

MAGISTRATE JUDGE NEWBERN COURTROOM MINUTES FOR CRIMINAL PROCEEDINGS
by VIDEOCONFERENCE

U.S.A. v. Riccardo Paolo Spagni, No. 3:21-mj-4149

ATTORNEY FOR GOVERNMENT: Joe Montminy

ATTORNEY FOR DEFENDANT: Jonathan Farmer, Henry Leventis, Melissa Meister, Brian Klein AFPD Panel Retained

PRETRIAL SERVICES/PROBATION OFFICER: Tiana Rock

INTERPRETER NEEDED? YES NO LANGUAGE/INTERPRETER: _____
 PRESENT ON TELEPHONE

Defendant consents to Initial App. and All future hearings before the Magistrate Judge by video conference.

INITIAL APPEARANCE ON A SUMMONS ARRESTED ON: _____

DEFENDANT HAS A COPY OF:

- Complaint Indictment Information Supervised Release Pet. Other _____
- Defendant advised of the charges and the maximum penalties Defendant has a copy of notice of rights
- Defendant advised of right to counsel Counsel retained
- Defendant sworn and/or certified under penalty of perjury and financial affidavit filed FPD Appointed
- Defendant advised of right to silence
- Defendant advised of right to **Consular notification**
- GOVERNMENT and DEFENDANT advised of Due Process Protections Act of 2020
- Defendant advised of right to preliminary hearing Defendant waived preliminary hearing
- Government motion for detention Defendant temporarily detained
- Defendant waived detention hearing ICE detainer on defendant
- Defendant reserved right to hearing in future Defendant to be returned to State custody
- Defendant to remain in Federal custody Defendant waived rights under IAD
- Defendant remain on current conditions of supervised release
- Defendant ordered to psychological/psychiatric evaluation
- Defendant released on:
 - Own recognizance with conditions of release standard special
 - Appearance bond in the amount of: _____
 - Property bond [description of property]: _____
- RULE 5** - Defendant advised of right to identity hearing Defendant waived identity hearing
- RULE 5** - Defendant reserved right to have preliminary hearing in District of Prosecution
- RULE 5** - Defendant elected to have detention hearing in District of Prosecution
- RULE 5** - DEFENDANT ADVISED OF RIGHT TO RULE 20 TRANSFER

PRELIMINARY/DETENTION/ARRAIGNMENT CONTINUED TO: _____

GRAND JURY WAIVED IN OPEN COURT [Defendant sworn and advised of rights by Court]

ARRAIGNMENT

- Defendant acknowledges he/she has copy of Indictment/Information Court advised Def. of penalties
- Defendant waives reading thereof Indictment/Information read to defendant by Judge
- PLEA: GUILTY NOT GUILTY Defendant intends to plead guilty and case referred to DJ

DATE: 8/5/21 TOTAL TIME: 3hrs
BEGIN TIME: 11:04a.m. END TIME: 2:04p.m.

Digitally Recorded

RULE 5 IDENTITY HEARING

- Held, defendant found to be person named in warrant
- Held, defendant found NOT to be person named in warrant and released
- Waived in open Court

PRELIMINARY HEARING

CONTINUED TO: _____

- Probable Cause found/Held to answer/bound over Discharged from custody
- Defendant waived preliminary hearing
- RULE 5 - Held to answer in District of Prosecution
- RULE 5 - Defendant reserved right to have hearing in District of Prosecution

DETENTION HEARING

CONTINUED TO: 8/9/21 @ 3:30p.m.

- Government withdrew motion for detention or agreed to release
- Pretrial Services Report made a part of the record Counsel moved to retain copy of PTSR/granted
- Bond set at: _____ Defendant released on [date]: _____
- RULE 5 - Defendant elected to have hearing in District of Prosecution
- Defendant waived detention hearing Defendant reserved right to hearing in future
- Defendant detained, order to enter ICE detainer pending
- Defendant to remain in Federal custody Defendant to be returned to State custody
- Government moved for stay of execution of release pending appeal
 - Motion granted
 - Motion denied
- Defendant advised of right to appeal Under advisement

ARRAIGNMENT ON MISDEMEANOR

- Defendant acknowledges he/she has copy of Indictment/Information
- Indictment/Information read to defendant by Judge Defendant waives reading thereof
- PLEA:** **GUILTY** **NOT GUILTY**
- Misdemeanor - defendant consented to trial before Magistrate Judge
- Written plea agreement/filed in open Court Oral plea agreement
- Guilty plea: Accepted Rejected Taken under advisement

OTHER

Type of hearing and outcome: _____

DEFENDANT DID NOT APPEAR AS DIRECTED, BENCH WARRANT ISSUED

NOTES/EVIDENTIARY MATTERS/SENTENCING: (Witnesses, Exhibits, Attach W/Ex List if necessary)