



United States Court of Appeals for the Eleventh Circuit

56 Forsyth Street, NW
Atlanta, GA 30303
(404) 335-6100

04-12354 USA v. Dwight D. York

CLOSED CRIMINAL HIGH PROFILE

Date Appeal Docketed: 2004-05-12

Lead Case: -

Agency:

Nature of Suit:

Case Type:

Docket Clerk/Case Handler: Unknown (II)

Docket Clerk Phone:

District Court Information

Docket Number: 02-00027-CR-CAR-5-1

Judge: C. Ashley Royal

Docket Date: 2002-05-02

District: Georgia-Middle

Office: MGA-Macon

Notice of Appeal Date: 2004-04-30

Secondary Case Information

Docket Number:

Judge:

Docket Date:

Related Cases

Number	Style	Relation	Status
03-16561-B	In Re: Dwight D. York	Related	Closed
04-13794-II	USA v. Dwight D. York	Related	Closed
09-14085-G	Dwight D. York v. USA	Related	Closed

Pending Motions

No Pending Motions

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DWIGHT D. YORK,
a.k.a. Malakai Z. York,
a.k.a. Isa Muhammad,
a.k.a. Isa Alihad Mahdi,
a.k.a. Baba,

Defendant-Appellant.

Party Information

Appellant

Dwight D. York (17911-054)

PO BOX 8500

FLORENCE, CO 81226-8500

Appellant Brief Filed filed on 11/12/2004

Record Excerpts filed on 11/12/2004

Reply Brief Filed filed on 01/03/2005

Corrected Appellant Brief Filed filed on 01/18/2005

Corrected Appellant Brief Filed filed on 01/18/2005

Corrected Reply Brief Filed filed on 01/18/2005

Corrected Reply Brief Filed filed on 01/18/2005

E-Brief Tendered: Reply filed on 01/18/2005

*E-Brief Tendered: Corrected Reply Brief filed on
01/18/2005*

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01/18/2005*

*E-Brief Tendered: Corrected Appellant Brief filed on
01/18/2005*

Fees: Paid on 06/07/2004

Appellant Attorney

Person Not Found

No Briefing Information Found.

Matthew McGavock Robinson

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Appellee

United States of America

Address Not On File

Appellee Attorney

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Fax: (404) 581-6181
E-Brief Tendered: Appellee filed on 12/14/2004
Appellee Brief Filed filed on 12/15/2004
Supplemental Authority for Appellee filed on 02/10/2005

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Initial Service

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Sam Edwards

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Detroit, MI 48239-1282

Docket Activity

File Date	Entry	Party
05/12/04	DKT2 (Docketing Notice) issued. To:Marks, Jonathan; c:Charles, Harry J.; c:Gregory J. Leonard; c:Wood, Maxwell	
05/12/04	Probable Jurisdiction Noted:	Dwight D. York
05/21/04	Motion for Substitution of Counsel	
05/25/04	Appearance Form Submitted.	Matthew McGavock Robinson
05/25/04	Motion for Mark Robinson as Substitution of Counsel of counsel is GRANTED. (ABM)	
05/25/04	DKT2 (Docketing Notice) issued. To:Robinson, Matthew McGavock; c:Gregory J. Leonard; c:Wood, Maxwell	
05/25/04	MOT2 (Notice of court action) issued. To:Robinson, Matthew McGavock; c:Gregory J. Leonard; c:Wood, Maxwell	
06/03/04	Appearance Form Submitted.	Dean S. Daskal
06/07/04	Transcript Order Form (All Necessary Transcripts on File):	Dwight D. York
06/09/04	Briefing Notice Issued-rescinded 6/22/04	
06/09/04	BR1 (Letter confirming brief due date) issued. c:Daskal, Dean S.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
06/22/04	MOT2 (Notice of court action) issued. c:Daskal, Dean S.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
06/22/04	Letter issued to parties, FRAP 4 mtns pending. Briefing Schedule rescinded.	
06/29/04	CLK5 (Letter to district court re status of motion) issued. To:Gregory J. Leonard; c:Royal, C. Ashley	
08/16/04	FRAP 4 Disposition Order	
08/20/04	Probable Jurisdiction Noted: (Atty: Matthew McGavock Robinson)	Dwight D. York
08/24/04	Briefing Notice Issued	
08/24/04	BR1 (Letter confirming brief due date) issued. c:Daskal, Dean S.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
09/13/04	Motion for Extension to File Appellant Brief: (Atty: Matthew McGavock Robinson)	Dwight D. York
09/21/04	MOT2 (Notice of court action) issued. c:Daskal, Dean S.; c:Moultrie, Richard S., Jr.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
09/22/04	Appellant Dwight York's motion for an extension of time to file his initial brief & record excerpts up to and including November 12, 2004, is GRANTED. (CRW)	
09/22/04	MOT2 (Notice of court action) issued. c:Daskal, Dean S.; c:Moultrie, Richard S., Jr.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
10/13/04	Appearance Form Submitted.	Adrian Lopez Patrick
10/14/04	MOT2 (Notice of court action) issued. To:Daskal, Dean S. Per your request, your letter/CIP are being returned unfiled. You may resubmit the item(s) with a motion for leave to seal the brief (s) and/or appeal.	
	STRICKEN 1/3/05 Appellant Brief Filed: (Atty: Adrian Lopez	

11/12/04	Patrick)	Dwight D. York
11/12/04	Record Excerpts: (Atty: Adrian Lopez Patrick) pt'd -excessivs docs, order appealed m 11/29	Dwight D. York
11/16/04	EXC-1CIV (Record Excerpts deficiency letter) issued. To:Patrick, Adrian Lopez; c:Daskal, Dean S.; c:Moultrie, Richard S., Jr.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
11/17/04	MOT-11 (Letter re moot motion) issued. To:Patrick, Adrian Lopez; c:Daskal, Dean S.; c:Moultrie, Richard S., Jr.; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
11/17/04	Motion to Strike appellant's brief: (Atty: Dean S. Daskal)	United States of America
11/19/04	MOT-11 (Letter re moot motion) issued. To:Daskal, Dean S.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
11/19/04	Letter issued to Dean Daskal-Appellant's motion for an extension was returned as moot. See USCA letter of 11/17/04. Appellee response to the motion is being returned at this time unfiled.	
11/29/04	Appearance Form Submitted.	Benjamin A. Davis, Jr.
11/29/04	Response to Motion to strike: (Atty: Adrian Lopez Patrick)	Dwight D. York
12/14/04	E-Brief Tendered: Appellee by Dean S. Daskal for United States of America	United States of America
12/15/04	Motion to withdraw motion to strike: (Atty: Dean S. Daskal)	United States of America
12/15/04	Appellee Brief Filed: (Atty: Dean S. Daskal)	United States of America
01/03/05	Aple's notice of withdrawal construed as a mtn to withdraw its mtn to strike is GRANTED. On its own mtn, the Court STRIKES Apl't's initial brief. Apl't is directed to file a brief w/i 14 days of today...Apl't's response is DENIED. SFB/RB/FMH	
01/03/05	MOT2 (Notice of court action) issued. c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock	
01/03/05	Reply Brief Filed: (SEE CORRECTED BRIEF-SEE 1/18 ENTRY)	Dwight D. York
01/18/05	Corrected REDACTED Appellant Brief Filed: (Atty: Adrian Lopez Patrick)	Dwight D. York
01/18/05	Corrected SEALED-UNREDACTED Appellant Brief Filed: (Atty: Adrian Lopez Patrick)	Dwight D. York
01/18/05	Corrected SEALED UNREDACTED Reply Brief Filed: (Atty: Adrian Lopez Patrick)	Dwight D. York
01/18/05	Corrected REDACTED Reply Brief Filed: (Atty: Adrian Lopez Patrick)	Dwight D. York
01/18/05	E-Brief Tendered: Corrected Reply Brief by Adrian Lopez Patrick for Dwight D. York	Dwight D. York
01/18/05	E-Brief Tendered: Corrected Reply Brief by Adrian Lopez Patrick for Dwight D. York	Dwight D. York
01/18/05	E-Brief Tendered: Reply by Adrian Lopez Patrick for Dwight D. York	Dwight D. York

01/18/05	E-Brief Tendered: Corrected Appellant Brief by Adrian Lopez Patrick for Dwight D. York	Dwight D. York
01/18/05	E-Brief Tendered: Corrected Appellant Brief by Adrian Lopez Patrick for Dwight D. York	Dwight D. York
01/18/05	E-Brief Tendered: Corrected Appellant Brief by Adrian Lopez Patrick for Dwight D. York	Dwight D. York
01/20/05	Record on Appeal	
01/20/05	Exhibits	
01/20/05	Certificate of Readiness	
01/27/05	1st Supplemental Record On Appeal	
02/10/05	Supplemental Authority for Appellee: (Atty: Dean S. Daskal)	United States of America
03/16/05	WRAP-1 (Wrappers w/ addresses) issued. c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
03/16/05	Letter issued Returning 1 copy of out of time amicus brief & motion submitted by Cllr Francis YS Garlawolu-Monrovia, Liberia; Morris Kaba-Monrovia Liberia; and Cllr. Jenkins K.Z.B Scott-c/o Ministry of Foreign Affairs, Monrovia Liberia	
03/17/05	MOT-11 (Letter re moot motion) issued. To:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
03/28/05	PSI	
08/22/05	PRO3 (Letter returning papers unfiled) issued. c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock	
09/13/05	Appearance Form Submitted.	Jeffrey M. Brandt
09/13/05	WRAP-1 (returning filing of Nanya-Shaabu:El:R) issued. c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock	
09/14/05	Oral Argument Scheduled: 09/14/05	
09/14/05	Appearance Form Submitted.	Richard S. Moultrie, Jr.
09/16/05	Adrian Lopez Patrick argued for Appellant; Benjamin A. Davis, Jr. argued for Appellant; Richard S. Moultrie, Jr. argued for Appellee	
10/27/05	Judgment Entered	
10/27/05	OPIN1(attorneys notified by phone also). (Notice of issuance of opinion) issued. c:Bowman, Pasco M., II; c:Brandt, Jeffrey M.; c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavoc	
10/27/05	Opinion Issued	
11/17/05	Petition for Rehearing En Banc:: (Atty: Adrian Lopez Patrick)	Dwight D. York
11/18/05	Attorney Changed for: Dwight D. York From: Jeffrey M. Brandt (513) 381-8033 To: Patrick, Adrian Lopez.	Dwight D. York
12/21/05	The Petition(s) for Rehearing are DENIED and no Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc, the Petition(s) for Rehearing En Banc are DENIED.	

12/21/05	REHG1 (Letter enclosing order) issued. c:Brandt, Jeffrey M.; c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock; c:Wood, Maxwell	
01/05/06	Record and Exhibits Returned to District Court: 27vroa, 1vsroa, 1bxexh, 1fldexh, 1psi	
01/05/06	CASE CLOSED-Mandate Issued	
01/05/06	Mandate Issued	
01/05/06	MDT1 (Letter issuing mandate) issued. To:Gregory J. Leonard; c:Brandt, Jeffrey M.; c:Daskal, Dean S.; c:Davis, Benjamin A., Jr.; c:Moultrie, Richard S., Jr.; c:Patrick, Adrian Lopez; c:Robinson, Matthew McGavock	
03/20/06	Ext. for Filing Certiorari Granted: (Atty: Adrian Lopez Patrick) 05A848	Dwight D. York
07/03/06	Certiorari Denied: (Atty: Adrian Lopez Patrick)05-1503	Dwight D. York
07/11/06	Notice of Filing Certiorari: (Atty: Adrian Lopez Patrick)05-1503	Dwight D. York
11/21/06	MOT2 (Notice of court action) issued. To:Sam Edwards	
11/21/06	Letter issued (see MOT2)-On 11/20/06, the Clerk's Office received correspondence from you which is being returned without further action because you are not a party to this appeal. Additionally, the mandate closing this appeal issued on 1/5/06.	