MOTION by Thomas A. Shay to extend time in which to file motion for judgment of acquittal no later than Aug. 5, 1993 (lau) (Entered: 08/03/1993)
08/03/1993	308	MOTION by Thomas A. Shay for Hearing on extraneous prejudicial information (lau) (Entered: 09/02/1993)

08/05/1993	390	MOTION by Thomas A. Shay for further expenses for forensics expert (lau) (Entered: 10/28/1993)
08/05/1993	392	Supplemental Ex parte MOTION by Thomas A. Shay for expenses for explosives expert (lau) (Entered: 10/28/1993)
08/10/1993	298	Letter from Scott P. Lopez by Thomas A. Shay re: mortgage. (lau) (Entered: 08/10/1993)
08/30/1993	306	WRIT of Habeas Corpus ad Testificandum executed for Christopher Henry on 8/11/93 in case as to Thomas A. Shay (lau) (Entered: 09/02/1993)
08/30/1993	307	WRIT of Habeas Corpus ad Testificandum executed for Robert Evans on 7/1/93 in case as to Thomas A. Shay (lau) (Entered: 09/02/1993)
08/31/1993	309	RESPONSE by USA as to Thomas A. Shay in opposition to [308-1] motion for Hearing on extraneous prejudicial information (lau) (Entered: 09/02/1993)
08/31/1993	312	RESPONSE by USA as to Thomas A. Shay in opposition to [310-1] motion for new trial (lau) (Entered: 09/02/1993)
08/31/1993	313	RESPONSE by USA as to Thomas A. Shay in opposition to [311-1] motion for Judgment of Acquittal (lau) (Entered: 09/02/1993)
09/02/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [308-1] motion for Hearing on extraneous prejudicial information as to Thomas A. Shay (1) (lau) (Entered: 09/02/1993)
09/02/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [282-1] motion to extend time in which to file motion for new trial no later than Aug. 5, 1993 as to Thomas A. Shay (1) (lau) (Entered: 09/02/1993)
09/02/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [283-1] motion to extend time in which to file motion for judgment of acquittal no later than Aug. 5, 1993 as to Thomas A. Shay (1) (lau) (Entered: 09/02/1993)
09/02/1993	310	MOTION by Thomas A. Shay for new trial (lau) (Entered: 09/02/1993)
09/02/1993	311	MOTION by Thomas A. Shay for Judgment of Acquittal (lau) (Entered: 09/02/1993)
09/09/1993	316	MOTION by Thomas A. Shay to strike inaccurate facts from [313-1] opposition response (lau) (Entered: 09/09/1993)



09/17/1993	319	Ex Parte MOTION by Thomas A. Shay for further investigative expenses (lau) (Entered: 09/17/1993)
09/21/1993	320	MOTION by Thomas A. Shay to continue sentencing hearing for Oct. 6, 1993 until the afternoon of Oct. 18, 1993 (lau) (Entered: 09/22/1993)
09/21/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [390-1] motion for further expenses for forensics expert as to Thomas A. Shay (1) (lau) (Entered: 10/28/1993)
09/21/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [392-1] motion for expenses for explosives expert as to Thomas A. Shay (1) (lau) (Entered: 10/28/1993)
09/21/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [180-1] motion for Forensics Expert as to Thomas A. Shay (1) (lau) (Entered: 11/09/1993)
09/21/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay granting [319-1] motion for further investigative expenses as to Thomas A. Shay (1) (lau) (Entered: 11/09/1993)
09/21/1993		Judge Rya W. Zobel . ENDORSEMENT as to Thomas A. Shay Re. [277-1] motion for further investigative expenses. No ruling necessary, document #319 supersedes this motion. Entered (lau) (Entered: 11/09/1993)
09/23/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay withdrawing [320-1] motion to continue sentencing hearing for Oct. 6, 1993 until the afternoon of Oct. 18, 1993 as to Thomas A. Shay (1) (lau) (Entered: 09/24/1993)
09/24/1993	322	MEMORANDUM by Thomas A. Shay, Alfred W. Trenkler in support of [295-1] motion to suppress identification and request for evidentiary hearing (lau) (Entered: 09/27/1993)
09/24/1993	327	Letter (non-motion) filed by Thomas A. Shay dated: 9/24/93 re: witnesses who they intend to call. (lau) (Entered: 09/27/1993)
09/27/1993	328	MOTION by Thomas A. Shay to preclude consideration of proffer statements in sentencing (lau) (Entered: 09/28/1993)
09/28/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [310-1] motion for new trial as to Thomas A. Shay (1) (lau) (Entered: 09/29/1993)

09/28/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [311-1] motion for Judgment of Acquittal as to Thomas A. Shay (1) (lau) (Entered: 09/29/1993)
09/29/1993	334	RESPONSE by USA as to Thomas A. Shay re [328-1] motion to preclude consideration of proffer statements in sentencing (lau) (Entered: 09/30/1993)
10/01/1993	338	SENTENCING MEMORANDUM by Thomas A. Shay (lau) (Entered: 10/04/1993)
10/01/1993	546	Letter (non-motion) filed by Thomas A. Shay by Amy Baron-Evans dated: 10/1/93 re: witness list (lau) (Entered: 03/09/1994)
10/04/1993		Proposed replacement pages #22, 44, 45, and 46 of the sentencing memorandum by Thomas A. Shay (lau) (Entered: 10/06/1993)
10/04/1993	339	MOTION by Thomas A. Shay for reconsideration of [0-0] endorsed order denying the motion for a new trial and requesting for oral argument (lau) Modified on 10/06/1993 (Entered: 10/06/1993)
10/04/1993	340	MEMORANDUM by USA as to Thomas A. Shay, Alfred W. Trenkler in opposition to [68-1] motion to suppress statements of February 4, 1992, [67-1] motion to suppress statements of January 31, 1992, [66-1] motion to suppress statements of November 5-6, 1991, [65-1] motion to suppress evidence seized without a warrant on November 5-6, 1991, [64-1] motion to suppress evidence derived from search of the Offices of Arcomm, Inc., located at 82 Broad Street, Weymouth, Ma., pursuant to warrant, [63-1] motion to suppress evidence derived from search of a garage, located at 7 Whitelawn Avenue, Milton, Ma. pursuant to Warrant, [62-1] motion to suppress evidence derived from search of the basement apartment, located at 133 Atlantic Street, Quincy, Ma., pursuant to warrant (lau) (Entered: 10/06/1993)
10/05/1993	343	SENTENCING MEMORANDUM by USA as to Thomas A. Shay (lau) (Entered: 10/07/1993)
10/05/1993	344	MOTION by USA as to Thomas A. Shay to preclude irrelevant testimony at sentencing hearing (lau) (Entered: 10/07/1993)
10/06/1993		Sentencing held Thomas A. Shay (1) count(s) 1s, 2s, 3s (lau) (Entered: 10/08/1993)
10/06/1993	348	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Court reviews objections to pre-sentence report. Court hears evidence of defense witness #1 Dr. Phillips; x-exam by AUSA Kelly. (lau) (Entered: 10/08/1993)

10/06/1993	544	Letter (non-motion) filed by Amy Baron-Evans dated: 10/6/93 re: copy of a letter from John G. McAvoy of Atlanticare Hospital, filed. (lau) (Entered: 03/09/1994)
10/07/1993	346	Letter (non-motion) filed as to Thomas A. Shay dated: 10/7/93 re: psychological reference material (lau) (Entered: 10/08/1993)
10/07/1993	347	Ex Parte MOTION by Thomas A. Shay for additional funds for psychiatric expert (lau) (Entered: 10/08/1993)
10/08/1993	345	Letter from Edward G. DeForrest, Ph.D. (non-motion) filed as to Thomas A. Shay dated: 10/7/93 re: sentencing hearing (lau) (Entered: 10/08/1993)
10/08/1993	349	Exhibit and Witness list as to Thomas A. Shay (lau) (Entered: 10/12/1993)
10/08/1993		Sentencing held Thomas A. Shay (1) count(s) 1s, 2s, 3s (lau) (Entered: 10/12/1993)
10/08/1993	350	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : Sentencing hearing Day 2: Government witness #1, Dr. Martin Kelly. Discussion/argument concerning applicable sentencing guidelines, upward and downward departure. Sentence imposed by Zobel: A term of imprisonment of 188 months on count 3, and 60 months on count 1, to be served concurrently; 5 years of supervised release; a special assessment of \$100.00. (lau) (Entered: 10/12/1993)
10/08/1993	351	Judge Rya W. Zobel . JUDGMENT Thomas A. Shay (1) count(s) 1s, 3s . The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. (lau) (Entered: 10/12/1993)
10/08/1993	353	NOTICE OF APPEAL by USA as to Thomas A. Shay (1) count(s) 1s, 3s Appeal record due on 11/8/93 for Thomas A. Shay (eaf) (Entered: 10/14/1993)

10/08/1993	547	Letter (non-motion) filed by USA by Paul V. Kelly as to Thomas A. Shay dated: 10/7/93 re: copy of a letter from Edward G. DeForrest, Ph. D, filed. (lau) Modified on 03/09/1994 (Entered: 03/09/1994)
10/08/1993	548	Transcript of proceedings for 12/10/92 before Judge: Zobel as to Thomas A. Shay (witness: Edward DeForrest) (lau) Modified on 03/09/1994 (Entered: 03/09/1994)
10/08/1993	549	Spaulding Records as to Thomas A. Shay (includes Dr. Sack) (lau) (Entered: 03/09/1994)
10/08/1993	550	Hospital Records as to Thomas A. Shay (lau) (Entered: 03/09/1994)
10/08/1993	351	Judge Rya W. Zobel . JUDGMENT entered Thomas A. Shay (1) count (s) 2s. Acquitted (tmc) (Entered: 06/15/1994)
10/12/1993	354	NOTICE OF APPEAL by Thomas A. Shay Thomas A. Shay (1) count (s) 1s, 3s Appeal record due on <11/12/93> (eaf) (Entered: 10/14/1993)
10/14/1993	355	Letter (non-motion) filed by Thomas A. Shay dated: 10/14/93 re: recommendation for FCI Butner (lau) (Entered: 10/14/1993)
10/14/1993		Certified and transmitted record on appeal to U.S. Court of Appeals as to Thomas A. Shay : [354-1] appeal, [353-1] appeal (eaf) (Entered: 10/18/1993)
10/14/1993		NOTICE of Docketing ROA from USCA as to Thomas A. Shay Re: [354-1] appeal USCA Number: 93-2141 (eaf) (Entered: 10/21/1993)
10/14/1993		NOTICE of Docketing ROA from USCA as to Thomas A. Shay Re: [353-1] appeal USCA Number: 93-2140 (eaf) (Entered: 10/21/1993)
10/15/1993	359	Exhibit list, filed. (lau) (Entered: 10/18/1993)
10/15/1993	364	MOTION by USA as to Thomas A. Shay to Correct judgment (lau) (Entered: 10/19/1993)
10/18/1993	363	MOTION by Thomas A. Shay to quash subpoena served upon his counsel on 10/18/93 (lau) (Entered: 10/18/1993)
10/21/1993	371	MOTION by Thomas A. Shay to quash subpoena of Francis O'Rourke (lau) (Entered: 10/21/1993)
10/21/1993	372	MOTION by Thomas A. Shay to quash the subpoena of Thomas A. Shay (lau) (Entered: 10/21/1993)
10/25/1993	378	MOTION by Thomas A. Shay to quash the subpoena of Thomas A. Shay (lau) (Entered: 10/26/1993)

10/25/1993	379	AFFIDAVIT of Amy Baron-Evans Re: [378-1] motion to quash the subpoena of Thomas A. Shay (lau) (Entered: 10/26/1993)
10/26/1993	380	RESPONSE by Thomas A. Shay in opposition to [364-1] motion to Correct judgment (lau) (Entered: 10/26/1993)
10/27/1993	386	TRANSCRIPT filed as to Thomas A. Shay Re: [354-1] appeal, [353-1] appeal for dates of Oct. 6, 1993 (lau) (Entered: 10/27/1993)
10/27/1993	387	TRANSCRIPT filed as to Thomas A. Shay Re: [354-1] appeal, [353-1] appeal for dates of Oct. 8, 1993 (lau) (Entered: 10/27/1993)
10/27/1993	468	Exhibit list (lau) (Entered: 12/03/1993)
10/29/1993	393	Letter (non-motion) filed by Thomas A. Shay dated: 10/29/93 re: filing a response to the Government's motion for an Immunity Order. (lau) (Entered: 11/01/1993)
10/29/1993		Judge Rya W. Zobel . ENDORSEMENT as to Thomas A. Shay Re. [402-1] remark. So recommended. Entered cc/cl (lau) (Entered: 11/01/1993)
10/29/1993		Transmitted Supplemental Record on Appeal: as to Thomas A. Shay [354-1] appeal doc. 386,387 (eaf) (Entered: 11/02/1993)
11/01/1993	402	Letter (non-motion) filed by Thomas A. Shay dated: 10/12/93 re: recommending Thomas A. Shay to FCI Butner (lau) (Entered: 11/01/1993)
11/01/1993	472	MEMORANDUM by Thomas A. Shay in opposition to [395-1] motion for issuance of immunity order (lau) (Entered: 12/03/1993)
11/01/1993	474	Letter (non-motion) filed by Terry Philip Segal dated: 11/1/93 re: Dr. Phillips (lau) (Entered: 12/06/1993)
11/01/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [364-1] motion to Correct judgment as to Thomas A. Shay (1) (lau) (Entered: 03/09/1994)
11/02/1993	409	Letter (non-motion) filed by Thomas A. Shay dated: 11/2/93 re: calling Tom Shay to the witness stand (appeal) (lau) (Entered: 11/02/1993)
11/23/1993	452	Witness list (lau) (Entered: 11/23/1993)
11/30/1993	456	MOTION by Thomas A. Shay to purge contempt (lau) (Entered: 12/02/1993)



11/30/1993	496	Ex Parte MOTION by Thomas A. Shay for order permitting Thomas A. Shay Jr. to carry legal papers (lau) (Entered: 12/08/1993)
12/01/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [496-1] motion for order permitting Thomas A. Shay Jr. to carry legal papers as to Thomas A. Shay (1). The Marshall shall ensure that all of defendant's papers are sent to the institution to which the defendant is designated in such manner that they arrive at approximately the same time as the defendant. Entered cc/cl (lau) (Entered: 12/08/1993)
12/10/1993	497	MOTION by USA as to Thomas A. Shay for an order of criminal contempt and imposition of appropriate punishment (lau) (Entered: 12/10/1993)
12/10/1993	501	MEMORANDUM by USA as to Thomas A. Shay in support of [497-1] motion for an order of criminal contempt and imposition of appropriate punishment (lau) (Entered: 12/15/1993)
12/13/1993	499	Letter (non-motion) filed by Amy Baron-Evans dated: 12/7/93 re: motion to purge contempt (lau) (Entered: 12/14/1993)
12/13/1993	500	MEMORANDUM by Thomas A. Shay in opposition to [497-1] motion for an order of criminal contempt and imposition of appropriate punishment (lau) (Entered: 12/14/1993)
12/14/1993		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay denying [456-1] motion to purge contempt as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 12/15/1993)
12/14/1993		Motion hearing as to Thomas A. Shay re: [497-1] motion for an order of criminal contempt and imposition of appropriate punishment (lau) (Entered: 12/15/1993)
12/14/1993	502	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay : re: contempt granting [497-1] motion for an order of criminal contempt and imposition of appropriate punishment as to Thomas A. Shay (1) Court finds defendant is in criminal contempt and sentences defendant to 45 days in addition to current sentence; Court Reporter: McLaughlin (lau) (Entered: 12/15/1993)
12/15/1993		Proposed Order of Contempt filed by Thomas A. Shay (lau) (Entered: 12/15/1993)
12/15/1993	505	Letter (non-motion) filed by Nancy Gertner dated: 12/15/93 re: Presentence Report (lau) (Entered: 12/17/1993)

12/16/1993	504	Judge Rya W. Zobel . ORDER OF CONTEMPT as to Thomas A. Shay. Entered cc/cl (lau) (Entered: 12/17/1993)
12/17/1993	506	NOTICE OF APPEAL by Thomas A. Shay Thomas A. Shay (1) count (s) 2s Appeal record due on 1/16/94 for Thomas A. Shay (eaf) (Entered: 12/20/1993)
12/21/1993		Certified and transmitted record on appeal to U.S. Court of Appeals as to Thomas A. Shay : [506-1] appeal (eaf) (Entered: 12/27/1993)
12/27/1993		Transmitted Supplemental Record on Appeal: as to Thomas A. Shay [506-1] appeal copies of pleadings (eaf) (Entered: 12/27/1993)
12/27/1993		NOTICE of Docketing ROA from USCA as to Thomas A. Shay Re: [506-1] appeal USCA Number: 93-2364 (eaf) (Entered: 12/27/1993)
01/03/1994	507	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 6/28/93 (lau) (Entered: 01/03/1994)
01/03/1994	508	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 6/28/93 (motions) (lau) (Entered: 01/03/1994)
01/20/1994		Judge Rya W. Zobel . ENDORSEMENT as to Thomas A. Shay Re. [133-1] remark. Upon consideration of the parties' memoranda regarding fees, the order on defendant's ex parte motion for clarification of rates is vacated and it is ordered that counsel be paid at the rate provided in 18 USC 3006(d)(1). Entered cc/cl (lau) (Entered: 01/24/1994)
02/22/1994	511	(Original)AFFIDAVIT of Alfred Trenkler Re: [510-1] motion to proceed on appeal in forma pauperis (lau) (Entered: 02/22/1994)
02/24/1994	512	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 5/7/93 re: Motion to Suppress Hearing. (lau) (Entered: 02/28/1994)
02/24/1994	517	Transcript of proceedings for June 30, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	518	Transcript of proceedings for July 1, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	519	Transcript of proceedings for July 2, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	520	Transcript of proceedings for July 6, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)



02/24/1994	521	Transcript of proceedings for July 7, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	522	Transcript of proceedings for July 8, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	523	Transcript of proceedings for July 9, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	524	Transcript of proceedings for July 12, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	525	Transcript of proceedings for July 13, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	526	Transcript of proceedings for July 14, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	527	Transcript of proceedings for July 15, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	528	Transcript of proceedings for July 16, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	529	Transcript of proceedings for July 19, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	530	Transcript of proceedings for July 20, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	531	Transcript of proceedings for July 21, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	532	Transcript of proceedings for July 22, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	533	Transcript of proceedings for July 23, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	534	Transcript of proceedings for July 26, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	535	Transcript of proceedings for July 26, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/24/1994	536	TRANSCRIPT filed in case as to Thomas A. Shay for dates of 12/14/93 (Contempt Hearing) (vah) (Entered: 02/28/1994)

02/24/1994	537	TRANSCRIPT filed in case as to Thomas A. Shay for dates of November 3, 1993 (Excerpt re: Thomas A. Shay, Jr.) (vah) (Entered: 02/28/1994)
02/25/1994	516	Transcript of proceedings for June 29, 1993 before Judge: Zobel as to Thomas A. Shay (vah) (Entered: 02/28/1994)
02/25/1994	538	Letter (non-motion) by Amy Baron-Evans filed as to Thomas A. Shay dated: 2/25/94 re: everything for the Court of Appeals (vah) (Entered: 02/28/1994)
02/25/1994	539	Letter (non-motion) filed by Amy Baron-Evans dated: 2/24/94 re: Court of Appeals (vah) (Entered: 02/28/1994)
03/08/1994	542	Judgment Returned Executed as to Thomas A. Shay ; on 2/9/94 (lau) (Entered: 03/08/1994)
03/08/1994	543	Letter (non-motion) filed by Amy Baron-Evans as to Thomas A. Shay dated: 3/8/94 re: copies of letters previously filed. (lau) (Entered: 03/08/1994)
03/10/1994		Transmitted Supplemental Record on Appeal: as to Thomas A. Shay [353-1] appeal (fmr) (Entered: 03/15/1994)
03/10/1994		Case closed as to all defendants, as to Thomas A. Shay, Alfred W. Trenkler (lau) (Entered: 06/16/1994)
03/11/1994		Transmitted Supplemental Record on Appeal: as to Thomas A. Shay [353-1] appeal (fmr) (Entered: 03/15/1994)
03/15/1994	555	MANDATE OF USCA as to Thomas A. Shay Re: [353-1] appeal voluntarily dismissing (fmr) (Entered: 03/18/1994)
03/30/1994	513	Letter (non-motion) filed by Nancy Gertner dated: 3/30/93 re: evaluation (lau) Modified on 04/04/1994 (Entered: 02/28/1994)
06/03/1994		Certified and transmitted record on appeal to U.S. Court of Appeals as to Thomas A. Shay , re: [556-1] appeal . (fmr) (Entered: 06/03/1994)
06/07/1994		Transmitted Supplemental Record on Appeal: as to Thomas A. Shay , re: [556-1] appeal . (fmr) (Entered: 06/07/1994)
03/09/1995		Transmitted Supplemental Record on Appeal: , re: . (fmr) (Entered: 03/09/1995)

06/22/1995	558	. ORDER entered The above captioned case is remanded to the district court for further proceedings consistent with the opinion issued this date. This district court isto report back to this Court as soon as the further proceedings are concluded. This Court will retain appellate jurisdiction : . (fmr) (Entered: 06/22/1995)
06/22/1995	559	Opinion of the Court of Appeals , entered For the reasons described herein, the case is remanded to the district court for further proceedings consistent with this opinion. We retain jurisdiction to review the district court's conclusion as to whether it should permit Dr. Phillips to testify. . (fmr) (Entered: 06/22/1995)
07/06/1995	560	Letter (non-motion) filed by Amy Baron-Evans for Thomas A. Shay , dated: 7/6/95, re: briefs. (lau) (Entered: 07/11/1995)
07/10/1995		Judge Rya W. Zobel . ENDORSEMENT as to Thomas A. Shay , re: [560-1] remark. The Goverment shall file its brief by August 4, 1995; defendant shall file by August 18, 1995 and the Goverment may file a response by August 25, 1995. Entered cc/cl (lau) (Entered: 07/11/1995)
08/28/1995	573	MOTION by Thomas A. Shay for Appointment of Psychiatriic Expert , filed. (lau) (Entered: 02/08/1996)
09/12/1995	563	Letter (non-motion) filed by Amy Baron-Evans as to Thomas A. Shay , dated: 9/11/95, re: several issues identified by the Goverment. (lau) (Entered: 09/12/1995)
09/12/1995		Record on Appeal returned from U.S. Court of Appeals, re: . (fmr) (Entered: 09/12/1995)
10/31/1995	564	Judge Rya W. Zobel . PROCEDURAL ORDER entered as to Thomas A. Shay : The parties may file additional memoranda addressing the issues on remand, as defined above, no later than November 20, 1995. Entered cc/cl (lau) (Entered: 11/01/1995)
11/15/1995	565	MOTION by USA , as to Thomas A. Shay to extend time to 11/30/95 to file additional memoranda , filed. (lau) (Entered: 11/15/1995)
11/20/1995		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [565-1] motion to extend time to 11/30/95 to file additional memoranda as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 11/22/1995)
12/07/1995		Transmitted Supplemental Record on Appeal: , re: . (fmr) (Entered: 12/07/1995)
12/22/1995	569	AFFIDAVIT of Terry Philip Segal, filed. (lau) (Entered: 12/27/1995)

12/27/1995	570	. ORDER entered : The district court issued a procedural order on remand, concluding that "the Court of Appeals remanded the case for a determination of admissibility of Dr. Phillips' prejudice of the testimony outweighs its probative value, and under Rule 702, for a ruling whether the testimony fits the facts of the case." The government argues in its motion for clarification that the district court construed its authority on remand too narrowly. We agree. We did not determine whether the proposed testimony satisfied Rule 702's other requirements. Nor did we limit the district court's power to consider this question on remand. Thus, the government's motion is granted. . (fmr) (Entered: 12/28/1995)
01/23/1996	571	Letter (non-motion) filed by USA from Frank A. Libby, Jr. as to Thomas A. Shay , dated: 1/2/96, re: First Circuit's Order of 12/27/95. (lau) (Entered: 01/23/1996)
02/06/1996		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [573-1] motion for Appointment of Psychiatric Expert as to Thomas A. Shay (1) up to \$3,000. Entered cc/cl (lau) (Entered: 02/08/1996)
02/13/1996	576	MOTION by Thomas A. Shay for appearance of substitute counsel , filed. (lau) (Entered: 02/14/1996)
02/27/1996	577	NOTICE issued of Hearing/Conference as to Thomas A. Shay, set status conference for 10:30 4/1/96 for Thomas A. Shay . Entered cc/cl (lau) (Entered: 02/27/1996)
02/27/1996		WRIT of Habeas Corpus ad Prosequendum issued as to Thomas A. Shay for 4/1/96. (lau) (Entered: 02/28/1996)
03/04/1996		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [576-1] motion for appearance of substitute counsel as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 03/05/1996)
04/01/1996	579	Letter (non-motion) filed by USA by Paul V. Kelly as to Thomas A. Shay , dated: 4/1/96, re: issues on remand. (lau) (Entered: 04/04/1996)
04/02/1996		(Mental)Status conference as to Thomas A. Shay held . (lau) (Entered: 04/04/1996)
04/02/1996	578	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay , re: hearing; hearing held in accordance with the Court of Appeals order. Defense witness #1 Dr. Phillips, direct, cross adjourn ; Court Reporter: Handorf-Choquet (lau) (Entered: 04/04/1996)
04/02/1996	580	Exhibit and witness list by Thomas A. Shay, USA , filed. (lau) (Entered: 04/04/1996)

04/03/1996	581	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay , re: mental hearing continued; Court of Appeals decision held; continued testimony of Goverment witness Dr. Martin Kelly. Court gives defendant until May 3, 1996 to file memorandum, goverment shall have until May 15, 1996, reply due May 22, 1996 Adjourn; ; Court Reporter: Twomey (lau) (Entered: 04/08/1996)
04/03/1996	582	Witness list as to Thomas A. Shay , filed. (lau) (Entered: 04/08/1996)
04/22/1996	583	Transcript of proceedings held on 4/3/96 hearing date: before Judge: Zobel, as to Thomas A. Shay , filed. (lau) (Entered: 04/24/1996)
04/24/1996	584	Letter (non-motion) filed by Thomas A. Shay , dated: 4/3/96, re: staying here. (lau) (Entered: 04/24/1996)
05/03/1996	585	MOTION by Thomas A. Shay for leave to file memorandum in excess of 20 pages , filed. (lau) (Entered: 05/06/1996)
05/03/1996	586	WRIT of Habeas Corpus ad Prosequendum executed as to Thomas A. Shay on 4/24/96 . (lau) (Entered: 05/06/1996)
05/07/1996	587	Letter (non-motion) filed by Frank A. Libby, Jr. for USA as to Thomas A. Shay , dated: 4/8/96, re: exhibit 4. (lau) (Entered: 05/08/1996)
05/13/1996		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [585-1] motion for leave to file memorandum in excess of 20 pages as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 05/14/1996)
05/13/1996	588	MEMORANDUM by Thomas A. Shay in support of Admission of defendant's expert testimony, filed. (lau) (Entered: 05/14/1996)
05/15/1996	589	NOTICE of Memorandum regarding inadmissibility of defendant's proffered psychiatric testimony by USA as to Thomas A. Shay , filed. (lau) (Entered: 05/17/1996)
05/22/1996	590	REPLY Memroandum by Thomas A. Shay to Goverment's opposition to admission of defendant's expert testimony, filed. (lau) (Entered: 05/28/1996)
09/26/1996	592	Letter (non-motion) filed by William H. Kettlewell as to Thomas A. Shay , dated: 9/24/96, re: py of U.S. v. Hall (lau) (Entered: 09/26/1996)
10/08/1996	593	Letter (non-motion) filed by USA from Frank Libby as to Thomas A. Shay , dated: 10/7/96, re: letter from Atty. Kettlewell. (lau) (Entered: 10/08/1996)



02/10/1997	598	Notice of change of address for Frank A. Libby, Jr. as to Thomas A. Shay, Alfred W. Trenkler (lau) (Entered: 02/10/1997)
09/24/1997	602	Judge Rya W. Zobel . MEMORANDUM OF DECISION as to Thomas A. Shay : .Accordingly, the testimony of Dr. Phillips is admissible. Entered cc/cl (lau) (Entered: 09/30/1997)
10/06/1997	603	NOTICE of Appearance of counsel for USA , by Attorney David J. Apfel (lau) (Entered: 10/07/1997)
10/06/1997	604	MOTION by USA , as to Thomas A. Shay to extend time to 10/17/97 to file a motion for reconsideration (to set date by which motion for reconsideration, if any, must be filed) , filed. (lau) (Entered: 10/07/1997)
10/07/1997		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [604-1] motion to extend time to 10/17/97 to file a motion for reconsideration (to set date by which motion for reconsideration, if any, must be filed) as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 10/07/1997)
10/20/1997	605	MOTION by USA , as to Thomas A. Shay for reconsideration of [602-1] order , filed. (lau) (Entered: 10/20/1997)
10/29/1997	606	. ORDER entered as to Thomas A. Shay : The government's renewed motion to continue stay is granted. The parties should inform this court peomptly once the district court rules on the governments's motion for reconsideration. . (fmr) (Entered: 10/30/1997)
11/03/1997	607	RESPONSE by Thomas A. Shay in opposition to [605-1] motion for reconsideration of [602-1] order , filed. (lau) (Entered: 11/04/1997)
11/03/1997	608	MEMORANDUM by Thomas A. Shay in support of admission of defendant's expert testimony, filed. (lau) (Entered: 11/04/1997)
11/03/1997	609	Reply memorandum by Thomas A. Shay to Government's opposition to admission of defendant's expert testimony, filed. (lau) (Entered: 11/04/1997)
12/02/1997	611	Letter (non-motion) filed by Amy Baron-Evans as to Thomas A. Shay , dated: 12/2/97, re: First Circuit defendant. (lau) (Entered: 12/03/1997)
12/02/1997		Motion hearing as to Thomas A. Shay re: [605-1] motion for reconsideration of [602-1] order . (lau) (Entered: 12/03/1997)
12/02/1997	612	Judge Rya W. Zobel . CLERK'S NOTES as to Thomas A. Shay , re: motion hearing for reconsideration; after argument, court takes matter under advisement ; Court Reporter: Coppola (lau) (Entered: 12/03/1997)



12/03/1997	610	Ex Parte MOTION by Thomas A. Shay for copy of transcript(s) at government expense , filed. (lau) (Entered: 12/03/1997)
12/05/1997	613	Letter (non-motion) filed by USA by David J. Apfel as to Thomas A. Shay , dated: 12/5/97, re: Dec. 2, 1997 letter. (lau) (Entered: 12/08/1997)
12/16/1997	615	Letter (non-motion) filed by Thomas A. Shay by William H. Kettlewell , dated: 12/12/97, re: Government's letter (respond). (lau) (Entered: 12/17/1997)
12/19/1997		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : granting [610-1] motion for copy of transcript(s) at government expense as to Thomas A. Shay (1). Entered cc/cl (lau) (Entered: 12/23/1997)
01/07/1998	616	Letter (non-motion) filed by Jack Wallace, Alfred Trankler's stepfather , dated: 12/17/97, re: 11/5/97. (lau) (Entered: 01/07/1998)
01/16/1998		Judge Rya W. Zobel . ENDORSED ORDER as to Thomas A. Shay : denying [605-1] motion for reconsideration of [602-1] order as to Thomas A. Shay (1). 1. The psychiatric literature does provide a reliable basis for the admission of the proffered testimony. 2. The testimony is relevant. It is offered to cast doubt on the truthfulness of defendant's statements, not, as the government argues, to prove their truth of falsity. Entered cc/cl (lau) (Entered: 01/21/1998)
01/28/1998		Record on Appeal returned from U.S. Court of Appeals, re: . (fmr) (Entered: 01/29/1998)
04/01/1998	618	Opinion of the Court of Appeals as to Thomas A. Shay , entered Finally, the government reiterates the argument of harmless error that was made before us on the previous appeal. The government has not persuaded us to reconsider our prior conclusion that the error was not harmless. The decision of the district court is affirmed and the case is remanded for a new trial.. (fmr) (Entered: 04/09/1998)
04/01/1998	619	MANDATE OF U.S. Court of Appeals as to Thomas A. Shay ; re: ; remanding for new trial Thomas A. Shay (1) count(s) 1s, 3s (sad) (Entered: 04/23/1998)
04/01/1998		Record on Appeal as to Thomas A. Shay returned from U.S. Court of Appeals, re: [506-1] appeal . (sad) (Entered: 04/23/1998)
04/23/1998		CASE reassigned from Judge Zobel to Judge Nancy Gertner . (sad) (Entered: 04/23/1998)
04/23/1998	620	Judge Nancy Gertner . ORDER OF RECUSAL entered as to Thomas A. Shay . cc/cl (sad) (Entered: 04/23/1998)

04/23/1998		CASE reassigned from Judge Gertner to Judge Edward F. Harrington . (sad) (Entered: 04/23/1998)
05/06/1998		Party Thomas Shay as to Thomas A. Shay untermiated. Reopened due to: retrial (seh) (Entered: 05/06/1998)
05/06/1998	621	NOTICE issued of Hearing/Conference as to Thomas A. Shay, SET status conference for 2:00 5/15/98 for Thomas A. Shay cc/cl (seh) (Entered: 05/06/1998)
05/19/1998		MOTION by USA , as to Thomas A. Shay for order of excludable delay for the period of time from 4/23/98 to 7/23/98 pursuant to: 18 U.S.C. ~3161 , filed. (seh) Additional attachment(s) added on 7/1/2005 (Saccoccio, Dianalynn). (Entered: 05/20/1998)
05/19/1998		Judge Edward F. Harrington . ENDORSED ORDER as to Thomas A. Shay : granting [622-1] motion for order of excludable delay for the period of time from 4/23/98 to 7/23/98 pursuant to: 18 U.S.C.~3161 as to Thomas A. Shay (1). MOTION ALLOWED. cc/cl (seh) (Entered: 05/20/1998)
05/20/1998	623	Judge Edward F. Harrington . ORDER ON EXCLUDABLE DELAY entered as to Thomas A. Shay . Time ordered excluded from 4/23/98 to 7/23/98. cc/cl (seh) (Entered: 05/20/1998)
05/21/1998	624	MOTION by Thomas A. Shay for appointment of counsel , filed; c/s. (sat) (Entered: 05/21/1998)
05/22/1998		Judge Edward F. Harrington. ENDORSED ORDER as to Thomas A. Shay : granting [624-1] motion for appointment of counsel as to Thomas A. Shay (1). Notice sent to counsel on 5/22/98. (sat) (Entered: 05/22/1998)
05/22/1998	625	Judge Edward F. Harrington . ORDER ON EXCLUDABLE DELAY entered as to Thomas A. Shay . Time ordered excluded from 5/21/98 to 5/22/98. cc/cl (seh) (Entered: 05/27/1998)
07/23/1998		Status conference as to Thomas A. Shay held . (seh) (Entered: 07/24/1998)
07/23/1998	626	Judge Edward F. Harrington . CLERK'S NOTES as to Thomas A. Shay, re: status conference; Trial order issued; Court Reporter: PCP (seh) (Entered: 07/24/1998)
07/23/1998	627	MOTION by Thomas A. Shay for transfer from FCI Allenwood to the ustody of the U.S. Marshal's in the district of MA , filed. (seh) (Entered: 07/24/1998)

07/23/1998		Judge Edward F. Harrington . ENDORSED ORDER as to Thomas A. Shay : granting [627-1] motion for transfer from FCI Allenwood to the custody of the U.S. Marshal's in the district of MA as to Thomas A. Shay (1). MOTION ALLOWED. SO ORDERED. cc/cl (seh) (Entered: 07/24/1998)
07/24/1998	628	Judge Edward F. Harrington . ORDER entered as to Thomas A. Shay : SET Jury trial for 9:00 1/19/99 for Thomas A. Shay . (seh) (Entered: 07/24/1998)
07/29/1998	629	MOTION by USA , as to Thomas A. Shay for order of excludable delay for the period of time from 7/23/98 to 1/19/99 pursuant to: Speedy Trial Act , filed. (seh) (Entered: 07/30/1998)
07/29/1998		Judge Edward F. Harrington . ENDORSED ORDER as to Thomas A. Shay : granting [629-1] motion for order of excludable delay for the period of time from 7/23/98 to 1/19/99 pursuant to: Speedy Trial Act as to Thomas A. Shay (1). MOTION ALLOWED AND SO ORDERED. cc/cl (seh) (Entered: 07/30/1998)
07/30/1998	630	Judge Edward F. Harrington . ORDER ON EXCLUDABLE DELAY entered as to Thomas A. Shay . Time ordered excluded from 7/23/98 to 1/19/99. cc/cl (seh) (Entered: 08/03/1998)
10/29/1998		Plea and Sentence as to Thomas A. Shay held Thomas A. Shay (1) count (s) 1s, 3s . (seh) (Entered: 11/09/1998)
10/29/1998		PLEA entered by Thomas A. Shay . Court accepts plea. Not Guilty: Thomas A. Shay (1) count(s) 2s (seh) (Entered: 11/09/1998)
10/29/1998	631	Judge Edward F. Harrington . CLERK'S NOTES as to Thomas A. Shay, re: change of plea and disposition; Defendant before Court for change of plea; Court after inquiry accepts plea and enters finding of guilty ast to Counts 1,3; Disposition: Court ordered defendant imprisoned for a term of 144 months; A term of supervised release for 60 months; Special assessment of \$100.00; Court Reporter: Carol Scott (seh) (Entered: 11/09/1998)

10/29/1998	632	Judge Edward F. Harrington . JUDGMENT entered Thomas A. Shay (1) count(s) 1s, 2s . The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/ cl (seh) (Entered: 11/09/1998)
10/29/1998		Sentencing held Thomas A. Shay (1) count(s) 1s, 3s . (vah) (Entered: 11/09/1998)
10/29/1998		PLEA entered by Thomas A. Shay . Court accepts plea. Guilty: Thomas A. Shay (1) count(s) 1s, 3s (seh) (Entered: 12/15/1998)
10/29/1998		DISMISSAL of Count(s) on Government Motion as to Thomas A. Shay . Counts Dismissed: Thomas A. Shay (1) count(s) 2s (seh) (Entered: 12/15/1998)
10/29/1998		Sentencing held Thomas A. Shay (1) count(s) 1s, 3s . (vah) (Entered: 12/15/1998)
12/15/1998		**JS3 Closing Card for Thomas A. Shay Terminated Defendant Thomas A. Shay (seh) (Entered: 12/15/1998)
12/15/1998		Case closed as to all defendants, as to Thomas A. Shay, Alfred W. Trenkler (seh) (Entered: 12/15/1998)
04/26/1999	634	Letter (non-motion) filed by Thomas A. Shay , dated: 4/20/99, re: request for information pursuant to the Freedom of Information Act 552 and Privacy Act 552 (A). (seh) (Entered: 04/28/1999)

01/05/2001	645	AFFIDAVIT of Bruce Edmonds, , re: [644-1] motion to extend time to file notice of appeal , filed. (jdj) (Entered: 01/09/2001)
04/30/2001		Case is retained in the Court of Appeals for a companion case. (jr) (Entered: 04/30/2001)
11/26/2002	650	Petition for Warrant or Summons for Offender Supervision filed by Probation Office as to Thomas A. Shay (to modify condition of supervision as follows: deft to participate in a substance abuse treatment program which may include testing to determine if the defendant has reverted to the use of alcohol or drugs as directed the U.S. P.O.) (eaf) (Entered: 11/26/2002)
11/26/2002		Senior Judge Edward F. Harrington . ENDORSEMENT as to Thomas A. Shay , re: [650-1] probation petition "The modification of conditions as noted above." cc: all counsel of record and probation. (eaf) (Entered: 11/26/2002)
08/15/2003		Appeal Record Returned as to Thomas A. Shay : [353] Notice of Appeal - Final Judgment, [354] Notice of Appeal - Final Judgment, [506] Notice of Appeal - Final Judgment (Ramos, Jeanette) (Entered: 08/15/2003)
09/16/2004		Notice of correction to docket made by Court staff. Correction: #651 Motion for writ of mandamus corrected because: Deleted because it was an incorrect docket entry as to, Alfred W. Trenkler Document forwarded to the Court of Appeals. (Johnson, Jay) (Entered: 09/16/2004)
05/26/2005	<a href="#">655</a>	Judge Rya W. Zobel : ORDER entered; ORDER REFERRING CASE to Magistrate Judge Marianne B. Bowler Reason for referral: Detention Hearing as to Thomas A. Shay (Filo, Jennifer) (Entered: 07/05/2005)
05/26/2005	<a href="#">656</a>	Petition and Affidavit for Warrant from Probation for Thomas A. Shay filed. The court orders: the issuance of a warrant on 5/26/05. (Filo, Jennifer) (Entered: 07/05/2005)
06/24/2005	<a href="#">651</a>	Arrest Warrant Returned Executed on 6/20/05. as to Thomas A. Shay. (Johnson, Jay) (Entered: 06/27/2005)



06/29/2005		Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Hearing for Thomas A. Shay regarding violation of supervised release held on 6/29/2005; Michael Pelgro for the govt., Andrew Laudate for Probation and Page Kelley for the deft; The govt. informs the court that the deft. had an initial appearance in the District of New Hampshire; Counsel for the deft. requests that a detention hearing is scheduled prior to the final revocation hearing; The court informs the parties that a final revocation hearing is set before Judge Zobel for 7/1/2005 at 10:30 AM; The parties agree to appear before Judge Zobel for the final revocation hearing and not set a detention hearing; The deft. is remanded to the custody of the U.S. Marshals. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 07/01/2005)
06/29/2005	<a href="#">652</a>	Magistrate Judge Marianne B. Bowler: ORDER entered; ORDER APPOINTING FEDERAL PUBLIC DEFENDER for Thomas A. Shay; Page Kelley appearing for Thomas A. Shay. (Saccoccio, Dianalynn) Additional attachment(s) added on 7/1/2005 (Saccoccio, Dianalynn). (Entered: 07/01/2005)
06/30/2005		NOTICE OF RESCHEDULING as to Thomas A. Shay Hearing re Revocation of Supervised Release reset for 7/21/2005 02:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 06/30/2005)
07/05/2005	<a href="#">653</a>	MOTION for Detention ( <i>Voluntary</i> ) <i>without Prejudice</i> as to Thomas A. Shay. (Kelley, Page) (Entered: 07/05/2005)
07/05/2005	<a href="#">654</a>	NOTICE OF ATTORNEY APPEARANCE Lisa M. Asiaf appearing for USA. (Asiaf, Lisa) (Entered: 07/05/2005)
07/07/2005		Judge Rya W. Zobel : Electronic endorsedORDER entered granting <a href="#">653</a> Motion for Detention (1) No Bail. as to Thomas A. Shay (1) (Boyce, Kathy) (Entered: 07/08/2005)
07/21/2005		Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel :Preliminary Revocation Hearing as to Thomas A. Shay held on 7/21/2005; defendant admits his violation; Judge sentences defendant to 6 months suspended sentence; 1st 4 months at the Coolidge House; 3 years SR; participate in mental health; credit for time served; (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 07/22/2005)



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Judge Rya W. Zobel : OrderORDER entered. JUDGMENT OF REVOCATION as to Thomas A. Shay (1), Count(s) 1, 2-3, 4-5, Dismissed; Count(s) 1s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl; Count(s) 2s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a

		firearm; Standard condition of supervision apply. cc/cl; Count(s) 3s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U. S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. JUDGMENT ON REVOCATION; Judge sentences defendant to 6 months suspended sentence; The first 4 months in the Coolidge House; 3 years SR; defendant should participate in mental health treatment; (Urso, Lisa) (Entered: 07/25/2005)
08/03/2005	660	TRANSCRIPT of Revocation Hearing as to Thomas A. Shay held on July 21, 2005 before Judge Zobel. Court Reporter: Catherine A. Handel. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/261-0555 or the Clerk's Office. (Scalfani, Deborah) (Entered: 08/03/2005)
10/19/2005	<a href="#">662</a>	Arrest Warrant Issued by Rya W. Zobel as to Thomas A. Shay. (Urso, Lisa) (Entered: 10/24/2005)
10/19/2005	<a href="#">663</a>	Judge Rya W. Zobel : OrderORDER entered. ORDER REFERRING CASE to Magistrate Judge Marianne B. Bowler Reason for referral: initial appearance and detention as to Thomas A. Shay (Urso, Lisa) (Entered: 10/24/2005)
10/19/2005		Arrest Warrant Returned Executed on 10/20/05. as to Thomas A. Shay. (Urso, Lisa) (Entered: 10/24/2005)
10/20/2005		Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler:Initial appearance re revocation of supervised release for Thomas A. Shay held on 10/20/2005; Michael Pelgro for the govt., Timothy Watkins on behalf of Page Kelly for the deft. and Jonathan Hurtig for the Probation Office; The govt. moves for detention; The deft. waives the preliminary examination and agrees to voluntary detention; An order of voluntary detention to issue by the court; A final revocation hearing is scheduled before Judge Zobel on 10/25/05 at 3:15 PM; The deft. is remanded to the custody of the US Marshals. (Filo, Jennifer) (Entered: 10/20/2005)

10/21/2005	<a href="#">661</a>	Judge Marianne B. Bowler: ElectronicORDER entered. ORDER OF VOLUNTARY DETENTION as to Thomas A. Shay. (Bowler, Marianne) (Entered: 10/21/2005)
10/21/2005		Case as to Thomas A. Shay no longer referred to Magistrate Judge Marianne B. Bowler. (Urso, Lisa) (Entered: 10/24/2005)
10/24/2005		NOTICE OF HEARING as to Thomas A. Shay Preliminary Revocation Hearing set for 11/15/2005 03:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 10/24/2005)
10/26/2005	<a href="#">664</a>	NOTICE OF ATTORNEY APPEARANCE Michael J. Pelgro appearing for USA. (Pelgro, Michael) (Entered: 10/26/2005)
10/26/2005	<a href="#">665</a>	MOTION to Substitute Attorney <i>For The United States And To Terminate The Appearances Of AUSAs Kevin McGrath and Paul Kelly</i> as to Thomas A. Shay, Alfred W. Trenklerby USA. (Pelgro, Michael) (Entered: 10/26/2005)
10/26/2005	<a href="#">666</a>	NOTICE OF ATTORNEY APPEARANCE David G. Tobin appearing for USA. (Tobin, David) (Entered: 10/26/2005)
10/27/2005		Attorney update in case as to Thomas A. Shay, Alfred W. Trenkler. Attorney Michael J. Pelgro for USA added. (Johnson, Jay) (Entered: 10/27/2005)
10/27/2005		Attorney update in case as to Thomas A. Shay, Alfred W. Trenkler. Attorney David G. Tobin for USA added. (Johnson, Jay) (Entered: 10/27/2005)
10/28/2005		Judge Rya W. Zobel : endorsedORDER entered granting <a href="#">665</a> Motion to Substitute Attorney. as to Thomas A. Shay (1) (Urso, Lisa) (Entered: 10/28/2005)
11/01/2005	<a href="#">667</a>	Arrest Warrant Returned Executed on 10/19/05. as to Thomas A. Shay. (Johnson, Jay) (Entered: 11/02/2005)
11/16/2005		Set/Reset Hearings as to Thomas A. Shay: Detention Hearing reset for 12/8/2005 02:30 PM in Courtroom 12 before Judge Judge Rya W. Zobel. (Urso, Lisa) (Entered: 11/16/2005)
12/08/2005		ElectronicClerk's Notes for proceedings held before Judge Rya W. Zobel :Final Hearing re Revocation of Supervised Release as to Thomas A. Shay held on 12/8/2005; defendant admits to the 2 violations; The Judge sentences the defendant to the 6 months remaining; and 2 years SR; all other conditions remain; with mental health treatment; (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 12/08/2005)

01/09/2006	669	TRANSCRIPT of Violation Hearing as to Thomas A. Shay held on December 8, 2005 before Judge Zobel. Court Reporter: Catherine A. Handel. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/261-0555 or the Clerk's Office. (Scalfani, Deborah) (Entered: 01/09/2006)
03/24/2006	<u>670</u>	<p>Judge Rya W. Zobel : ORDER entered. JUDGMENT OF REVOCATION as to Thomas A. Shay (1), Count(s) 1, 2-3, 4-5, Dismissed; Count(s) 1s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl; Count(s) 2s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U.S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144</p>



months with credit for time served; Court re commends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by th e U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl; Count(s) 3s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Pris ons: The defendant is remanded to the custody of the U. S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for ea ch count; total \$100. JUDGMENT ON REVOCATION; 6 months BOP; 24 months SR; all conditions previously set apply; (Urso, Lisa) (Entered: 03/24/2006)

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Judge Rya W. Zobel : ORDER entered. AMENDED JUDGMENT as to Thomas A. Shay (1), Count(s) 1, 2-3, 4-5, Dismissed; Count(s) 1s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Pris ons: The defendant is remanded to the custody of the U. S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for ea ch count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court re commends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by th e U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl; Count(s) 2s,

The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U. S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AFTER REMAND FROM THE COURT OF APPEALS; JUDGMENT ENTERED AS: Defendant pleaded guilty to Counts 1,3; Defendant was found not guilty on Count 2; Defendant to be imprisoned for 144 months with credit for time served; Court recommends that the defendant serve his term of imprisonment at FCI McKean, Bradford, PA; Defendant shall be on supervised release for a term of 60 months with special conditions: Defendant is to participate in a mental health program as directed by the U.S. Probation office; Further, defendant shall pay a special assessment of \$100.00; Defendant shall not possess a firearm; Standard condition of supervision apply. cc/cl; Count(s) 3s, The defendant was found guilty on counts 1 and 3 after a plea of not guilty; defendant has been found not guilty on count 2; The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of one hundred and eighty-eight months (188) on Count 3 and sixty (60) months on Count:1 to be served concurrently with the sentence imposed on Count 3 with credit for time served since March 24, 1992. The Court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the U. S. Marshal for this district. Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years. Standard Conditions: Special Assessment of \$50 for each count; total \$100. AMENDED JUDGMENT; adding mental health as a special condition. (Urso, Lisa) (Entered: 05/15/2006)

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