MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT
PLEA AND
SENTENCE

Filed in Open Court: Date: 8/11/23 Tape: FTR at 12:50 Time in Court: 35mins

Magistrate (presiding): **Catherine M. Salinas** Deputy Clerk Angela Smith
Case Number: 1:23-CR-246 Defendant's Name: Austin Martin Siampwizi

AUSA: Sarah Klapman Defendant's Attorney: Lynsey Barron

USPO/PTR: Kelly Greenberg Type Counsel: ( ) Retained (✓) CJA ( ) FPD ( ) Waived

_____ ARREST DATE: _____

_____ INTERPRETER _____

_____ INITIAL APPEARANCE HEARING. ( ) in THIS DISTRICT Dft. In Custody? ( ) Yes ( ) No

_____ Defendant advised of right to counsel. WAIVER OF COUNSEL filed.

_____ ORDER appointing Federal Defender Program as counsel. ( ) INITIAL APPEARANCE ONLY

_____ ORDER appointing _____ (State Bar of Ga. # _____) as counsel.

_____ ORDER giving defendant _____ days to employ counsel. (cc: serv. by Mag)

_____ Dft. to pay attorney fees as follows: _____

_____ INFORMATION/COMPLAINT filed. _____ WAIVER ON INDICTMENT filed.

_____ Copy indictment/information given to dft? ( ) Yes ( ) No Read to dft? ( ) Yes ( ) No.

_____ CONSENT TO TRIAL BEFORE MAGISTRATE (MISD/PETTY) offense filed.

_____ ARRAIGNMENT HELD. ( ) superseding indictment/information.

_____ ARRAIGNMENT continued until _____ at _____ Request of ( ) Gvt. ( ) Dft.

_____ Dft. fails to appear for arraignment. BENCH WARRANT ISSUED _____

_____ Dft. enters PLEA OF NOT GUILTY. ( ) Dft. stood mute plea of NOT GUILTY entered.

_____ MOTION TO CHANGE PLEA, and order allowing same.

_____ PLEA OF GUILTY/NOLO as to counts _____

_____ Petition to enter plea of GUILTY/NOLO filed.

_____ NEGOTIATED PLEA between Government and defendant filed.

_____ ASSIGNED TO JUDGE _____ for: ( ) trial ( ) arraignment/sentence.

_____ ASSIGNED TO MAGISTRATE _____ for pretrial proceedings.

_____ Estimated trial time: _____ days ( ) SHORT ( ) MEDIUM ( ) LONG

_____ CONSENT TO PRESENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued until _____ at _____ for sentencing.

✓ See other side.

Austin Martin Siampwizi. Defendant

_____ Government MOTION FOR DETENTION filed. Hearing set for _____ at _____

_____ Temporary commitment issued.

_____ Defendant to remain on pretrial release under the terms and conditions set forth in the U. S District Court for the _____ District of _____.

BOND/PRETRIAL DETENTION HEARING

✓ BOND/PRETRIAL DETENTION hearing held.

_____ MOTION FOR REDUCTION OF BOND hearing held.

_____ MOTION FOR REDUCTION OF BOND ( ) GRANTED ( ) DENIED

_____ WRITTEN ORDER TO FOLLOW.

✓ GOVERNMENT MOTION FOR DETENTION ( ) GRANTED (✓) DENIED

_____ WRITTEN ORDER TO FOLLOW.

✓ BOND SET AT $ 50,000.00

✓ Non-surety

_____ Surety ( ) Cash ( ) Property ( ) Corporate surety ONLY

_____ SPECIAL CONDITIONS: _____

✓ Bond Filed: defendant released.

_____ Bond NOT EXECUTED defendant to remain in Marshal's custody.

SENTENCE : _____

_____ **Order**

Pursuant to the Due Process Protections Act, *see* Fed. R. Crim. P. 5(f), the government is directed to adhere to the disclosure obligations set forth in *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and to provide all materials and information that are arguably favorable to the defendant in compliance with its obligations under *Brady*; *Giglio v. United States*, 405 U.S. 150 (1972); and their progeny. Exculpatory material as defined in *Brady* and *Kyles v. Whitley*, 514 U.S. 419, 434 (1995), shall be provided sufficiently in advance of trial to allow a defendant to use it effectively, and exculpatory information is not limited to information that would constitute admissible evidence.

The failure of the government to comply with its *Brady* obligations in a timely manner may result in serious consequences, including, but not limited to, the suppression or exclusion of evidence, the dismissal of some or all counts, adverse jury instructions, contempt proceedings, or other remedies that are just under the circumstances.