

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:03-cr-00807-LAP-3**

Case title: **USA v. Al-Anbuke, et al**

Date Filed: 06/30/2003

Date Terminated: 01/15/2009

Assigned to: **Judge Loretta A. Preska**

Defendant (3)

Susan Lindauer

TERMINATED: 01/15/2009

represented by **Brian William Shaughnessy**
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Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated CountsCONSPIRACY TO DEFRAUD THE
UNITED STATES

(1)

IMPERSONATING AGENTS OF
FOREIGN GOVERNMENTS

(2)

ACTS OF TERRORISM
TRANSCENDING NATION
BOUNDARIES

(5)

ACTS AFFECTING PERSONAL
FINANCIAL INTEREST

(6)

Disposition

Nolle Prosequi

Nolle Prosequi

Nolle Prosequi

Nolle Prosequi

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition**Plaintiff**

USA

represented by **Michael Marty Purpura**
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Date Filed	#	Docket Text
03/10/2004	30	Arrest Warrant Issued as to Susan Lindaur. (Signed by Judge Michael H. Dolinger on 3/10./04.) (ja,) (Entered: 03/30/2004)
03/10/2004	34	CJA 20 as to Susan Lindaur : Appointment of Attorney Erika McDaniel Edwards for Susan Lindaur. (Signed by Judge Michael B. Mukasey on 3/10/04) The CJA Office has mailed the original; copy to file.(moc,) (Entered: 04/02/2004)
03/15/2004	32	ADVICE OF PENALTIES AND SANCTIONS as to Susan Lindaur. (ja,) (Entered: 03/31/2004)
03/15/2004	33	APPEARANCE Bond Entered as to Susan Lindaur in amount of \$ 500,000; \$500,000 PRB. Secured by deft's home in Maryland. Two co-signers (one of whom is deft's father). Bail limits include District of Maryland, SDNY, EDNY, Washington, D.C., E.D. of

		Virginia. Regular pretrial supervision. Surrender travel documents. Conditions to be met by end of this week (2nd co-signer). (bw,) (Entered: 04/02/2004)
03/16/2004	31	Order to Unseal Indictment as to Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke, Susan Lindaur. The government's 3/10/04 application to unseal the superseding indictment styled "S2 03 Cr. 807 (MBM)" is granted nunc pro tunc as of 3/10/04. The Court of the Clerk is directed to unseal the envelope containing the second superseding indictment. An arraignment on the second superseding indictment will be held on 3/15/04 at 11:00 a.m. in Room 21B. The time until 3/15/04 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. Section 3161(h)(8) in the interests of justice, such interests outweighing the depts' interest and the public's interest in a speedy trial, to allow deft Lindauer to travel to this district and to depts Raed Noman Al-Anbuke and Wisam Noman Al-Anbuke to receive and consider the second superseding indictment. (Signed by Judge Michael B. Mukasey on 3/12/04); refer to (S2)Superseding Indictment, doc.#29. (bw,) (Entered: 03/30/2004)
03/16/2004		(S2) SUPERSEDING INDICTMENT FILED as to Raed Rokan Al-Anbuke (1) count(s) 1ss, 3ss, 11ss, Wisam Noman Al-Anbuke (2) count(s) 1s, 4s, 7s-10s, Susan Lindauer (3) count(s) 1, 2, 5, 6. [Refer to document # 28][Document original file date is 3/10/04] (ja,); Correction on deft #3's last name. Modified on 2/4/2008 (bw). (Entered: 03/31/2004)
04/27/2004	35	TRANSCRIPT of Proceedings as to Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke, Susan Lindaur held on 3/15/04 before Judge Michael B. Mukasey. (dg,) (Entered: 04/27/2004)
04/27/2004	36	TRANSCRIPT of Proceedings as to Susan Lindaur, Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke held on March 26, 2004 before Judge Michael B. Mukasey. (jw,) (Entered: 04/27/2004)
04/27/2004	37	TRANSCRIPT of Proceedings as to Susan Lindaur, Wisam Noman Al-Anbuke held on 3/15/2004 before Judge Michael B. Mukasey. (jmi,) (Entered: 04/27/2004)
05/03/2004	38	ORDER as to Susan Lindaur, Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke. A conference will be held on 4/16/04 at noon to establish a briefing schedule for motions addressed to the second superceding indictment. The time until 4/16/04 is excluded under the Speedy Trial Act. (Signed by Judge Michael B. Mukasey on 3/30/03)(ph,) (Entered: 05/04/2004)
06/24/2004		Minute Entry for proceedings held before Judge Michael B. Mukasey :Initial Appearance as to Susan Lindaur held on 6/24/2004. (ja,) (Entered: 02/24/2006)
06/24/2004		Minute Entry for proceedings held before Judge Michael B. Mukasey :Pretrial Conference as to Susan Lindaur held on 6/24/2004. Dft NOT pres. Atty Sanford Talkin pres. AUSA Ed O'Callaghan pres. Next Pretrial Conference set for 4/14/2006 09:15 AM before Chief Judge Michael B. Mukasey. T/E from 2/22/06 through 4/14/06 in the IOJ. Dft to be present at next conf. (ja,) (Entered: 02/24/2006)
07/16/2004	52	CJA 20 as to Susan Lindaur: Appointment of Attorney Sanford N. Talkin for Susan Lindaur. (Signed by Judge Michael B. Mukasey on 7/16/04) The CJA Office has mailed the original; copy to file.(moc,) (Entered: 01/07/2005)
07/28/2004	43	TRANSCRIPT of Proceedings as to Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke, Susan Lindaur held on 6/24/04 before Judge Michael B. Mukasey. (dfe,) (Entered: 07/28/2004)
08/10/2004	44	ORDER as to Susan Lindaur. It is hereby ordered that because of the anticipated length of this case, CJA atty(s) may submit interim vouchers for representation of his/their client. Each voucher is to cover a minimum of a two (2) week period with the first

		voucher to include the period from the date of appointment... (Signed by Judge Michael B. Mukasey on 8/6/04,)(ja,) (Entered: 08/11/2004)
10/18/2004	47	TRANSCRIPT of Proceedings as to Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke, Susan Lindaur held on 4/19/04 before Judge Michael B. Mukasey. (Cardona, Gilbert) (Entered: 10/18/2004)
01/07/2005	51	TRANSCRIPT of Proceedings as to Susan Lindaur held on 12/17/04 before Judge Michael B. Mukasey. (es,) (Entered: 01/07/2005)
03/23/2005	54	SUBPOENA IN A CRIMINAL CASE as to Susan Lindaur. Sent to: Bonner Associates, 1101 17th Street NW, 8th Floor, Washington, DC. (ja,) (Entered: 04/12/2005)
03/23/2005	55	SUBPOENA IN A CRIMINAL CASE as to Susan Lindaur. Sent to: The Washington Times, 3400 New York Avenue, NE, Washington, D.C. (ja,) (Entered: 04/12/2005)
10/14/2005	62	ORDER TO CONTINUE IN THE INTEREST OF JUSTICE as to Susan Lindaur. The parties have not had sufficient time to review Dr. Stuart Kleinman's findings following his psychological exam of dft. Accordingly, the conf scheduled to determine whether a competency hrg is necessary is adjourned to 9/22/2005 02:30 PM. The time is excluded from 9/15/05 until 9/22/05..., to allow the parties the opportunity to review Dr. Kleinman's report. SO ORDERED. (Signed by Judge Michael B. Mukasey on 9/15/05) (ja,) (Entered: 10/19/2005)
10/17/2005	60	TRANSCRIPT of Proceedings as to Susan Lindaur held on 9/22/2005 before Judge Michael B. Mukasey. (jar,) (Entered: 10/17/2005)
03/06/2006	63	TRANSCRIPT of Proceedings as to Susan Lindaur held on 2/22/06 at 9:55 a.m. before Judge Michael B. Mukasey. (js,) (Entered: 03/06/2006)
03/20/2006	64	TRANSCRIPT of Proceedings as to Susan Lindaur held on 2/22/2006 before Judge Michael B. Mukasey. (jar,) (Entered: 03/20/2006)
03/29/2006	65	ENDORSED LETTER as to Susan Lindaur addressed to Judge Mukasey from Sanford Talkin dated 3/23/06 re: Requests a brief extension of time, to Monday March 26, 2006, to file the response. Judge Memo-endorsed...Application Granted. SO ORDERED. (Signed by Judge Michael B. Mukasey on 3/17/06)(jw,) (Entered: 03/30/2006)
04/11/2006		Minute Entry for proceedings held before Judge Michael B. Mukasey :Pretrial Conference as to Susan Lindaur held on 4/11/2006, as to Susan Lindaur; Pretrial Conference set for 4/27/2006 09:15 AM before Chief Judge Michael B. Mukasey. Deft "not present" atty Sam Talkin present, AUSA Ed O'Callahan present. PTC held, Next PTC/hearing set for April 27, 2006 at 9:15am. (jw,) (Entered: 04/14/2006)
04/11/2006		Minute Entry for proceedings held before Judge Michael B. Mukasey :Pretrial Conference as to Susan Lindaur held on 4/11/2006, as to Susan Lindaur; Pretrial Conference set for 4/27/2006 10:00 AM before Chief Judge Michael B. Mukasey. Deft present with atty Sam Talkin, AUSA Ed O'Callaghan present. Next PTC to be held April 27, 2006. Deft det. (jw,) (Entered: 06/08/2006)
05/05/2006		Minute Entry for proceedings held before Judge Michael B. Mukasey :Pretrial Conference as to Susan Lindaur held on 5/5/2006. Deft. pres. w/atty Sam Talkin; AUSA EdO'Callaghan. Next PTC to be held 5/9/06. Deft. detained. (pr,) (Entered: 06/08/2006)
05/09/2006		Minute Entry for proceedings held before Judge Michael B. Mukasey :Pretrial Conference as to Susan Lindaur held on 5/9/2006. Dft pres w/atty Sam Talkin. AUSA Ed O'Callaghan. Next PTC to be held 5/30/06. Dft detained. (ja,) (Entered: 06/08/2006)
05/23/2006	66	TRANSCRIPT of Proceedings as to Susan Lindaur held on 05/04/06 before Judge

		Michael B. Mukasey. (es,) (Entered: 05/23/2006)
05/23/2006	67	TRANSCRIPT of Proceedings as to Susan Lindaur held on 05/09/06 before Judge Michael B. Mukasey. (es,) (Entered: 05/23/2006)
06/06/2006	68	Letter by Susan Lindaur from J. Burford Fields dated 6/5/06 (pr,) (Entered: 06/20/2006)
09/07/2006	69	OPINION AND ORDER # 93639 as to Susan Lindaur. At least a half dozen mental health professionals, including a psychologist and a psychiatrist retained by the defense, and several psychologists and psychiatrists employed, and one psychiatrist retained, by the gove, have found her mentally incompetent to stand trial due principally to delusions of grandiosity and paranoia that make her unable to assist meaningfully in her own defense and understand the nature of the proceedings she faces. Deft. but not her lawyer, has refused to accept the diagnosis and has refused to take psychotropic drugs that govt. physicians wish to administer in aid of rendering her competent to stand trial. The govt. has moved purs. to Sell v. United States, 539 U.S. 166 (2003) for an order compelling administration of such drugs. For the above reasons, (see Opinion & order) the govt's motion is DENIED. So Ordered.. (Signed by Judge Michael B. Mukasey on 9/6/06)(pr,) (Entered: 09/08/2006)
09/08/2006		Minute Entry for proceedings held before Judge Michael B. Mukasey :Status Conference as to Susan Lindaur held on 9/8/2006. Dft pres w/atty Sam Talkin. AUSA Stephen Miller for Ed O'Callaghan. Judge Mukasey reads his decision into the record. Dft released upon order of the Court. This case will be referred to Judge Preska for all purposes. (ja,) (Entered: 09/12/2006)
09/08/2006	70	NOTICE OF CASE REASSIGNMENT as to Susan Lindaur, Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke, to Judge Loretta A. Preska. Judge Michael B. Mukasey no longer assigned to the case. (kco,) (Entered: 09/12/2006)
09/08/2006		Mailed notice to the attorney(s) of record of case reassignment. (kco,) (Entered: 09/12/2006)
09/14/2006		Minute Entry for proceedings held before Judge Paul A. Crotty :Bond Hearing on Disposition Sheet as to Susan Lindaur held on 9/14/2006. Deft present with atty Sanford Talkin. AUSA Stephen Miller present. Travel extended to include Eastern District of Virginia and adjacent Districts as well as travel between those districts. (jw,) (Entered: 09/15/2006)
09/20/2006	71	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Edward C. O'Callaghan re: Reschedule Conference., as to Susan Lindaur, ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Susan Lindaur. Time excluded from 9/18/06 until 9/22/06; Pretrial Conference set for 9/22/2006 10:00 AM before Judge Loretta A. Preska. Judge Memo-endorsed..SO ORDERED. (Signed by Judge Loretta A. Preska on 9/18/06)(jw,) (Entered: 09/21/2006)
09/22/2006		Minute Entry for proceedings held before Judge Loretta A. Preska :Status Conference as to Susan Lindaur held on 9/22/2006. Dft Susan Lindaur pres w/atty Sanford Talkin. AUSA Edward O'Callaghan pres. The Pretrial Services Officer shall file a mental health status report 5 days prior to the next conference. Next Conference scheduled for 10/27/2006 04:00 PM before Judge Loretta A. Preska. T/E from today until 10/27/06 from calculation under the STA in the IOJ.(Court Reporter Khris Sellin) (ja,) (Entered: 09/25/2006)
09/27/2006	72	TRANSCRIPT of Proceedings as to Susan Lindaur, Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke held on 9/8/06 before Judge Michael B. Mukasey. (tro,) (Entered: 09/27/2006)

10/17/2006	73	TRANSCRIPT of Proceedings as to Susan Lindaur held on 9/22/2006 before Judge Loretta A. Preska. (aba,) (Entered: 10/17/2006)
10/27/2006		Minute Entry for proceedings held before Judge Loretta A. Preska :Status Conference as to Susan Lindaur held on 10/27/2006. Dft Susan Lindaur presence is waived by her atty Sanford Talkin. AUSA Edward O'Callaghan pres. The dft shall be re-examined by a mental health provider. Next Status Conference set for 1/12/2007 09:30 AM before Judge Loretta A. Preska. T/E from today until 1/12/07 from calculation under the STA in the IOJ.(Court Reporter Khris Sellin) (ja,) (Entered: 10/30/2006)
12/13/2006	74	TRANSCRIPT of Proceedings as to Susan Lindaur held on 10/27/06 before Judge Loretta A. Preska. (jbe,) (Entered: 12/13/2006)
01/12/2007		Minute Entry for proceedings held before Judge Loretta A. Preska :Status Conference as to Susan Lindaur held on 1/12/2007. Dft's atty Jonathan Roberts pres. Dft's presence is waived by her atty. AUSA Edward O'Callaghan pres. Pretrial Service Officer Thomas Marrino pres. The dft shall be re-examined by a mental health provider. Next Status Conference set for 3/12/2007 04:30 PM before Judge Loretta A. Preska. T/E in the IOJ to 3/12/07. (ja) (Entered: 01/18/2007)
02/06/2007	75	TRANSCRIPT of Proceedings as to Susan Lindaur held on 1/12/06 before Judge Loretta A. Preska. (jbe) (Entered: 02/06/2007)
03/12/2007		Minute Entry for proceedings held before Judge Loretta A. Preska :Status Conference as to Susan Lindaur held on 3/12/2007. Deft pres is waived by her atty Sanford Talkin. AUSA Michael Farbiarz pres. for Edward O'Callaghan pres. Next conference set for 4/12/07 @ 9:30AM. Time excluded from today until 4/12/07 from the calculation under the STA in the IOJ. (Court Reporter Karen Gorlaski) (pr) (Entered: 03/13/2007)
03/12/2007		ORAL ORDER as to Susan Lindaur Time excluded from 3/12/07 until 4/12/07. Status Conference set for 4/12/2007 09:30 AM before Judge Loretta A. Preska.. (pr) (Entered: 03/13/2007)
05/01/2007	76	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from AUSA Edward C. O'Callaghan dated 4/11/07 re: submitted to request that (1) the Court issue an order pursuant to 18 USC Section 4241(b), authorizing an updated psychiatric examination of the deft to be conducted to determining the deft's current mental competency to stand trial, (2) that the Court adjourn the conference in this matter until 6/12/07 at 9:30 in order to allow the Govt's forensic psychiatrist the necessary time to complete the evaluation and report, and (3) the time under the Speedy Trial Act be excluded until 6/12/07 pursuant to 18 USC Section 3161(h)(4); and (4) Dr. Stuart B. Kleinman may conduct the examination. ENDORSEMENT: So Ordered. (Signed by Judge Loretta A. Preska on 4/30/07); Copies faxed by Chambers. (bw) (Entered: 05/01/2007)
05/01/2007		Set/Reset Hearings as to Susan Lindaur: Status Conference set for 6/12/2007 09:30 AM before Judge Loretta A. Preska. (bw) (Entered: 05/01/2007)
06/15/2007	77	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Edward C. O'Callaghan, AUSA dated 6/14/07 re: Govt requests the court exclude time under the STA until 7/12/07 purs to 18:3161(h)(4). Such an exclusion would serve the interests of justice and outweighs the deft's and the public's right to a speedier trial. So Ordered.. (Signed by Judge Loretta A. Preska on 6/14/07)(pr) (Entered: 06/18/2007)
07/17/2007	78	ENDORSED LETTER as to Susan Lindaur, addressed to Judge Preska, from Edward C. O'Callahan, AUSA, dated 7/13/07, re: requests that the Court exclude time under the STA until 8/3/07, the date of the next scheduled conference. -- Judge endorsed: SO ORDERED. (Signed by Judge Loretta A. Preska on 7/16/07)(ja) (Entered: 08/01/2007)

08/01/2007	79	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from AUSA Edward C. O'Callaghan dated 7/31/07 re: submitted to enclose a copy of the Forensic Psychiatric Report, dated 7/27/07, which was completed by Dr. Stuart B. Kleinman, M.D. pursuant to the Judge's Order. (1) The parties have informed that 8/17/07 at 9:00 a.m. is available on the Court's calendar. (2) The Govt requests that the Court exclude the time under the Speedy Trial Act until 8/17/07, pursuant to 18 U.S.C. Section 3161(h)(4). ENDORSEMENT: (1) and (2) above are So Ordered. (Signed by Judge Loretta A. Preska on 8/1/07)(bw) (Entered: 08/02/2007)
08/01/2007		Set/Reset Hearings as to Susan Lindaur: Status Conference set for 8/17/2007 at 09:00 AM before Judge Loretta A. Preska. (bw) (Entered: 08/02/2007)
08/17/2007	80	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from deft Susan Lindaur, dated 8/12/07 re: submitted to request a 30-day continuance of the status meeting currently scheduled for 8/17/07, so that a new attorney can join the proceedings. ENDORSEMENT: The August 17 conference is adjourned to September 24, 2007 at 4:00 p.m. in courtroom 12A at 500 Pearl Street. (Signed by Judge Loretta A. Preska on 8/16/07); Copies mailed to deft and faxed to counsel by Chambers. (bw) (Entered: 08/20/2007)
08/17/2007		Set/Reset Hearings as to Susan Lindaur: Status Conference set for 9/24/2007 at 04:00 PM before Judge Loretta A. Preska. (bw) (Entered: 08/20/2007)
08/24/2007	81	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from AUSA Edward C. O'Callaghan dated 8/22/07 re: the Court has adjourned this matter until 9/24/07 at 4:00 p.m., the Govt requests that the Court exclude the time under the Speedy Trial Act from 8/17/07 until 9/24/07 pursuant to 18 U.S.C. Section 3161(h)(4). ENDORSEMENT: So Ordered. (Signed by Judge Loretta A. Preska on 8/23/07)(bw) (Entered: 08/27/2007)
10/25/2007	82	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Sanford Talkin re: Reschedule Conference., as to Susan Lindaur, ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Susan Lindaur. Time excluded from 10/26/07 until 11/14/07; Status Conference set for 11/14/2007 at 04:00 PM before Judge Loretta A. Preska..ENDORSEMENT...Such exclusion is already in the interests of justice. SO ORDERED. (Signed by Judge Loretta A. Preska on 10/24/07)(jw) (Entered: 10/26/2007)
11/08/2007		Minute Entry for proceedings held before Judge Loretta A. Preska :Status Conference as to Susan Lindaur held on 11/8/2007. Dft is presence is waived by her atty Sanford Talkin. AUSA Edward O'Callaghan present. Brian Shaunassey also present. Pretrial Services Officers Thomas Marino and Clay Smith also present. The dft shall continue with her mental health treatment as per her pretrial service conditions. Next Status Conference set for 12/14/2007 at 03:00 PM before Judge Loretta A. Preska. Time is excluded from today until 12/14/07 from calculation under the speedy trial act in the interests of justice.(Court Reporter Michelle Bulkley) (ja) (Entered: 11/13/2007)
12/19/2007		Minute Entry for proceedings held before Judge Loretta A. Preska: Telephone Conference as to Susan Lindaur held on 12/19/2007. Dft Susan Lindaur present w/atty Sanford Talkin. AUSA Edward O'Callaghan present. Thomas Marino also present. Counsel and pretrial services shall find an inpatient facility where the dft can have an evaluation and shall report to the Court on 12/21/08 at 9 a.m. if such a facility is available and how they propose to proceed. (Telephone Conference set for 12/21/2007 at 09:00 AM before Judge Loretta A. Preska. Status Conference set for 1/14/2008 at 05:00 PM before Judge Loretta A. Preska.). Time is excluded from today until 1/14/08 from calculation under the speedy trial act in the interest of justice. (Court Reporter Michael McDaniel) (ja) (Entered: 12/26/2007)

12/21/2007	83	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION, as to Susan Lindaur. Upon the motion of William M. Brodsky and said sponsor atty's affidavit in support; It is HEREBY ORDERED that: Brian W. Shaughnessy, 913 M Street, NW, Suite 101, Washington, DC 20001.... Is admitted to practice pro hac vice for Susan Lindaur in the USDC for the SDNY.... Counsel shall forward the pro hac vice fee to the Clerk of the Court. (Signed by Judge Loretta A. Preska on 12/21/07)(ja) (Entered: 12/26/2007)
12/21/2007		Minute Entry for proceedings held before Judge Loretta A. Preska:Telephone Conference as to Susan Lindaur held on 12/21/2007. Deft not present w/her attorney Sanford Talkin and Brian Shaunessy. Brian Shaunessy waives the appearance of the deft. AUSA Edward O'Callaghan present. Thomas Marino also present. (bw) (Entered: 01/08/2008)
01/10/2008	84	MOTION for Reconsideration. Document filed by Susan Lindaur. Return Date set for 1/11/2008 at 02:00 PM. (Shaughnessy, Brian) (Entered: 01/10/2008)
01/14/2008		CASHIERS OFFICE REMARK as to Susan Lindaur, Raed Rokan Al-Anbuke, Wisam Noman Al-Anbuke on 83 Order, in the amount of \$25.00, paid on 01/07/2008, Receipt Number 637385. (jd) (Entered: 01/14/2008)
01/14/2008		Minute Entry for proceedings held before Judge Loretta A. Preska:Status Conference as to Susan Lindaur held on 1/14/2008. Deft present with her atty Brian Shaunessy. AUSA Edward O'Callaghan present. Argument held on defense motion for reconsideration. Motion for reconsideration is granted. Defense counsel shall submit a letter by the close of business on 1/16/08 setting out the schedule Dr. Ratner sets down for evaluation of the defendant and when the psychiatric report will be ready, as well as the dates and times of all appointments; the government response to defendant's letter shall be submitted by 1/17/08 at noon. Failure to comply by Ms. Lindaurer shall be reported to the Court immediately. If Ms. Lindaurer fails to be seen or to participate in the evaluation, she will be required to report to a psychiatric institute by 1/25/08 for in-patient evaluation. (jw) (Entered: 01/16/2008)
01/22/2008	85	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Brian W. Shaughnessy dated 1/16/08 re: Atty has set up appointments for deft on 1/25/08 @ 2:30pm, 1/29/08 @ 1:30pm, & 2/1/08 @ 2pm. with Dr. Richard RatnerMs. Lindaurer is required to attend for so long as Dr. Ratner requires. So Ordered.(see attached endorsed letter for full text) (Signed by Judge Loretta A. Preska on 1/17/08)(pr) (Entered: 01/23/2008)
01/24/2008	86	NOTICE OF ATTORNEY APPEARANCE: Brian William Shaughnessy appearing for Susan Lindaur. (ja) (Entered: 01/28/2008)
01/25/2008		Case Designated ECF as to Susan Lindaur. (bw) (Entered: 01/28/2008)
01/28/2008	87	ORDER as to Susan Lindaur. This action has been designated a non-ECF case and has been assigned to me for all purposes. All parties agree that this action should be an ECF case. The Clerk of the Court is directed to reclassify this as an ECF case. (Signed by Judge Loretta A. Preska on 1/25/08)(bw) (Entered: 01/28/2008)
01/30/2008	88	TRANSCRIPT of Proceedings as to Susan Lindaur held on 12/19/07 before Judge Loretta A. Preska. (jbe) (Entered: 01/30/2008)
02/04/2008	89	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Attorney Sanford Talkin dated 1/11/08 re: submitted to request to be relieved as counsel for deft Susan Lindaur, and to request permission to deliver the file to Brian Shaughnessy, Esq. and be relieved of the obligation to maintain a copy of the file in his office. ENDORSEMENT: So Ordered. (Signed by Judge Loretta A. Preska on 2/3/08)(bw) (Entered: 02/04/2008)

02/04/2008		Attorney update in case as to Susan Lindaur. Attorney Sanford N. Talkin terminated. (bw) (Entered: 02/04/2008)
02/04/2008	90	ENDORSED LETTER as to Susan Lindaur addressed to Judge Preska from Attorney Brian W. Shaughnessy dated 1/30/08 re: submitted inform the Judge that the correct spelling of deft's last name is "Lindauer". ENDORSEMENT: The Clerk of the Court shall correct the docket sheet accordingly. (Signed by Judge Loretta A. Preska on 2/3/08) (bw) (Entered: 02/04/2008)
02/14/2008	91	ENDORSED LETTER as to Susan Lindauer addressed to Judge Preska, from Brian W. Shaughnessy, atty for dft, dated 2/8/08, re: Dr. R. Ratner has evaluated my client and has asked that we make Ms. Lindaur available for another meeting....request an extension of the deadline for four weeks would allow him to provide a more reliable evaluation.... -- Judge endorsed: As noted in the Govt's letter of today, Ms. Lindauer's records from FCI Carswell are readily available, had counsel only inquired. Accordingly, the deadline is extended for two weeks. SO ORDERED. (Signed by Judge Loretta A. Preska on 2/13/08) (ja) (Entered: 02/14/2008)
02/14/2008	92	ENDORSED LETTER as to Susan Lindauer, addressed to Judge Preska, from Edward C. O'Callaghan, AUSA, dated 2/13/08, re: received today, letter from Mr. Shaughnessy to the Court requesting an extension of time by which Dr. Ratner must complete his evaluation of the dft....Mr. Shaughnessy's application for an extension should be denied.... (ja) (Entered: 02/14/2008)
03/13/2008	93	TRANSCRIPT of Proceedings as to Susan Lindauer held on 1/14/2008 before Judge Loretta A. Preska. (ama) (Entered: 03/13/2008)
04/07/2008	94	ENDORSED LETTER as to Susan Lindauer, addressed to Judge Preska, from Brian W. Shaughnessy, atty for dft, dated 4/3/08, re: Dr. Ratner was delayed in completing the evaluation report for Ms. Lindauer. This letter consents that the extension needed to complete the Lindauer evaluation is excluded from the time limit imposed by the STA. -- Judge endorsed: The Court finds that exclusion of time until receipt of Dr. Ratner's report is in the interest of justice and outweighs the dft's and the public's right to a speedier trial pursuant to Sec 3161(h)(1)(A). Counsel shall report to the Court by letter no later than 4/30/08. SO ORDERED. (Signed by Judge Loretta A. Preska on 4/7/08)(ja) (Entered: 04/07/2008)
05/06/2008		Minute Entry for proceedings held before Judge Loretta A. Preska: Status Conference as to Susan Lindauer held on 5/6/2008. Deft present with her attorney Brian Shaughnessy. AUSA Edward O'Callaghan present. Court Reporter Pamela Utter. Ms. Lindauer is to be re-examined by the Government psychiatrist. A competency hearing is scheduled for 6/17/08 at 9:30 a.m. Time is excluded from today until 6/17/08 from calculation under the Speedy Trial Act in the interest of justice. (bw) (Entered: 05/12/2008)
05/06/2008		ORAL ORDER as to Susan Lindauer. Time excluded from 5/6/08 until 6/17/08. Competency Hearing set for 6/17/2008 at 09:30 AM before Judge Loretta A. Preska. (bw) (Entered: 05/12/2008)
06/11/2008		Minute Entry for proceedings held before Judge Loretta A. Preska:Telephone Conference as to Susan Lindauer held on 6/11/2008. Dft NOT present w/her atty Brian Shaunnessy. AUSA Edward O'Callaghan present. Competency hearing is scheduled for 6/17/08 @ 9:30 a.m. T/E from today until 6/17/08 from calculation under the Speedy Trial Act in the interest of justice. (Court Reporter Sandy Miaskoff) (ja) (Entered: 06/25/2008)
06/13/2008	95	ORDER as to Susan Lindauer. As requested I am resubmitting my request that my client, Susan Lindauer be provided assistance pursuant to the Criminal Justice Act. I request that the Court authorize reasonable travel expenses for two defense witnesses, Parke Godfrey

		and Kelly O'Meara to attend the hearing on June 17, 2008. Ms. Lindauer has provided an affidavit which demonstrates her entitlement to CJA assistance....ENDORSEMENT...Application granted. Subject to submission of appropriate vouchers. SO ORDERED. (Signed by Judge P. Kevin Castel on 6/13/08)(jw) (Entered: 06/13/2008)
07/02/2008	96	ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Susan Lindauer. The 7/7/08 hearing is adjourned to 7/16/08 @ 10 a.m. in order to permit Dr. Ratner to prepare adequately. Upon dft's consent, time is excluded from 7/7/08 until 7/16/08, in deference to Dr. Ratner's request. Such exclusion is in the interest of justice. SO ORDERED. (Competency Hearing set for 7/16/2008 at 10:00 AM before Judge Loretta A. Preska.) (Signed by Judge Loretta A. Preska on 7/2/08)(ja) (Entered: 07/02/2008)
07/03/2008	97	TRANSCRIPT of Proceedings as to Susan Lindauer held on 6/17/08 before Judge Loretta A. Preska. (ama) (Entered: 07/03/2008)
08/04/2008	98	ENDORSED LETTER as to Susan Lindauer addressed to Judge Loretta A. Preska from Brian W. Shaughnessy dated 7/15/2008 re: This letter is to request a continuance of the hearing which has now been set for August 4, 2008. Dr. Ratner will be out of town on that date and will be available on August 6th. As to Susan Lindauer(Competency Hearing set for 8/22/2008 at 9:30 AM before Judge Loretta A. Preska.)ENDORSEMENT: The August 4th hearing is adjourned to August 22, 2008 at 9:30 a.m. Time is excluded from today until August 22, 2008 from calculation under the Speedy Trial Act in the interests of justice. So Ordered. (Signed by Judge Loretta A. Preska on 7/18/2008)(D'Avanzo, Daniel) (Entered: 08/04/2008)
08/29/2008	99	ORDER as to Susan Lindauer.... it is ORDERED that the request for an exclusion of time under the Speedy Trial Act from the date of this Order to 9/15/08, is hereby GRANTED pursuant to Title 18 U.S.C. Section 3161(h)(8)(A). (Signed by Judge Loretta A. Preska on 8/28/08)(bw) (Entered: 08/29/2008)
09/11/2008		Minute Entry for proceedings held before Judge Loretta A. Preska: Competency Hearing as to Susan Lindauer held on 9/11/2008. Dft present w/atty Brian Shaughnessy. AUSA Michael Farbiarz present. Direct examination of Dr. Ratner begins. T/E from today until 9/15/08 from calculation under the Speedy Trial Act in the interest of justice. (Pretrial Conference set for 9/15/2008 at 02:30 PM before Judge Loretta A. Preska.) (Court Reporter Pamela Utter) (ja) (Entered: 09/18/2008)
09/25/2008	100	NOTICE OF ATTORNEY APPEARANCE Michael E. Farbiarz appearing for USA. (Farbiarz, Michael) (Entered: 09/25/2008)
10/01/2008	101	TRANSCRIPT of Proceedings as to Susan Lindauer held on 9/11/08 before Judge Loretta A. Preska. (ama) (Entered: 10/01/2008)
10/01/2008	102	TRANSCRIPT of Proceedings as to Susan Lindauer held on 9/15/08 before Judge Loretta A. Preska. (ama) (Entered: 10/01/2008)
10/01/2008	103	MOTION for Reconsideration. Document filed by Susan Lindauer. (Attachments: # 1 Affidavit, # 2 Exhibit)(Shaughnessy, Brian) (Entered: 10/01/2008)
10/16/2008	104	ENDORSED LETTER as to Susan Lindauer addressed to Judge Preska from AUSA Michael Farbiarz dated 10/15/08 re: Counsel for the defendant has indicated that Ms. Lindauer is considering whether to seek a deferral of the captioned prosecution, and AUSA Farbiarz has stated that any deferred prosecution request must be submitted to the U.S. Attorney's Office by 11/17/08. The Government seeks an exclusion of time under the Speedy Trial Act until the adjourn date set by the Court. ENDORSEMENT: The conference is adjourned to December 16 at 9:30 a.m. Such exclusion is in the interests of

		justice. So Ordered. (Signed by Judge Loretta A. Preska on 10/15/08)(bw) (Entered: 10/16/2008)
12/12/2008	105	ENDORSED LETTER: As to Susan Lindauer addressed to Judge Loretta A. Preska from Sanford Talkin dated 12/11/2008 re: I was relieved as counsel to Susan Lindauer in January, 2008. My representation of Ms. Lindauer was pursuant to the Criminal Justice Act. As of today, the file, which is contained in approximately twelve boxes, is still in my office despite repeated requests that new counsel retrieve the file. This delay seems to be caused by a lack of funds on Ms. Lindauer's part. As such, I respectfully request that the Court permit me to send the boxes to Ms. Lindauer's new counsel and that I be reimbursed for the expense pursuant to the Criminal Justice Act. ENDORSEMENT: Counsel shall be reimbursed for the expenses. So Ordered. (Signed by Judge Loretta A. Preska on 12/12/2008)(D'Avanzo, Daniel) (Entered: 12/12/2008)
12/16/2008	106	ENDORSED LETTER as to Susan Lindauer addressed to Judge Loretta A. Preska from Michael Farbiarz dated 12/11/2008 re: Government respectfully requests that the conference scheduled for next week be adjourned until a date convenient to the court during the first week of January. Such a period will allow the parties to assess their options in light of the defendant's decision. In addition, and on consent of defense counsel, the Government respectfully seeks an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h) (8) (A), until the adjourn date set by the Court.ENDORSEMENT: the conference is adjourned to January 7, 2009 at 10:30 a.m. Time is excluded from calculation under the Speedy Trial Act until the adjourned date in the interests of justice. So Ordered. As to Susan Lindauer(Pretrial Conference set for 1/7/2009 at 10:30 AM before Judge Loretta A. Preska.). (Signed by Judge Loretta A. Preska on 12/15/2008)(D'Avanzo, Daniel) (Entered: 12/16/2008)
01/06/2009	107	ENDORSED LETTER: As to Susan Lindauer addressed to Judge Loretta A. Preska from Michael Farbiarz dated 1/6/2009 re: The Government respectfully requests that the conference scheduled for this week be adjourned until a date convenient to the court in mid January. In addition and on consent of defense counsel the government respectfully seeks an exclusion of time under the Speedy Trial Act.ENDORSEMENT: The conference is adjourned until January 21, 2009 at 2:30 p.m. Such exclusion is in the interests of justice. As to Susan Lindauer(Pretrial Conference set for 1/21/2009 at 2:30 PM before Judge Loretta A. Preska.) (Signed by Judge Loretta A. Preska on 1/6/2009) (D'Avanzo, Daniel) (Entered: 01/06/2009)
01/15/2009	108	NOLLE PROSEQUI ENTERED: As to Susan Lindauer. Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be file as to SUSAN LINDAUER, a/k/a "Symbol SUSAN," the defendant, with respect to Indictment S2 03 Cr. 807 (LAP). Susan Lindauer (3) Count 1,2,5,6. So Ordered. (Signed by Judge Loretta A. Preska on 1/15/2009)(D'Avanzo, Daniel) (Entered: 01/15/2009)

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