

**U.S. District Court
Eastern District of New York (Central Islip)
CRIMINAL DOCKET FOR CASE #: 2:19-mj-00376-AYS-3**

Case title: USA v. Asare et al.

Date Filed: 04/19/2019

Date Terminated: 11/18/2019

Assigned to: Magistrate Judge
Anne Y. Shields

Defendant (3)

James Ganiere
TERMINATED: 11/18/2019

represented by **Edward M Robinson**
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Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

**Highest Offense Level
(Terminated)**

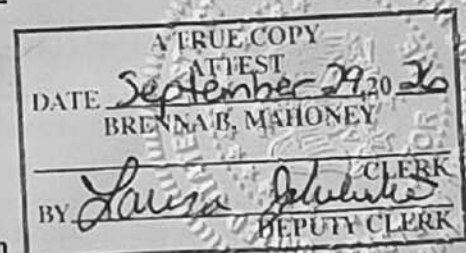
None

Complaints

18:1349

Disposition

Disposition



Disposition

Dismissed without prejudice upon motion of the
government

Plaintiff

USA

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Date Filed	#	Docket Text
04/19/2019	<u>1</u>	SEALED COMPLAINT as to Kwasi Asare (1), Mark Lamicka (2), James Ganiere (3), Kevin Carriker (4). (Attachments: # <u>1</u> Sealing Cover Sheet) (Torres, Jasmine) (Entered: 05/06/2019)
05/01/2019		Arrest of James Ganiere in Central District of California. (Florio, Lisa) (Entered: 05/07/2019)
05/01/2019	<u>8</u>	Letter MOTION to Unseal Case by USA as to Kwasi Asare, Mark Lamicka, James Ganiere, Kevin Carriker. (Florio, Lisa) (Entered: 05/07/2019)
05/01/2019	<u>9</u>	ORDER granting <u>8</u> Motion to Unseal Case as to Kwasi Asare (1), Mark Lamicka (2), James Ganiere (3), Kevin Carriker (4). Ordered by Magistrate Judge Arlene R. Lindsay on 5/1/2019. (Florio, Lisa) (Entered: 05/07/2019)
05/07/2019	<u>7</u>	Rule 5(c)(3) Documents Received as to James Ganiere. (Attachments: # <u>1</u> Affidavit re Out of District Warrant, # <u>2</u> Report commencing criminal action, # <u>3</u> EDNY arrest warrant and complaint, # <u>4</u> Minutes of arrest on out of district warrant, # <u>5</u> Declaration re passport, # <u>6</u> Passport receipt, # <u>7</u> Waiver of rights, # <u>8</u> Advisement of statutory & constitutional rights, # <u>9</u> Designation and appearance of counsel) (Florio, Lisa) (Entered: 05/07/2019)
05/08/2019	<u>10</u>	MOTION to Appear Pro Hac Vice Filing fee \$ 150, receipt number ANYEDC-11459972. by James Ganiere. (Robinson, Edward) (Entered: 05/08/2019)
05/16/2019		ORDER granting <u>10</u> Motion for Leave to Appear The attorney shall register for ECF, registration is available online at www.pacer.gov . Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure that the 150 admission fee be submitted to the Clerks Office via filing the event <i>Pro Hac Vice Filing Fee</i> .. as to James Ganiere (3) Ordered by Magistrate Judge Anne Y. Shields on 5/16/2019. (Torres, Jasmine) (Entered: 05/21/2019)
05/16/2019	<u>28</u>	Minute Entry for proceedings held before Magistrate Judge Anne Y. Shields: Arraignment and Initial Appearance as to James Ganiere (3) Count Complaint held on 5/16/2019. Defendant present in custody with retained counsel Edward Robinson. AUSA: Lara Gatz. Preliminary Hearing Waived. Waiver executed. Order setting conditions of Release and Bond entered for defendant. Application and Order of Excludable Delay executed. The defendant waives speedy indictment time from 5/16/19 through 7/15/19/ Defendant released on Bond. The def't's suretors are to sign to the bond in the Central District of California by 5/24/19. (FTR Log #10:40-10:50.) (Torres, Jasmine) (Entered: 05/28/2019)
05/16/2019	<u>29</u>	NOTICE OF ATTORNEY APPEARANCE: Edward M Robinson appearing for James Ganiere (Torres, Jasmine) (Entered: 05/28/2019)
05/16/2019	<u>30</u>	WAIVER of Preliminary Hearing by James Ganiere (Torres, Jasmine) (Entered: 05/28/2019)
05/16/2019	<u>31</u>	ORDER TO CONTINUE - Ends of Justice as to James Ganiere Time excluded from 5/16/19 until 7/15/19. Signed by Magistrate Judge Anne Y. Shields on 5/16/2019. (Torres, Jasmine) (Entered: 05/28/2019)
05/16/2019	<u>32</u>	ORDER Setting Conditions of Release. Ordered by Magistrate Judge Anne Y. Shields on 5/16/2019. (Torres, Jasmine) (Entered: 05/28/2019)
05/16/2019	<u>33</u>	REDACTION by James Ganiere to <u>32</u> 1 - Sealed Document CR, Order Setting Conditions of Release (Torres, Jasmine) (Entered: 05/28/2019)

05/21/2019	<u>34</u>	Addendum ORDER Setting Conditions of Release. Ordered by Magistrate Judge Anne Y. Shields on 5/16/2019. (Torres, Jasmine) (Entered: 05/28/2019)
05/21/2019	<u>35</u>	REDACTION by James Ganiere to <u>34</u> 1 - Sealed Document CR, Addendum Order Setting Conditions of Release (Torres, Jasmine) (Entered: 05/28/2019)
06/18/2019	<u>42</u>	MOTION to Appear Pro Hac Vice Filing fee \$ 150, receipt number ANYEDC-11586203. by James Ganiere. (Attachments: # <u>1</u> Certificate of Standing) (Kardon, Nancy) (Entered: 06/18/2019)
06/19/2019		ORDER deferring ruling on <u>42</u> Motion for Leave to Appear as to James Ganiere (3): A decision on this application is being deferred because the applicant has failed to comply with Local Civil Rule 1.3(c), which requires that the certificates of good standing from each state in which the applicant is admitted be issued within thirty (30) days of the date of filing of the application for pro hac vice admission. Here, while the applicant's certificate of good standing from the state of Colorado is timely, the certificate of good standing from the state of California was issued more than thirty (30) days ago. Accordingly, by June 30, 2019, the applicant is directed to submit a new, timely, certificate of good standing from the state of California. Upon receipt, the Court will reconsider the application for pro hac vice admission. So Ordered by Magistrate Judge Anne Y. Shields on 6/19/2019. (Minerva, Deanna) (Entered: 06/19/2019)
06/26/2019	<u>43</u>	Letter regarding Rule 16 discovery as to Kwasi Asare, Mark Lamicka, James Ganiere, Kevin Carriker (Gatz, Lara) (Entered: 06/26/2019)
06/28/2019	<u>44</u>	Letter regarding Rule 16 discovery as to Kwasi Asare, Mark Lamicka, James Ganiere, Kevin Carriker (Gatz, Lara) (Entered: 06/28/2019)
07/10/2019		ORDER denying <u>42</u> Motion for Leave to Appear as to James Ganiere (3): By Order dated June 19, 2019, this Court deferred ruling on the motion for leave to appear pro hac vice because the applicant had failed to comply with Local Civil Rule 1.3(c), which requires that the certificates of good standing from each state in which the applicant is admitted be issued within thirty (30) days of the date of filing of the application for pro hac vice admission. The applicant was afforded until June 30, 2019 to submit a new, timely, certificate of good standing from the state of California. To date, no such timely certificate of good standing has been received. Accordingly, the motion to appear pro hac vice is denied. So Ordered by Magistrate Judge Anne Y. Shields on 7/10/2019. (Minerva, Deanna) (Entered: 07/10/2019)
07/10/2019	<u>50</u>	Minute Entry for proceedings held before Magistrate Judge A. Kathleen Tomlinson: Status Conference as to James Ganiere held on 7/10/2019. Appearances: for Government: Lara Gatz; for defendant: Edward Robinson, Ret. via telephone. Defendant appears via telephone with attorney. Defendant resides in California. Attorney in California. Waiver emailed to defendant present with attorney by AUSA. Waiver signed by attorney and defendant, emailed back to Court. Waiver with original signatures from California to be mailed to Court. Waiver signed during proceeding and California waiver to be filed on ECF together with received. Defendant continued on bond. (FTR Log #3:24-3:30.) (Ryan, Mary) (Entered: 07/29/2019)
07/10/2019	<u>51</u>	APPLICATION AND ORDER OF EXCLUDABLE DELAY as to James Ganiere. Time excluded from 7/10/2019 through 9/20/2019. Ordered by Magistrate Judge A. Kathleen Tomlinson on 7/10/2019. (Ryan, Mary) (Entered: 07/29/2019)
08/09/2019	<u>54</u>	Second MOTION to Appear Pro Hac Vice Filing fee \$ 150, receipt number ANYEDC-11746862. by James Ganiere. (Attachments: # <u>1</u> Certificates of Standing) (Kardon, Nancy) (Entered: 08/09/2019)
08/12/2019		ORDER granting <u>54</u> Motion for Leave to Appear: Nancy Kardon is permitted to argue or try this case, in whole or in part, as counsel for Defendant James Ganiere. The attorney shall register for ECF; registration is available online at www.pacer.gov. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of all activity in this case. So Ordered by Magistrate Judge Anne Y. Shields on 8/12/2019. (Minerva, Deanna) (Entered: 08/12/2019)
09/17/2019		Minute Entry for proceedings held before Magistrate Judge Steven I. Locke: Status Conference as to James Ganiere held on 9/17/2019. AUSA Lara Gatz present for the government. Edward Robinson present with defendant. Waiver of speedy indictment

		executed. Time excluded from 9/17/2019 through 12/6/2019. (Gandiosi, Kristin) (Entered: 09/17/2019)
09/17/2019	<u>55</u>	ORDER TO CONTINUE – Ends of Justice as to James Ganiere Time excluded from 9/17/2019 until 12/6/2019. Ordered by Magistrate Judge Steven I. Locke on 9/17/2019. (Gandiosi, Kristin) (Entered: 09/17/2019)
11/18/2019		MOTION to Dismiss MJ Complaint by USA as to James Ganiere. (McMorrow, Karen) (Entered: 11/26/2019)
11/18/2019	<u>63</u>	ORDER granting ☐ Motion to Dismiss MJ Complaint as to James Ganiere (3) Ordered by Magistrate Judge Gary R. Brown on 11/18/2019. (McMorrow, Karen) (Entered: 11/26/2019)