

U.S. District Court
California Northern District (San Jose)
CRIMINAL DOCKET FOR CASE #: 5:01-cr-20069-JW-3

Case title: USA v. Avarar, et al

Date Filed: 04/26/2001

Date Terminated: 03/18/2002

Assigned to: Hon. James Ware

Defendant (3)

Pompeo Ascencion

TERMINATED: 03/18/2002

represented by **Luan Thien Le**,
Le, Downing and Associates, LLP
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TERMINATED: 03/18/2002
LEAD ATTORNEY
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Designation: Retained

Pending Counts

18:659 - Possession of Stolen Goods Taken
From a Storage Facility
(1)

21:844(a) - POssession of
Methamphetamine
(2)

18:922(g)(1) - Felon in Possession of a
Firearm
(3)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

Disposition

Defendant was sentenced and is committed to the BOP for 46 months followed by 3 years of supervised release with special conditions. Defendant is ordered to pay \$572,658.60 in restitution and \$100.00 special assessment due immediately.

Disposition

None

Complaints**Disposition**

None

Plaintiff**USA**represented by **Joseph Edmund Sullivan**

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Date Filed	#	Docket Text
04/26/2001	1	INDICTMENT by AUSA Joseph E. Sullivan, Robert S. Mueller III. Counts filed against Rigo Avarar (1) count(s) 1, Johnny Shamoun (2) count(s) 1, Pompeo Ascencion (3) count(s) 1, 2, 3 (mmr, COURT STAFF) (Entered: 04/27/2001)
05/02/2001		Bench Warrant issued for Rigo Avarar, Johnny Shamoun, Pompeo Ascencion by Magistrate Judge Richard Seeborg Bail Set: NO BAIL (mmr, COURT STAFF) (Entered: 05/02/2001)
05/17/2001	2	MINUTES: filed on 5/17/01 before Mag. Judge Patricia V. Trumbull; first appearance of Pompeo Ascencion ,No attorney present; , ID of Course and preliminary exam/arraignment set for 9:30 a.m. on 5/18/01 for Pompeo Ascencion; before Mag. Judge Patricia V. Trumbull , remanding deft to custody of USMS (Tape No.: 071/L.Monroe) (mmr, COURT STAFF) (Entered: 05/18/2001)
05/18/2001	11	MINUTES: filed on 5/18/01 before Mag. Judge Patricia V. Trumbull ; dft Pompeo Ascencion arraigned; not guilty plea entered; Attorney Luan T. Le present; (C/R: Linda Monroe Tape No.: 072-01 PVT) (cgb, COURT STAFF) (Entered: 06/06/2001)
06/04/2001	14	MINUTES: filed on 6/6/01 before Judge James Ware ; Trial setting hearing will be held at 1:30 7/30/01 for Rigo Avarar ; before Judge James Ware (C/R: Dynele Siminov) (cgb, COURT STAFF) (Entered: 06/27/2001)
06/07/2001	15	MINUTES: filed on 6/7/0 before Mag. Judge Patricia V. Trumbull; detention hearing held, deft detained (C/R: Linda Monroe Tape No.: 082-01 PVT) (cgb, COURT STAFF) (Entered: 06/27/2001)
06/08/2001	16	DETENTION ORDER of Pompeo Ascencion by Mag. Judge Patricia V. Trumbull (cgb, COURT STAFF) (Entered: 06/27/2001)
07/30/2001	17	MINUTES: filed on 7/31/01 before Judge James Ware ; Trial setting hearing held Trial

		setting hearing will be held at 1:30 9/10/01 for Rigo Avaral, for Johnny Shamoun, for Pompeo Ascencion ; before Judge James Ware (C/R: Dynele Siminov) (cgb, COURT STAFF) (Entered: 08/08/2001)
08/09/2001	22	MINUTES: filed on 8/9/01 re Modification of Conditions of Bond before Mag. Judge Patricia V. Trumbull ; (C/R: D. Munz Tape No.: 104-01-JW) (cfe, COURT STAFF) (Entered: 10/01/2001)
09/10/2001	23	MINUTES: filed on 9/12/1 before Judge James Ware ; Trial setting hearing held; Trial setting hearing will continue at 1:30 10/1/01 for Rigo Avaral, for Johnny Shamoun, for Pompeo Ascencion ; before Judge James Ware , to exclude time from 9/10/01 to 10/01/01 as to defendant Rigo Avaral, defendant Johnny Shamoun, defendant Pompeo Ascencion (C/R: Irene Rodriguez) (cfe, COURT STAFF) (Entered: 10/03/2001)
10/01/2001	24	MINUTES: filed on 10/3/1 before Judge James Ware ; Trial setting hearing will be held at 1:30 11/5/01 for Rigo Avaral, for Johnny Shamoun, for Pompeo Ascencion ; before Judge James Ware , To exclude time from 10/1/01 to 11/5/01 as to defendant Rigo Avaral, defendant Johnny Shamoun, defendant Pompeo Ascencion (C/R: Irene Rodriguez) (cfe, COURT STAFF) (Entered: 10/12/2001)
11/05/2001	26	MINUTES: filed on 11/7/1 before Judge James Ware ; Pompeo Ascencion enters guilty plea; Pompeo Ascencion (3) count(s) 3 , judgement/sentencing hearing will be held at 1:30 1/28/02 for Pompeo Ascencion ; before Judge James Ware (C/R: Irene Rodriguez) (cfe, COURT STAFF) (Entered: 11/08/2001)
11/07/2001	27	PLEA Agreement as to Pompeo Ascencion (cfe, COURT STAFF) (Entered: 11/08/2001)
01/11/2002		RECEIVED Proposed Stipulation for Continuance of Sentencing Hearing and Order Thereon as to defendant Pompeo Ascencion (cfe, COURT STAFF) (Entered: 01/14/2002)
01/15/2002	32	STIPULATION and ORDER by Judge James Ware for continuance of sentencing hearing; sentencing hearing will be held at 1:30 2/25/02 for Pompeo Ascencion ; before Judge James Ware (cfe, COURT STAFF) (Entered: 01/15/2002)
02/05/2002		RECEIVED Proposed Stipulation for Continuance of Sentencing Hearing and Order Thereon (defendant Pompeo Ascencion) as to defendant Pompeo Ascencion (cfe, COURT STAFF) (Entered: 02/06/2002)
02/06/2002	34	STIPULATION and ORDER by Judge James Ware for continuance of sentencing; sentencing hearing will be held at 1:30 3/18/02 for Pompeo Ascencion ; before Judge James Ware as to defendant Pompeo Ascencion (cfe, COURT STAFF) (Entered: 02/06/2002)
03/18/2002	43	MINUTES: filed on 3/20/2 before Judge James Ware ; sentencing hearing held before Judge James Ware , sentencing Pompeo Ascencion (3) count(s) 3. Defendant was sentenced and is committed to the BOP for 46 months followed by 3 years of supervised release with special conditions. Defendant is ordered to pay \$572,658.60 in restitution and \$100.00 special assessment due immediately. (C/R: Irene Rodriguez) (cfe, COURT STAFF) (Entered: 03/21/2002)
03/20/2002	44	JUDGMENT and Commitment issued as to Pompeo Ascencion Pompeo Ascencion (3) count(s) 1, 2 Judge James Ware terminating (cc: all counsel) (Date Entered: 3/21/02) (cfe, COURT STAFF) (Entered: 03/21/2002)
10/15/2003	62	Payment Record Card: Payment of Special Assessment in the amount of \$100.00 paid in full on 10/3/3 on behalf of defendant Pompeo Ascencion . (sr, COURT STAFF) (Entered: 12/15/2003)

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