FILED BY YR D.C.
Mar 26, 2021
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami

FILED
CLERK, U.S. DISTRICT COURT
March 23, 2021
CENTRAL DISTRICT OF CALIFORNIA
BY: DC DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
PLAINTIFF
v.
CINDI ELLIS DENTON
DEFENDANT.

CASE NUMBER:
ED 21-MJ-189

WAIVER OF RIGHTS
(OUT OF DISTRICT CASES)

I understand that charges are pending in the Southern District of Florida alleging violation of 18 USC 1343; 1344; 1349 (Title and Section / Probation / Supervised Release) and that I have been arrested in this district and taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

(1) have an identity hearing to determine whether I am the person named in the charges;
(2) arrival of process;

-Check one only-

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

(3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
(4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

(3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

☒ have an identity hearing
☒ arrival of process
☐ have a preliminary hearing
☐ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
☒ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

for defendant
Defendant

Defense Counsel

Date: 3/23/21

United States Magistrate Judge

I have translated this Waiver to the defendant in the _____ language.

Date: _____

Interpreter(if required)

Submit this form by e-mail to:

CrimIntakeCourtDocs-LA@cacd.uscourts.gov For Los Angeles criminal duty.

CrimIntakeCourtDocs-SA@cacd.uscourts.gov For Santa Ana criminal duty.

CrimIntakeCourtDocs-RS@cacd.uscourts.gov For Riverside criminal duty.

FILED
CLERK, U.S. DISTRICT COURT
03/23/2021
CENTRAL DISTRICT OF CALIFORNIA
BY: AP DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA V. Cindi Ellis Denton USMS# _____	PLAINTIFF DEFENDANT
CASE NUMBER: 5:21-mj-00189 21-6149-Hunt	
REPORT COMMENCING CRIMINAL ACTION	

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. The defendant was arrested in this district on 03/23/2021 06:05am at ☐ AM ☐ PM
   or
   The defendant was arrested in the _____ District of _____ on _____ at ☐ AM ☐ PM
2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☒ No
3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☒ Yes ☐ No
4. Charges under which defendant has been booked:
   18: 1343 and 2 Wire Fraud, 18: 1344 and 2 Bank Fraud, 18: 1349 Conspiracy to commit Wire Fraud/Bank Fraud
5. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor
6. Interpreter Required: ☒ No ☐ Yes Language: _____
7. Year of Birth: 1958
8. Defendant has retained counsel: ☐ No
   ☐ Yes Name: _____ Phone Number: _____
9. Name of Pretrial Services Officer notified: _____
10. Remarks (if any): _____
11. Name: Sarah Conlon (please print)
12. Office Phone Number: (305) 934-4763
13. Agency: IRS-CI
14. Signature: Sarah Conlon
15. Date: 03/23/2021

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, vs. Cindi Ellis Denton	Eastern Division Case Number: 5:21-MJ-00189 Initial App. Date: 03/23/2021 Initial App. Time: 2:00 PM	UNDER SEAL Out of District Affidavit Custody
Defendant.	Date Filed: 03/23/2021 Violation: 18:1343 CourtSmart/ Reporter: Lisa Gonzalez	

PROCEEDINGS HELD BEFORE UNITED STATES MAGISTRATE JUDGE: Shashi H. Kewalramani

CALENDAR/PROCEEDINGS SHEET LOCAL/OUT-OF-DISTRICT CASE

PRESENT: Castellanos, Danalyn (*Deputy Clerk*) Natasha Haney (*Assistant U.S. Attorney*) None (*Interpreter/Language*)

☐ INITIAL APPEARANCE NOT HELD - CONTINUED
☑ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).
☑ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and ☑ preliminary hearing OR ☑ removal hearing / Rule 20.
☑ Defendant states true name ☑ is as charged ☐ is _____
☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.
☑ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.
☑ Attorney: Luisa Tamez, DFPD ☑ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)
☐ Special appearance by: _____.
☐ Government's request for detention is: ☐ GRANTED ☐ DENIED ☑ WITHDRAWN ☐ CONTINUED
☑ Defendant is ordered: ☐ Permanently Detained ☐ Temporarily Detained (see separate order).
☑ BAIL FIXED AT $ 26,000 **(SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)**
☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED
☐ Preliminary Hearing waived.
☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties
☐ This case is assigned to Magistrate Judge _____. Counsel are directed to contact the clerk for the setting of all further proceedings.
☐ **PO/PSA WARRANT** ☐ Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.
☐ Preliminary Hearing set for _____ at 4:30 PM _____
☐ PIA set for: _____ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana
☐ Government's motion to dismiss case/defendant _____ only: ☐ GRANTED ☐ DENIED
☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED
☑ Defendant executed Waiver of Rights. ☑ Process received.
☑ Court ORDERS defendant Held to Answer to Southern District of Florida
☑ Bond to transfer, if bail is posted. Defendant to report on or before April 22, 2021
☐ Warrant of removal and final commitment to issue. Date issued: _____ By CRD: _____
☐ Warrant of removal and final commitment are ordered stayed until _____
☐ Case continued to (Date) _____ (Time) _____ AM / PM
Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge.
Proceedings will be held in the ☐ Duty Courtroom _____ ☐ Judge's Courtroom _____
☐ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.
☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.
☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.
☑ RELEASE ORDER NO: 40040
☐ Other: _____

☐ **PSA** ☐ **USPO** ☐ **FINANCIAL** ☐ **CR-10** ☐ **CR-29** ☐ **READY**

Deputy Clerk Initials DC
_____ : 25 mins

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Case Name: United States of America v. **Cindi Ellis Denton** Case No. 5:21MJ00189-DUTY

☒ Defendant ☐ Material Witness

Violation of Title and Section: **18:1343**

☐ Summons ☒ Out of District ☐ **UNDER SEAL** ☐ Modified Date: _____

Check only one of the five numbered boxes below (unless one bond is to be replaced by another):

1. ☐ Personal Recognizance (*Signature Only*)
2. ☐ Unsecured Appearance Bond
   $ _____
3. ☒ Appearance Bond
   $ 26000
   (a). ☒ Cash Deposit (*Amount or %*) (*Form CR-7*)
   1000
   (b). ☒ Affidavit of Surety Without Justification (*Form CR-4*) Signed by:
   Annette Bowden - $25,000

(c). ☐ Affidavit of Surety With Justification (*Form CR-3*) Signed by:

☐ With Full Deeding of Property:

4. ☐ Collateral Bond in the Amount of (*Cash or Negotiable Securities*):
   $ _____
5. ☐ Corporate Surety Bond in the Amount of:
   $ _____

Release No.
40040

☐ **Release to Pretrial ONLY**
☐ **Release to Probation ONLY**
☒ Forthwith Release

☒ All Conditions of Bond (*Except Clearing-Warrants Condition*) Must be Met and Posted by:
3/26/2021

☐ Third-Party Custody Affidavit (*Form CR-31*)

☒ Bail Fixed by Court:
SHK / DC
(Judge / Clerk's Initials)

PRECONDITIONS TO RELEASE

☐ The government has requested a Nebbia hearing under 18 U.S.C. § 3142(g)(4).

☐ The Court has ordered a Nebbia hearing under § 3142 (g)(4).

☐ The Nebbia hearing is set for _____ at _____ ☐ a.m. ☐ p.m.

ADDITIONAL CONDITIONS OF RELEASE

In addition to the GENERAL CONDITIONS of RELEASE, the following conditions of release are imposed upon you:

☒ Submit to: ☒ Pretrial Services Agency (PSA) supervision as directed by PSA; ☐ Probation (USPO) supervision as directed by USPO.
(***The agency indicated above, PSA or USPO, will be referred to below as "Supervising Agency."***)

☒ Surrender all passports and travel documents to Supervising Agency no later than March 24, 2021 , sign a Declaration re Passport and Other Travel Documents (*Form CR-37*), and do not apply for a passport or other travel document during the pendency of this case.

☒ Travel is restricted to CAC/ Southern Dist of Florida unless prior permission is granted by Supervising Agency to travel to a specific other location. Court permission is required for international travel.

☒ Reside as approved by Supervising Agency and do not relocate without prior permission from Supervising Agency.

☐ Maintain or actively seek employment and provide proof to Supervising Agency. ☐ Employment to be approved by Supervising Agency.

☐ Maintain or begin an educational program and provide proof to Supervising Agency.

Defendant's Initials: _____ Date: _____

Case Name: United States of America v. Cindi Ellis Denton Case No. 5:21MJ00189-DUTY

☒ Defendant ☐ Material Witness

☒ Avoid all contact, directly or indirectly (including by any electronic means), with any person who is a known victim or witness in the subject investigation or prosecution, ☐ including but not limited to _____ _____; ☐ except _____.

☐ Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel. Notwithstanding this provision, you may contact the following codefendants without your counsel present: _____ .

☐ Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☒ Do not use or possess any identification, mail matter, access device, or any identification-related material other than in your own legal or true name without prior permission from Supervising Agency. ☒ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not engage in telemarketing.

☐ Do not sell, transfer, or give away any asset valued at $ _____ or more without notifying and obtaining permission from the Court, except _____ .

☐ Do not engage in tax preparation for others.

☐ Do not use alcohol.

☐ Participate in the electronic remote alcohol monitoring program as directed by Supervising Agency and abide by all the rules and requirements of the program. You must pay all or part of the costs for treatment based upon your ability to pay as determined by Supervising Agency.

☐ Do not use or possess illegal drugs or state-authorized marijuana. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.

☐ Submit to: ☐ drug and/or ☐ alcohol testing. If directed to do so, participate in outpatient treatment approved by Supervising Agency. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Supervising Agency.

☐ Participate in residential ☐ drug and/or ☐ alcohol treatment as directed by Supervising Agency. You must pay all or part of the costs of treatment based upon your ability to pay as determined by Supervising Agency. ☐ **Release to PSA only** ☐ **Release to USPO only**

☐ Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Supervising Agency. You must pay all or part of the costs based upon your ability to pay as determined by Supervising Agency.

☐ Participate in the Location Monitoring Program and abide by all of the requirements of the program, under the direction of Supervising Agency, which ☐ **will** or ☐ **will not** include a location monitoring bracelet. You must pay all or part of the costs of the program based upon your ability to pay as determined by Supervising Agency. You must be financially responsible for any lost or damaged equipment.

☐ Location monitoring only - no residential restrictions;

-or-

☐ You are restricted to your residence every day:

☐ from _____ ☐ a.m. ☐ p.m. to _____ ☐ a.m. ☐ p.m.

☐ as directed by Supervising Agency;

-or-

Defendant's Initials: _____ Date: _____

Case Name: United States of America v. **Cindi Ellis Denton** Case No. 5:21MJ00189-DUTY

☒ Defendant ☐ Material Witness

☐ You are restricted to your residence at all times except for medical needs or treatment, attorney visits, court appearances, and _____, all of which must be preapproved by Supervising Agency;

☐ **Release to PSA only** ☐ **Release to USPO only**

☐ You are placed in the third-party custody (*Form CR-31*) of _____.

☐ Clear outstanding ☐ warrants or ☐ DMV and traffic violations and provide proof to Supervising Agency within ____ days of release from custody.

☐ Do not possess or have access to, in the home, the workplace, or any other location, any device that offers internet access except as approved by Supervising Agency. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property by Supervising Agency in conjunction with the U.S. Marshal.

☐ Do not associate or have verbal, written, telephonic, electronic, or any other communication with any person who is less than the age of 18 except in the presence of a parent or legal guardian of the minor.

☐ Do not loiter or be found within 100 feet of any schoolyard, park, playground, arcade, or other place primarily used by children under the age of 18.

☐ Do not be employed by, affiliated with, own, control, or otherwise participate directly or indirectly in the operation of any daycare facility, school, or other organization dealing with the care, custody, or control of children under the age of 18.

☐ Do not view or possess child pornography or child erotica. ☐ In order to determine compliance, you agree to submit to a search of your person and/or property, including computer hardware and software, by Supervising Agency in conjunction with the U.S. Marshal.

☐ Other conditions:

_____

_____

_____

_____

_____

GENERAL CONDITIONS OF RELEASE

I will appear in person in accordance with any and all directions and orders relating to my appearance in the above entitled matter as may be given or issued by the Court or any judicial officer thereof, in that Court or before any Magistrate Judge thereof, or in any other United States District Court to which I may be removed or to which the case may be transferred.

I will abide by any judgment entered in this matter by surrendering myself to serve any sentence imposed and will obey any order or direction in connection with such judgment as the Court may prescribe.

I will immediately inform my counsel of any change in my contact information, including my residence address and telephone number, so that I may be reached at all times.

I will not commit a federal, state, or local crime during the period of release.

I will not intimidate any witness, juror, or officer of the court or obstruct the criminal investigation in this case. Additionally, I will not tamper with, harass, or retaliate against any alleged witness, victim, or informant in this case. I understand that if I do so, I may be subject to further prosecution under the applicable statutes.

I will cooperate in the collection of a DNA sample under 42 U.S.C. § 14135a.

Defendant's Initials: _____ Date: _____

Case Name: United States of America v. **Cindi Ellis Denton** Case No. 5:21MJ00189-DUTY

☒ Defendant ☐ Material Witness

ACKNOWLEDGMENT OF DEFENDANT/MATERIAL WITNESS

As a condition of my release on this bond, pursuant to Title 18 of the United States Code, I have read or have had interpreted to me and understand the general conditions of release, the preconditions, and the additional conditions of release and agree to comply with all conditions of release imposed on me and to be bound by the provisions of Local Criminal Rule 46-6.

Furthermore, it is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which will continue in full force and effect until such time as duly exonerated.

I understand that violation of any of the general and/or additional conditions of release of this bond may result in a revocation of release, an order of detention, and a new prosecution for an additional offense which could result in a term of imprisonment and/or fine.

I further understand that if I fail to obey and perform any of the general and/or additional conditions of release of this bond, this bond may be forfeited to the United States of America. If said **forfeiture is not set aside, judgment may be summarily entered in this Court against me and each surety, jointly and severally, for the bond amount, together with interest and costs. Execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States, and any cash or real or personal property or the collateral previously posted in connection with this bond may be forfeited.**

_____ _____ _____

Date *Signature of Defendant / Material Witness* *Telephone Number*

_____

*City and State (**DO NOT INCLUDE ZIP CODE**)*

☐ **Check if interpreter is used**: I have interpreted into the _____ language this entire form and have been told by the defendant that he or she understands all of it.

_____ _____

Interpreter's Signature *Date*

Approved: _____ _____

United States District Judge / Magistrate Judge *Date*

If cash deposited: Receipt # _____ for $ _____

(This bond may require surety agreements and affidavits pursuant to Local Criminal Rule 46.)

Defendant's Initials: _____ Date: _____

LUISA TAMEZ (Bar No. 5434469) [1]
Deputy Federal Public Defender
Email: Luisa_Tamez@fd.org
3801 University Avenue, Suite 700
Riverside, California 92501
(951) 276-6346 / (951) 276-6368 [Fax]

FILED
CLERK, U.S. DISTRICT COURT
March 23, 2021
CENTRAL DISTRICT OF CALIFORNIA
BY: DC DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America, Plaintiff, v. CINDI ELLIS DENTON Defendant.	CASE NUMBER: 21-MJ-189
	ADVISEMENT OF DEFENDANT'S STATUTORY & CONSTITUTIONAL RIGHTS

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

IF YOU ARE CHARGED WITH A VIOLATION OF YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.

continued on Page 2

IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 3/23/21 _____ for defendant

Signature of Defendant

[or]

I have personally heard a translation in the _____ language read to me and understand the above Advisement of Rights.

Dated: 3/23/21 _____

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the _____ language.

Dated: _____ _____

Signature of Interpreter

_____

Print Name of Interpreter

STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: _____ _____

Signature of Attorney

1 As a government attorney and a member of the New York State Bar. Luis Tamez has been admitted to practice before the United States District Court for the Central District of California

LUISA TAMEZ (Bar No. 5434469) [1]
Deputy Federal Public Defender
Email:Neha_Christena@fd.org
3801 University Avenue, Suite 700
Riverside, CA 92501 951.276-6346/951.276-6368

FILED
CLERK, U.S. DISTRICT COURT
March 23, 2021
CENTRAL DISTRICT OF CALIFORNIA
BY: DC DEPUTY

UNITED STATES DISTRICT COU
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
PLAINTIFF,
v.
CINDI ELLIS DENTON
DEFENDANT(S).

CASE NUMBER
ED 21-MJ-189

CONSENT TO VIDEO/TELEPHONIC CONFERENCE AND/OR WAIVER OF DEFENDANT'S PRESENCE
☐ AND PROPOSED FINDINGS/ORDER

Check each that applies:

☒ CONSENT TO VIDEO CONFERENCE/TELEPHONIC CONFERENCE ☐ WAIVER OF DEFENDANT'S PRESENCE

1. Consent to Video Conference/Telephonic Conference

I, CINDI ELLIS DENTON, understand that the U.S. Constitution, the Federal Rules of Criminal Procedure, and/or one or more federal statutes may give me the right to have all the below-listed proceedings take place in person in open court. After consultation with counsel, I knowingly and voluntarily consent to the proceedings below instead taking place by video conference or, if video conference is not reasonably available, by telephonic conference:

Check each that applies:

☒ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)
☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)
☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)
☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))
☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)
☒ Initial Appearance (Fed. R. Crim. P. 5)
☐ Arraignment (Fed. R. Crim. P. 10)
☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))
☐ Appearances under Fed. R. Crim. P. 40

Note: to consent to an appearance by video or telephonic conference at one of the two proceedings listed below, you must also complete the "Proposed Findings" section on page 2 of this form.

☐ Felony Pleas (Fed. R. Crim. P. 11) ☐ Felony Sentencings (Fed. R. Crim. P. 32)

2. Waiver of Defendant's Presence

I, CINDI ELLIS DENTON, understand that the U.S. Constitution, the Federal Rules of Criminal Procedure, and/or one or more federal statutes may give me the right to be present at all of the below-listed proceedings - in person, by video conference, or by telephonic conference. After consultation with counsel, I knowingly and voluntarily waive my right to be present in person in open court or by video conference or by telephonic conference at the proceedings below:

Check each that applies (and use Form CR-35 to waive the defendant's presence at other types of proceedings):

☐ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)
☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)
☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)
☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))
☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)
☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))
☐ Appearances under Fed. R. Crim. P. 40

3/23/21
Date

for defendant
Defendant

☒ Signed for Defendant by Counsel for Defendant with Defendant's Authorization [Check if applicable]

1 As a government attorney and a member of the New York State Bar, Luis Tamez has been admitted to practice before the United States District Court for the Central District of California

I have translated this consent/waiver to the Defendant in the _____ language.

Date

Interpreter (if required)

☐ Signed for Interpreter by Counsel for Defendant with Interpreter's Authorization [Check if applicable]

I am counsel for the Defendant herein. Prior to the Defendant signing this document or authorizing me to sign this document on the Defendant's behalf, I fully advised the Defendant of the Defendant's above-referenced rights and consulted with the Defendant regarding such rights and the Defendant's consent/waiver(s). I believe that the Defendant understands such rights and that the Defendant's consent/waiver(s) are knowing and voluntary, and I concur with such consent/waiver(s).

3/23/21
Date

Counsel for Defendant

3. Proposed Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), felony pleas and sentencings cannot be conducted other than in person in open court unless the judge makes specific findings that the plea or sentencing "cannot be further delayed without serious harm to the interests of justice." Accordingly, if the defendant intends to consent to a felony plea or sentencing taking place by video conference or, if video conference is not reasonably available, by telephonic conference, instead of in person in open court, the defendant must set forth below proposed findings sufficient to make this showing.

4. Order Adopting Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), I hereby find that the:

☐ Felony Plea (Fed. R. Crim. P. 11) ☐ Felony Sentencing (Fed. R. Crim. P. 32)

in this case cannot be further delayed without serious harm to the interests of justice, for the reasons set forth above.

Date

United States District Judge

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00189-DUTY All Defendants *SEALED*
Internal Use Only

Case title: USA v. Denton

Date Filed: 03/23/2021

Date Terminated: 03/23/2021

Assigned to: Duty Magistrate Judge

Defendant (1)

Cindi Ellis Denton
TERMINATED: 03/23/2021

represented by **Luisa Patricia Tamez**
Federal Public Defenders Office
Riverside Office
3801 University Avenue Suite 700
Riverside, CA 92501
951-276-6136
Email: luisa_tamez@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts — **Disposition**

None

Highest Offense Level (Opening)

None

Terminated Counts — **Disposition**

None

Highest Offense Level (Terminated)

None

Complaints — **Disposition**

Defendant in violation of 18:1343

Plaintiff

USA

represented by **US Attorney's Office**
AUSA - Office of US Attorney

Criminal Division - US Courthouse
312 North Spring Street 12th Floor
Los Angeles, CA 90012-4700
213-894-2434
Email: USACAC.Criminal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
03/23/2021	1	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Cindi Ellis Denton, originating in the Southern District of Florida. Defendant charged in violation of: 18:1343. Signed by agent Sarah Conlon, IRS-CI; Special Agent. (ja) (Entered: 03/24/2021)
03/23/2021	2	REPORT COMMENCING CRIMINAL ACTION as to Defendant Cindi Ellis Denton; defendants Year of Birth: 1958; date of arrest: 3/23/2021 (ja) (Entered: 03/24/2021)
03/23/2021		(Court only) ***Defendant Cindi Ellis Denton ARRESTED (Rule 5(c)(3)) (ja) (Entered: 03/24/2021)
03/23/2021	3	Defendant Cindi Ellis Denton arrested on warrant issued by the USDC Southern District of Florida at Fort Lauderdale. (Attachments: # 1 Charging Document)(ja) (Entered: 03/24/2021)
03/23/2021	4	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Shashi H. Kewalramani as to Defendant Cindi Ellis Denton. Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order). Defendant arraigned and states true name is as charged. Attorney: Luisa Patricia Tamez for Cindi Ellis Denton, Deputy Federal Public Defender, present. Court orders bail set as: Cindi Ellis Denton (1) $26,000 Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Court orders defendant held to answer to Southern District of Florida. Bond to Transfer. Defendant ordered to report on 4/22/21. Release Order No 40040. Court Reporter: Lisa Gonzalez. (ja) (Entered: 03/24/2021)
03/23/2021	5	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Cindi Ellis Denton. (ja) (Entered: 03/24/2021)
03/23/2021	6	CONSENT to Video Conference/Telephonic Conference filed by Defendant Cindi Ellis Denton. (ja) (Entered: 03/24/2021)
03/23/2021	7	WAIVER OF RIGHTS approved by Magistrate Judge Shashi H. Kewalramani as to Defendant Cindi Ellis Denton. (ja) (Entered: 03/24/2021)
03/23/2021	8	FINANCIAL AFFIDAVIT filed as to Defendant Cindi Ellis Denton. (Not for Public View pursuant to the E-Government Act of 2002) (ja) (Entered: 03/24/2021)
03/23/2021		(Court only) ***Magistrate Case Terminated (ja) (Entered: 03/24/2021)
03/24/2021	9	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Cindi Ellis Denton. USA passport was received on 3/24/21. (ja) (Entered: 03/24/2021)
03/24/2021		Notice to Southern District of Florida of a SEALED Rule 5 Initial Appearance as to Defendant Cindi Ellis Denton. Your case number is: 21-6149. The clerk will transmit ALL restricted documents via email. The Clerk will forward the passport to you If

		you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (ja) (Entered: 03/24/2021)