

CLOSED

**U.S. District Court
Southern District of Florida (Miami)
CRIMINAL DOCKET FOR CASE #: 1:94-cr-00170-UU-1**

Case title: USA v. McGuinn, et al
Magistrate judge case number: 1:94-mj-02256

Date Filed: 04/05/1994
Date Terminated: 04/19/1996

Assigned to: Judge Ursula Ungaro

Defendant (1)

Thomas McGuinn
TERMINATED: 04/30/1996

represented by **Ira N. Loewy**
Bierman Shohat Loewy & Klein
800 Brickell Avenue
Penthouse 2
Miami , FL 33131-2944
305-358-7000
Fax: 358-4010
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TERMINATED: 04/30/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

22:2778 EXPORTATION OF NATIONAL
DEFENSE ARTICLES
(2)

Disposition

IMPRISONMENT TIME SERVED, (3)
THREE years supervised release, \$50.00
assessment fee

Highest Offense Level (Opening)

Felony

Terminated Counts

18:371 EXPORTATION OF
CONTROLLED ARMS MATERIALS.
(1)

Disposition

DISMISSED

Highest Offense Level (Terminated)

Felony

Complaints

Disposition

Attempted Exportation of Defense Articles
without Written Approval [1:94-m -2256]

Plaintiff

USA

represented by **Wilfredo Fernandez**

United States Attorney's Office

99 NE 4 Street

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/03/1994		ARREST of Thomas McGuinn [1:94-m -2256] (pv, Deputy Clerk) (Entered: 03/08/1994)
03/04/1994	1	COMPLAINT as to Thomas McGuinn [1:94-m -2256] (pv, Deputy Clerk) (Entered: 03/08/1994)
03/04/1994	2	REPORT Commencing Criminal Action as to Thomas McGuinn DOB: 1/16/37 Prisoner # 43150-004 [1:94-m -2256] (pv, Deputy Clerk) (Entered: 03/08/1994)
03/04/1994	3	ORDER on Initial Appearance as to Thomas McGuinn, for Appointment of Public Defender Arraignment set for 10:00 3/14/94; Detention hearing set for 10:00 3/7/94; Preliminary examination set for 10:00 3/14/94; before Duty Magistrate, , (Signed by Magistrate William C. Turnoff on 3/4/94) Tape # 94B21-1110 CCAP [1:94-m -2256] (pv, Deputy Clerk) (Entered: 03/08/1994)
03/07/1994	4	MOTION by Thomas McGuinn for Federal Public Defender to withdraw as attorney [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/07/1994	4	ORDER as to Thomas McGuinn granting [4-1] motion for Federal Public Defender to withdraw as attorney (Terminated attorney Public Defender for Thomas McGuinn as to Thomas McGuinn (1) (Signed by Magistrate Linnea R. Johnson on 3/7/94) Tape # 94G-1-916 CCAP [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/07/1994		Report Re Counsel as to Thomas McGuinn held [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/07/1994	5	NOTICE of Appearance for Thomas McGuinn by Attorney Ira N. Loewy [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/07/1994	6	ORDER as to Thomas McGuinn, reset Detention Hearing for 2:00 3/9/94 for Thomas McGuinn before Duty Magistrate (Signed by Magistrate Linnea R. Johnson on 3/7/94) Tape # 94G-1-916 CCAP [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/09/1994	7	ORDER as to Thomas McGuinn, reset Arraignment for 10:00 4/7/94 for Thomas McGuinn before Duty Magistrate (Signed by Magistrate Linnea R. Johnson on 3/9/94) Tape # 94G-3-1847 4-1 CCAP [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)

		03/15/1994)
03/09/1994	8	Waiver of Preliminary Examination re:arraignment time or Hearing by Thomas McGuinn [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/09/1994		Detention hearing as to Thomas McGuinn held [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/09/1994	9	ORDER OF DETENTION as to Thomas McGuinn as a risk of flight. A final order of detention memorializing the dictated findings and conclusions shall be entered forthwith. (Signed by Magistrate Linnea R. Johnson on 3/9/94) Tape # 94G-3-1847 CCAP/M [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
03/11/1994	10	ORDER OF DETENTION as to Thomas McGuinn as a risk of flight (Signed by Magistrate Linnea R. Johnson on 3/11/94) Tape # CCAP/M [1:94-m -2256] (nf, Deputy Clerk) (Entered: 03/15/1994)
04/05/1994	11	INDICTMENT as to Thomas McGuinn (1) count(s) 1, 2 (Criminal Category 3) (Former Deputy Clerk) (Entered: 04/08/1994)
04/05/1994		Magistrate identification: Magistrate Judge Ted E. Bandstra (Former Deputy Clerk) (Entered: 04/08/1994)
04/07/1994	12	ARRAIGNMENT INFORMATION SHEET for Thomas McGuinn (1) count(s) 1, 2 Tape #94B-31-1168 (cp, Deputy Clerk) (Entered: 04/20/1994)
04/07/1994		PLEA entered by Thomas McGuinn . Court accepts plea. NOT GUILTY: Thomas McGuinn (1) count(s) 1, 2 (cp, Deputy Clerk) (Entered: 04/20/1994)
04/07/1994	13	STANDING DISCOVERY ORDER as to Thomas McGuinn Motion filing deadline set for 5/5/94 for Thomas McGuinn (Signed by Magistrate Peter R. Palermo on 4/7/94) Tape # 94B-31-1168 CCAP (cp, Deputy Clerk) (Entered: 04/20/1994)
04/19/1994	16	Renewed MOTION by Thomas McGuinn for pretrial release , and for evidentiary Hearing (cp, Deputy Clerk) (Entered: 06/02/1994)
04/28/1994	18	ORDER as to Thomas McGuinn, Jury trial for 9:00 5/16/94 for Thomas McGuinn before Judge Ursula Ungaro-Benages , calendar call for 1:00 5/11/94 for Thomas McGuinn , motion filing deadline for 5/9/94 for Thomas McGuinn (Signed by Judge Ursula Ungaro-Benages on 4/26/94) CCAP (cp, Deputy Clerk) (Entered: 06/10/1994)
05/05/1994	19	ORDER as to Thomas McGuinn, Rescinding previous order of detention. Bond set to \$50K CSB & \$50K cash for Thomas McGuinn. Defendant to be placed in electronic monitoring, report to PTS twice a week in person. Wife to surrender her passport to PTS. No contact with Government witness. No firearms. Reside with priest in Miami Beach. Bond stayed; Government to appeal. (Signed by Judge Linnea R. Johnson ges on 5/5/94) CCAP Tape #94FX-43-196. (cp, Deputy Clerk) (Entered: 06/10/1994)
05/06/1994	26	NOTICE of appeal entered ore tenus on 5/5/94 which reversed 5/9/94 Order granting pretrial detention by USA as to Thomas McGuinn (cp, Deputy Clerk) (Entered: 06/17/1994)
05/06/1994	29	ORDER Granting pretrial release and setting bond (with conditions) as to Thomas McGuinn (Signed by Magistrate Linnea R. Johnson on 5/6/94) CCAP (Same bond amounts that are already set). (cp, Deputy Clerk) (Entered: 06/20/1994)

05/11/1994	30	NOTICE of filing attached bond hearing transcripts; i.e., transcript of pretrial detention hearing 3/9/94 and hearing on motion for reconsideration of bond 5/5/94 by USA as to Thomas McGuinn (cp, Deputy Clerk) (Entered: 06/20/1994)
05/11/1994	31	TRANSCRIPT filed in case as to Thomas McGuinn before Magistrate Johnson for dates of 3/9/94 in re pretrial detention hearing. Volume # 1 Pages 1-50 (cp, Deputy Clerk) (Entered: 06/20/1994)
05/11/1994	32	TRANSCRIPT filed in case as to Thomas McGuinn before Magistrate Johnson for dates of 5/5/94 in re pretrial detention hearing. Volume # 1 Pages 1-42 (cp, Deputy Clerk) (Entered: 06/20/1994)
05/12/1994	14	Appeal from Order of Magistrate setting bond by USA as to Thomas McGuinn (cp, Deputy Clerk) (Entered: 05/20/1994)
05/12/1994	14	Request by USA as to Thomas McGuinn for Hearing (cp, Deputy Clerk) (Entered: 05/20/1994)
05/12/1994	33	RESPONSE by Thomas McGuinn to [14-1] notice (cp, Deputy Clerk) (Entered: 06/20/1994)
05/13/1994	15	Agreed MOTION by Thomas McGuinn to continue trial (cp, Deputy Clerk) (Entered: 05/20/1994)
05/20/1994	17	ORDER Affirming Magistrate's Order granting pretrial release and setting bond, except that the CSB shall be \$100K and PSB \$100K, co-signed by Kay Healy and Mr. and Mrs. Michael Cawley, as to Thomas McGuinn granting [16-1] motion for pretrial release granting [16-2] motion for evidentiary Hearing (Signed by Judge Ursula Ungaro-Benages on 5/20/94) CCAP (cp, Deputy Clerk) (Entered: 06/06/1994)
05/25/1994	20	Emergency MOTION by Thomas McGuinn to visit his attorney and attend church (cp, Deputy Clerk) (Entered: 06/10/1994)
05/25/1994	21	ORDER as to Thomas McGuinn granting [20-1] motion to visit his attorney and attend church as to Thomas McGuinn (1) (Signed by Magistrate Linnea R. Johnson on 5/25/94) CCAP (cp, Deputy Clerk) (Entered: 06/10/1994)
05/27/1994	22	ORDER as to Thomas McGuinn granting [15-1] motion to continue trial as to Thomas McGuinn (1), reset Jury trial for 9:00 6/13/94 for Thomas McGuinn before Judge Ursula Ungaro-Benages , calendar call for 1:00 6/8/94 for Thomas McGuinn , to Continue in Interest of Justice (Signed by Judge Daniel T. K. Hurley on 5/23/94) CCAP (cp, Deputy Clerk) (Entered: 06/14/1994)
06/02/1994	23	Verified MOTION by Thomas McGuinn to continue trial and enforce standing discovery order (cp, Deputy Clerk) (Entered: 06/16/1994)
06/06/1994	24	Request by Thomas McGuinn for notice of prosecution's intent to introduce evidence (cp, Deputy Clerk) (Entered: 06/16/1994)
06/06/1994	25	CSB BOND entered by Thomas McGuinn in Amount \$ 100,000 Receipt # (Surety Information: Frontier Insurance Company , Barry Hodus , 1440 NW 13th Terrace, Miami, FL 33125 547-1197) Approved by Judge Ursula Ungaro-Benages (cp, Deputy Clerk) (Entered: 06/16/1994)
06/06/1994	27	PSB BOND entered by Thomas McGuinn in Amount \$ 100K Approved by Judge Ursula Ungaro-Benages (cp, Deputy Clerk) (Entered: 06/17/1994)

06/08/1994	28	ORDER REFERRING CASE to Magistrate Ted E. Bandstra as to Thomas McGuinn (Signed by Judge Ursula Ungaro-Benages on 6/8/94) CCAP (cp, Deputy Clerk) (Entered: 06/17/1994)
06/10/1994	34	Unopposed MOTION by Thomas McGuinn to Modify Conditions of Release (cp, Deputy Clerk) (Entered: 06/20/1994)
06/13/1994	35	ORDER as to Thomas McGuinn granting [23-1] motion to continue trial and enforce standing discovery order as to Thomas McGuinn (1), Sentencing for 9:00 8/22/94 for Thomas McGuinn before Judge Ursula Ungaro-Benages , calendar call for 1:00 8/17/94 for Thomas McGuinn , to Continue in Interest of Justice (Signed by Judge Ursula Ungaro-Benages on 6/10/94) CCAP (cp, Deputy Clerk) (Entered: 06/22/1994)
06/13/1994	36	ORDER as to Thomas McGuinn granting [34-1] motion to Modify Conditions of Release as to Thomas McGuinn (1) (Signed by Judge Ursula Ungaro-Benages on 6/13/94) CCAP (cp, Deputy Clerk) (Entered: 06/22/1994)
08/04/1994	37	MOTION by Thomas McGuinn to Travel to Disney World (sl, Deputy Clerk) (Entered: 08/10/1994)
08/09/1994	38	ORDER as to Thomas McGuinn granting [37-1] motion to Travel to Disney World as to Thomas McGuinn (1) (Signed by Magistrate Linnea R. Johnson on 8/8/94) CCAP (cp, Deputy Clerk) (Entered: 08/17/1994)
08/11/1994	39	VERIFIED MOTION by Thomas McGuinn to continue trial (cp, Deputy Clerk) (Entered: 08/18/1994)
08/12/1994	40	NOTICE of change of address of counsel by Thomas McGuinn (cp, Deputy Clerk) (Entered: 08/18/1994)
08/25/1994	41	WAIVER of Speedy Trial by Thomas McGuinn (cp, Deputy Clerk) (Entered: 09/01/1994)
08/26/1994	42	MOTION by Thomas McGuinn to Modify Conditions of Release (cp, Deputy Clerk) (Entered: 09/01/1994)
08/29/1994	43	ORDER as to Thomas McGuinn granting [39-1] motion to continue trial as to Thomas McGuinn (1), reset Jury trial for 9:00 11/28/94 for Thomas McGuinn before Judge Ursula Ungaro-Benages , reset calendar call for 1:00 11/23/94 for Thomas McGuinn , to Continue in Interest of Justice (Signed by Judge Ursula Ungaro-Benages on 8/25/94) CCAP (cp, Deputy Clerk) (Entered: 09/01/1994)
09/08/1994	44	ORDER AND NOTICE OF HEARING as to Thomas McGuinn, Motion hearing before Magistrate Linnea R. Johnson set for 2:00 9/15/94 for Thomas McGuinn for [42-1] motion to Modify Conditions of Release (Signed by Magistrate Linnea R. Johnson on 9/7/94) CCAP (cp, Deputy Clerk) (Entered: 09/15/1994)
09/09/1994	45	AGREED MOTION by Thomas McGuinn to Travel (cp, Deputy Clerk) (Entered: 09/15/1994)
09/16/1994	46	ORDER as to Thomas McGuinn granting [45-1] motion to Travel as to Thomas McGuinn (1), granting [42-1] motion to Modify Conditions of Release as to Thomas McGuinn (1). Stay entry of this order until close of business 9/30/94. (Signed by Magistrate Linnea R. Johnson on 9/16/94) CCAP (cp, Deputy Clerk) (Entered: 09/22/1994)

09/16/1994	47	NOTICE OF APPEAL of Conditions of Release by USA as to Thomas McGuinn (cp, Deputy Clerk) (Entered: 09/22/1994)
09/19/1994	48	MOTION by USA as to Thomas McGuinn for Hearing in support of notice of appeal from Order modifying bond conditions (cp, Deputy Clerk) (Entered: 09/26/1994)
09/23/1994	49	NOTICE of filing waiver of extradition by Thomas McGuinn (cp, Deputy Clerk) (Entered: 09/28/1994)
09/23/1994	50	SWORN WAIVER OF EXTRADITION by Thomas McGuinn Re: [49-1] notice (cp, Deputy Clerk) (Entered: 09/28/1994)
09/23/1994	51	RESPONSE by Thomas McGuinn to [48-1] motion for Hearing in support of notice of appeal from Order modifying bond conditions (cp, Deputy Clerk) (Entered: 09/28/1994)
09/29/1994	52	ORDER Modifying conditions of release as to Thomas McGuinn (Signed by Magistrate Linnea R. Johnson on 9/29/94) CCAP (cp, Deputy Clerk) (Entered: 10/03/1994)
09/30/1994	53	SEALED DOCUMENT as to Thomas McGuinn (cp, Deputy Clerk) (Entered: 10/03/1994)
11/10/1994	54	AGREED MOTION by Thomas McGuinn to excuse defendant from returning to the US for calendar call (cp, Deputy Clerk) (Entered: 11/15/1994)
11/15/1994	55	ORDER as to Thomas McGuinn granting [54-1] motion to excuse defendant from returning to the US for calendar call as to Thomas McGuinn (1) (Signed by Judge Ursula Ungaro-Benages on 11/15/94) CCAP (cp, Deputy Clerk) (Entered: 11/18/1994)
11/15/1994	56	ORDER as to Thomas McGuinn granting [54-1] motion to excuse defendant from returning to the US for calendar call (Signed by Magistrate Linnea R. Johnson on 11/15/94) CCAP (cp, Deputy Clerk) (Entered: 11/18/1994)
12/02/1994	57	ORDER as to Thomas McGuinn, reset Jury trial for 9:00 2/21/95 for Thomas McGuinn before Judge Ursula Ungaro-Benages , reset calendar call for 1:00 2/15/95 for Thomas McGuinn , to Continue in Interest of Justice (Signed by Judge Ursula Ungaro-Benages on 12/2/94) CCAP (cp, Deputy Clerk) (Entered: 12/07/1994)
02/17/1995	58	ORDER as to Thomas McGuinn, reset Jury trial for 9:00 7/24/95 for Thomas McGuinn before Judge Ursula Ungaro-Benages , reset calendar call for 1:00 7/19/95 for Thomas McGuinn , to Continue in Interest of Justice (Signed by Judge Ursula Ungaro-Benages on 2/15/95) CCAP (cp, Deputy Clerk) (Entered: 02/23/1995)
06/21/1995	59	NOTICE TO COUNSEL of pendency of 95-cv-1191-UUB, a lawsuit for a tax refund, as to Thomas McGuinn (Signed by Judge Ursula Ungaro-Benages on 6/20/95) CCAP (cp, Deputy Clerk) (Entered: 06/30/1995)
07/06/1995	60	Verified Agreed MOTION by Thomas McGuinn to continue trial (cp, Deputy Clerk) (Entered: 07/12/1995)
07/17/1995	61	MOTION by USA as to Thomas McGuinn to continue trial (Former Deputy Clerk) (Entered: 07/20/1995)
07/20/1995	62	AGREED MOTION by Thomas McGuinn to reduce corporate surety bond to \$50,000 (sl, Deputy Clerk) (Entered: 07/25/1995)
07/24/1995	63	ORDER as to Thomas McGuinn granting [62-1] motion to reduce corporate surety bond to \$50,000 as to Thomas McGuinn (1), to reduce Bond. Bond reset to \$50,000

		Corporate Surety for Thomas McGuinn special condition: allowed to return home to Ireland pending trial; all other conditions shall remain in full force/effect. (Signed by Judge Ursula Ungaro-Benages on 7/21/95) CCAP (Former Deputy Clerk) (Entered: 07/28/1995)
07/26/1995	64	ORDER as to Thomas McGuinn granting [61-1] motion to continue trial, granting [60-1] motion to continue trial, resetting Jury trial for two week period commencing 9:00 2/5/96 before Judge Ursula Ungaro-Benages , calendar call for 1:00 1/31/96 , to Continue in Interest of Justice (Signed by Judge Ursula Ungaro-Benages on 7/19/95) CCAP (sl, Deputy Clerk) (Entered: 08/04/1995)
02/13/1996	65	JOINT MOTION by Thomas McGuinn, USA requesting special setting for change of plea and sentencing for 3/8/96 @ 2:30 (sl, Deputy Clerk) (Entered: 02/20/1996)
02/22/1996	66	ORDER as to Thomas McGuinn, setting Motion hearing before Judge Ursula Ungaro-Benages set for 2:30 3/8/96 for [65-1] motion requesting special setting for change of plea and sentencing for 3/8/96 @ 2:30 (Signed by Judge Ursula Ungaro-Benages on 2/21/96) CCAP (sl, Deputy Clerk) (Entered: 02/25/1996)
04/03/1996	67	ORDER as to Thomas McGuinn, reset Change of Plea Hearing for 9:30 4/19/96 for Thomas McGuinn before Judge Ursula Ungaro-Benages (Signed by Judge Ursula Ungaro-Benages on 3/23/96) CCAP (tb, Deputy Clerk) (Entered: 04/12/1996)
04/19/1996		PLEA entered by Thomas McGuinn . Court accepts plea. GUILTY: Thomas McGuinn (1) count(s) 2 (Terminated motions - [65-1] motion requesting special setting for change of plea and sentencing for 3/8/96 @ 2:30 , [48-1] motion for Hearing in support of notice of appeal from Order modifying bond conditions , [24-1] motion for notice of prosecution's intent to introduce evidence [14-1] motion for Hearing) (tb, Deputy Clerk) (Entered: 05/01/1996)
04/19/1996		Sentencing held Thomas McGuinn (1) count(s) 2 (tb, Deputy Clerk) (Entered: 05/01/1996)
04/25/1996	69	AGREED ORDER as to Thomas McGuinn, discharging bond and exonerating sureties (Signed by Judge Ursula Ungaro-Benages on 4/19/96) CCAP (sl, Deputy Clerk) (Entered: 05/07/1996)
04/30/1996	68	JUDGMENT as to Thomas McGuinn (1) count(s) 2. IMPRISONMENT TIME SERVED, (3) THREE years supervised release, \$50.00 assessment fee count(s) 1. DISMISSED (Signed by Judge Ursula Ungaro-Benages on 4/19/96) CCAP/M (tb, Deputy Clerk) (Entered: 05/01/1996)
04/30/1996	70	Minute of Sentencing held on 4/19/96 before Judge Ursula Ungaro-Benages as to Thomas McGuinn ; Court Reporter Name or Tape #: Romanishin (Former Deputy Clerk) (Entered: 05/09/1996)
05/03/1996	71	Minute of change of plea held on 4/19/96 before Judge Ursula Ungaro-Benages as to Thomas McGuinn ; Pled guilty as to count 2 Court Reporter Name or Tape #: Romanishin (Former Deputy Clerk) (Entered: 05/10/1996)
05/03/1996	73	Plea Agreement as to Thomas McGuinn (tb, Deputy Clerk) (Entered: 05/13/1996)
05/07/1996	72	Judgment Returned Executed as to Thomas McGuinn on 5/7/96 No further action by US Marshals required (Former Deputy Clerk) (Entered: 05/10/1996)

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