

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
2211 UNITED STATES COURTHOUSE
75 TED TURNER DRIVE, SW
ATLANTA, GEORGIA 30303-3361

KEVIN P. WEIMER
DISTRICT COURT EXECUTIVE
AND CLERK OF COURT

DOCKETING SECTION
404-215-1655

September 16, 2021

Clerk's Office - **USCA No. 00-00000-00**
U.S. Court of Appeals
Eleventh Circuit
56 Forsyth Street, NW
Atlanta, Georgia 30303

Re: United States of America v. Maurice Fayne
USDC Criminal No. 1:20-cr-228-MHC-JKL-1

Enclosed are documents regarding an appeal in the action referenced above. Please acknowledge receipt of same on the enclosed copy of this letter.

☒ **Certified copy of notice of appeal, docket, order and/or judgment, and commitment appealed from enclosed.**

☐ Original record exhibits transmitted pursuant to request. (See attached copy of request.)

☐ Appeal fees been paid.

☐ Certified copy of order appointing Federal Defender Program enclosed.

☒ **Certified copy of CJA order appointing counsel enclosed.**

☐ Appellant has been forwarded an application to proceed IFP.

☐ Appellant has been leave to proceed IFP, copy of order enclosed.

☐ An appeal bond has been denied.

☒ **District Judge appealed from is Honorable Mark H. Cohen.**

☐ Other:.

The enclosed certified, **ORIGINAL** record on appeal consists of:

☐ Volume(s) of pleadings

☐ Envelope of Exhibits

☐ Volume(s) of transcripts.

☐ PSI enclosed. (SEALED)

Sincerely,

Kevin P. Weimer
Clerk of Court

By: /s/P. McClam
Deputy Clerk

Enclosures

APPEAL,CLOSED,CertRdyTrl,MEDIUM

U.S. District Court
Northern District of Georgia (Atlanta)
CRIMINAL DOCKET FOR CASE #: 1:20-cr-00228-MHC-JKL-1

Case title: USA v. Fayne

Magistrate judge case number: 1:20-mj-00370-JSA

Date Filed: 06/24/2020

Date Terminated: 09/15/2021

Assigned to: Judge Mark H. Cohen
Referred to: Magistrate Judge John
K. Larkins, III

Defendant (1)

Maurice Fayne

TERMINATED: 09/15/2021

also known as

Arkansas Mo

TERMINATED: 09/14/2021

represented by **Caitlyn Virginia Wade**
Federal Defender Program
101 Marietta Street Northwest
Suite 1500
Atlanta, GA 30303
404-688-7530
Fax: 404-688-0768
Email: caitlyn_wade@fd.org

TERMINATED: 07/27/2020

LEAD ATTORNEY

*Designation: Public Defender or Community
Defender Appointment*

Leigh Ann Webster

Strickland Webster, LLC -Atl
Suite 510-203

830 Glenwood Ave., S.E.

Atlanta, GA 30316

404-590-7967

Email: law@stricklandwebster.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Mark R. Jeffrey

Jeffrey Law Group, LLC

Suite 300

2470 Windy Hill Road

Marietta, GA 30067

770-933-5377

Email: mark@jeffrey-law.com

TERMINATED: 01/12/2021

LEAD ATTORNEY

ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Saraliene Durrett
Saraliene Smith Durrett, LLC
Suite 300
1800 Peachtree Street, NE
Atlanta, GA 30309
404-433-0855
Email: ssd@defendingatl.com
TERMINATED: 09/16/2021
LEAD ATTORNEY
Designation: CJA Appointment

Tanya F. Miller
DuBose Miller, LLC
Suite 2110
75 14th St., NE
Atlanta, GA 30309
404-720-8111
Email: miller@dubosemiller.com
TERMINATED: 06/25/2020
LEAD ATTORNEY
Designation: Retained

Pending Counts

18:1343 and 2 FRAUD BY WIRE,
RADIO, OR TELEVISION
(1-3)

18:1343 and 2 FRAUD BY WIRE,
RADIO, OR TELEVISION
(1s-3s)

18:1349 ATTEMPT AND
CONSPIRACY TO COMMIT
FRAUD
(1ss)

18:1343 and Section 2 FRAUD
BY WIRE, RADIO, OR
TELEVISION
(2ss-4ss)

Disposition

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

CBOP 210 MONTHS AS TO EACH OF COUNTS
1 THROUGH 6, TO BE SERVED
CONCURRENTLY WITH EACH OTHER FOR A
TOTAL TERM OF IMPRISONMENT OF 210
MONTHS, SR 5 YEARS AS TO EACH OF
COUNTS 1 THROUGH 6, TO BE SERVED
CONCURRENTLY WITH EACH OTHER FOR A
TOTAL TERM OF SR OF 5 YEARS, SA \$600,
TOTAL RESTITUTION OF \$4,465,865.55 TO BE
PAID JOINTLY AND SEVERALLY WITH
MICHAEL SARGENT
(1:21-CR-219-MHC-JKL) AND DANIEL ERIC
JAY, IF CONVICTED.

CBOP 210 MONTHS AS TO EACH OF COUNTS
1 THROUGH 6, TO BE SERVED
CONCURRENTLY WITH EACH OTHER FOR A
TOTAL TERM OF IMPRISONMENT OF 210
MONTHS, SR 5 YEARS AS TO EACH OF

18:1344A.F BANK FRAUD
(4)

COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF SR OF 5 YEARS, SA \$600, TOTAL RESTITUTION OF \$4,465,865.55 TO BE PAID JOINTLY AND SEVERALLY WITH MICHAEL SARGENT (1:21-CR-219-MHC-JKL) AND DANIEL ERIC JAY, IF CONVICTED.

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1344 and 2 BANK FRAUD
(4s)

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1014.F LOAN AND CREDIT APPLICATIONS GENERALLY
(5)

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1014 and 2 LOAN AND CREDIT APPLICATIONS GENERALLY
(5s)

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1344 BANK FRAUD
(5ss)

CBOP 210 MONTHS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF 210 MONTHS, SR 5 YEARS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF SR OF 5 YEARS, SA \$600, TOTAL RESTITUTION OF \$4,465,865.55 TO BE PAID JOINTLY AND SEVERALLY WITH MICHAEL SARGENT (1:21-CR-219-MHC-JKL) AND DANIEL ERIC JAY, IF CONVICTED.

18:1956(a)(1)(B)(i) and 18:2 MONEY LAUNDERING – BANK FRAUD
(6-15)

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1956(a)(1)(B)(i) and 2 MONEY LAUNDERING
(6s-15s)

DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04

18:1014 and Section 2 LOAN AND CREDIT APPLICATIONS GENERALLY
(6ss)

CBOP 210 MONTHS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF 210 MONTHS, SR 5 YEARS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF SR OF 5 YEARS, SA \$600, TOTAL RESTITUTION OF \$4,465,865.55 TO BE

18:1956 (a)(1)(B)(i) and Section 2
MONEY LAUNDERING
(7ss-16ss)

PAID JOINTLY AND SEVERALLY WITH
MICHAEL SARGENT
(1:21-CR-219-MHC-JKL) AND DANIEL ERIC
JAY, IF CONVICTED.

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

18:1957 and 18:2 BANK FRAUD
(16-18)

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

18:1957 and 2 Money Laundering
(16s-18s)

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

18:1957 and Section 2 MONEY
LAUNDERING
(17ss-19ss)

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

18:1028(a)(1) and Section 2
FRAUD WITH
IDENTIFICATION
DOCUMENTS
(20ss)

DISMISSED W/OUT PREJUDICE PURSUANT
TO S.O. 07-04

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

18:1344A.F

Disposition

Plaintiff

USA

represented by **Bernita Malloy**
Office of the United States
Attorney-ATL600
Northern District of Georgia
600 United States Courthouse
75 Ted Turner Dr., S.W.
Atlanta, GA 30303
404-581-6052
Email: Bernita.Malloy@usdoj.gov
LEAD ATTORNEY

ATTORNEY TO BE NOTICED*Designation: Retained***John Russell Phillips**

Office of the United States

Attorney-ATL600

Northern District of Georgia

600 United States Courthouse

75 Ted Turner Dr., S.W.

Atlanta, GA 30303

404-581-6239

Email: russell.phillips@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Retained***Michael John Brown**

Office of the United States

Attorney-ATL600

Northern District of Georgia

600 United States Courthouse

75 Ted Turner Dr., S.W.

Atlanta, GA 30303

404-581-6131

Email: michael.j.brown2@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Retained***Radka Nations**

DOJ-USAO

75 Ted Turner Drive

Suite 600

Atlanta, GA 30303

404-450-1038

Email: radka.nations2@usdoj.gov**ATTORNEY TO BE NOTICED***Designation: Retained*

Date Filed	#	Page	Docket Text
05/12/2020	<u>1</u>		MAGISTRATE COMPLAINT as to Maurice Fayne (1). (jpa) [1:20-mj-00370-JSA] (Entered: 05/12/2020)
05/12/2020	<u>2</u>		MOTION to Seal all Document pertaining to this case by USA as to Maurice Fayne. (jpa) [1:20-mj-00370-JSA] (Entered: 05/12/2020)
05/12/2020	<u>3</u>		ORDER granting <u>2</u> Motion to Seal Documents as to Maurice Fayne (1). Signed by Magistrate Judge Justin S. Anand on 5/12/20. (jpa) [1:20-mj-00370-JSA] (Entered: 05/12/2020)

05/12/2020	<u>4</u>		Arrest Warrant Issued by Magistrate Judge Justin S. Anand as to Maurice Fayne. (jpa) [1:20-mj-00370-JSA] (Entered: 05/12/2020)
05/13/2020	<u>5</u>		MOTION to Unseal filed by USA as to Maurice Fayne. (ddm) [1:20-mj-00370-JSA] (Entered: 05/13/2020)
05/13/2020	<u>6</u>		ORDER granting <u>5</u> Motion to Unseal filed by USA as to Maurice Fayne (1). Signed by Magistrate Judge Justin S. Anand on 5/13/2020. (ddm) [1:20-mj-00370-JSA] (Entered: 05/13/2020)
05/13/2020	<u>7</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Bond Hearing as to Maurice Fayne. INITIAL APPEARANCE. Defendant waives Preliminary Hearing. Oral Waiver filed. Non-Surety Bond set at \$10,000.00. Bond filed. Defendant released. Added attorney Bernita Malloy, Michael John Brown for USA, Tanya F. Miller for Maurice Fayne. (Tape #FTR) (bdb) [1:20-mj-00370-JSA] (Entered: 05/13/2020)
05/13/2020	<u>8</u>		Non-Surety Bond Entered as to Maurice Fayne in amount of \$10,000.00. (bdb) [1:20-mj-00370-JSA] (Entered: 05/13/2020)
05/13/2020	<u>9</u>		ORDER Setting Conditions of Release as to Maurice Fayne. Signed by Magistrate Judge Justin S. Anand on 5/13/2020. (bdb) [1:20-mj-00370-JSA] (Entered: 05/13/2020)
05/14/2020	<u>10</u>		Arrest Warrant Returned Executed on 05/13/20 as to Maurice Fayne. (aaq) [1:20-mj-00370-JSA] (Entered: 05/15/2020)
05/27/2020	<u>11</u>		THIRD AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 05/26/20. (aaq) [1:20-mj-00370-JSA] (Entered: 05/27/2020)
06/04/2020			Document 12 is sealed. (jpa) [1:20-mj-00370-JSA] (Entered: 06/04/2020)
06/09/2020			Document 13 is sealed. (jpa) [1:20-mj-00370-JSA] (Entered: 06/09/2020)
06/16/2020	<u>14</u>		MOTION to Withdraw as Attorney by Maurice Fayne. (Attachments: # <u>1</u> Exhibit Letter re Withdrawal) (Miller, Tanya) [1:20-mj-00370-JSA] (Entered: 06/16/2020)
06/17/2020	<u>15</u>		ORDER as to Maurice Fayne re <u>14</u> MOTION to Withdraw as Attorney filed by Maurice Fayne. Attorney Appointment Hearing set for 6/25/2020 at 12:00 PM

			before Magistrate Judge Justin S. Anand. The Defendant must participate in the hearing. However, any counsel or party, including the Defendant, wishing to participate by teleconference is permitted to do so. The Court's deputy clerk will distribute a call-in number for such purposes. The Court has also transmitted to Ms. Miller, by e-mail, a blank financial affidavit for Defendant to execute in connection with any application for Court-appointed counsel in this case. Defendant must fill-out, execute and return (by electronic means or otherwise) this affidavit prior to the hearing if he wishes Court-appointed counsel. Signed by Magistrate Judge Justin S. Anand on 6/17/2020. (bdb) [1:20-mj-00370-JSA] (Entered: 06/17/2020)
06/24/2020	<u>16</u>		CJA 23 Financial Affidavit by Maurice Fayne. (bse) [1:20-mj-00370-JSA] (Entered: 06/25/2020)
06/24/2020	<u>17</u>		INDICTMENT with forfeiture provision as to Maurice Fayne (1) count(s) 1-3, 4, 5, 6-15, 16-18. (adg) (Entered: 06/26/2020)
06/24/2020	<u>18</u>		Defendant Information Sheet as to Maurice Fayne. (adg) (Entered: 06/26/2020)
06/24/2020	<u>19</u>		Request for Arraignment as to Maurice Fayne. (adg) (Entered: 06/26/2020)
06/25/2020	<u>20</u>		Summons Issued as to Maurice Fayne. Arraignment set for 7/9/2020 at 11:00 AM in ATLA Courtroom 1860 before Magistrate Judge Linda T. Walker. (adg) (Entered: 06/26/2020)
06/25/2020	<u>21</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Motion Hearing as to Maurice Fayne re <u>14</u> MOTION to Withdraw as Attorney. <u>14</u> Motion to Withdraw as Attorney GRANTED, Tanya F. Miller withdrawn from case. (Tape #FTR) (adg) (Entered: 06/26/2020)
06/25/2020	<u>22</u>		ORDER APPOINTING FEDERAL PUBLIC DEFENDER Caitlyn Virginia Wade as to Maurice Fayne. Signed by Magistrate Judge Justin S. Anand on 6/25/2020. (adg) (Entered: 06/26/2020)
07/07/2020	<u>23</u>		FOURTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act as to Maurice Fayne. Signed by Judge Thomas W. Thrash, Jr. on 07/01/2020. (rvb) (Entered: 07/07/2020)
07/09/2020	<u>24</u>		Minute Entry for proceedings held before Magistrate Judge Linda T. Walker: Arraignment NOT HELD as to

			Maurice Fayne. Dft refused to enter a plea. Defendant requested that the federal defender be terminated from the case. The court DENIED the request and advised defendant that when new counsel enters an appearance in the case, FDP will be terminated. Defendant given through 07/14/2020 at 2:00 pm in which to have new counsel enter an appearance. New date for arraignment to be set upon new attorney notice. Order to get attorney to follow. (Tape #ZOOM) (bnp) (Entered: 07/10/2020)
07/09/2020	<u>25</u>		ORDER as to Maurice Fayne. The defendant having moved for additional time in which to obtain counsel of defendant's own choosing, for good cause shown Defendant shall be allowed until 2:00 p.m. on the 14TH day of JULY, 2020, to obtain counsel of defendant's own choosing. Defendant shall promptly notify Magistrate Judge LINDA T. WALKER, and the United States attorney of the counsel employed, and counsel shall, within three days, file a written appearance with the Clerk and furnish copies to the United States attorney and magistrate judge. If counsel has not been retained by the allotted time, defendant shall appear before Magistrate Judge LINDA T. WALKER at the above date and time for a determination as to whether counsel should be appointed. Failure of defendant to comply with this Order will result in the issuance of a warrant for the immediate arrest of defendant. The Clerk is DIRECTED to exclude time in this case from this date until counsel has appeared for defendant or until further order of the Court. Let a copy of this Order be served upon defendant, the United States attorney, and the Pretrial Services officer. Signed by Magistrate Judge Linda T. Walker on 7/9/2020. (bnp) (Entered: 07/10/2020)
07/13/2020	<u>26</u>		FIFTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act as to Maurice Fayne. Signed by Judge Thomas W. Thrash, Jr. on 07/10/2020. (rvb) (Entered: 07/13/2020)
07/14/2020	<u>27</u>		Unopposed MOTION to Continue Deadline to Retain New Counsel by Maurice Fayne. (Wade, Caitlyn) (Entered: 07/14/2020)
07/15/2020	<u>28</u>		Pro Se JUDICIAL NOTICE of Attorney Termination as to Maurice Fayne re <u>25</u> Order. (adg) (Entered: 07/16/2020)
07/15/2020	<u>29</u>		Pro Se NOTICE of Rescission of Signatures by to Maurice Fayne (adg) (Entered: 07/16/2020)
07/16/2020			

			Submission of <u>27</u> Unopposed MOTION to Continue Deadline to Retain New Counsel as to Maurice Fayne, to Magistrate Judge Linda T. Walker. (bdb) (Entered: 07/16/2020)
07/17/2020	<u>30</u>		ORDER granting <u>27</u> Motion for Continuance of as to Maurice Fayne (1). The Court finds that the interests of justice in continuing the arraignment and the deadline for Defendant to find new counsel substantially outweighs the interests of the public and defendants in the speedy resolution of this matter, and thus the Clerk is directed to count as excludable any delay occurring in extending the motions deadline and the holding of the pretrial conference. 18 U.S.C. § 3161, et seq. IT IS HEREBY ORDERED that the Defendant shall have until July 20, 2020, at 5:00 P.M., to notify the Court of new counsel. The arraignment shall be held on July 22, 2020 at 10:00 A.M. Signed by Magistrate Judge Linda T. Walker on 7/17/2020. (tmf) (Entered: 07/17/2020)
07/17/2020	<u>31</u>		Notice of Rescission of Signatures filed by Maurice Fayne. (ddm) (Entered: 07/20/2020)
07/17/2020	<u>32</u>		Judicial Notice of Attorney Termination filed by Maurice Fayne. (ddm) (Entered: 07/20/2020)
07/20/2020	<u>33</u>		MOTION to Dismiss pursuant to All Rights Reserved filed by Maurice Fayne. (ddm) (Entered: 07/20/2020)
07/20/2020	<u>34</u>		Return of Summons filed by Maurice Fayne. (ddm) (Entered: 07/21/2020)
07/24/2020	<u>35</u>		Amended Motion to Dismiss pursuant to All Rights Reserved filed by Maurice Fayne. (ddm) (Entered: 07/24/2020)
07/24/2020	<u>36</u>		Judicial Notice of Mistake of Material Fact filed by Maurice Fayne. (ddm) (Entered: 07/24/2020)
07/27/2020			Case as to Maurice Fayne Assigned to Judge Mark H. Cohen and Magistrate Judge John K. Larkins, III. (dmb) (Entered: 07/27/2020)
07/27/2020	<u>37</u>		Minute Entry for proceedings held before Magistrate Judge Linda T. Walker: ARRAIGNMENT, Attorney Caitlyn Virginia Wade terminated in case as to Maurice Fayne. Defendant given additional time thru 07/27/2020 to inform the court of his attorney, 7/22/2020–7/27/2020 is excluded under the Speedy Trial Act. PLEA of NOT GUILTY as to Counts 1–3,4,5,6–15,16–18, Estimated Trial Time–Medium. (Tape #FTR Gold) (dmb) Modified on 7/29/2020 to correct docket text (dmb). (Entered: 07/27/2020)
07/27/2020	<u>38</u>		

			PRETRIAL SCHEDULING ORDER as to Maurice Fayne. Pretrial Conference set for 8/14/2020 at 9:00 AM in ATLA Courtroom 1834 before Magistrate Judge John K. Larkins III. Signed by Magistrate Judge John K. Larkins, III on 7/27/2020. (rjs) (Entered: 07/27/2020)
07/27/2020	<u>39</u>		Minute Entry for proceedings held before Magistrate Judge Linda T. Walker: Parties appeared before the court for a status conference re defendant's attorney status. The court inquired of defendant his attorney status. Defendant advised the court that he still had not hired an attorney to represent him. The court asked defendant if he would like court-appointed counsel; defendant declined the court's offer and advised that it was his desire to represent himself. The court inquired of defendant whether or not he was familiar with the Federal Rules of CR Procedure, the Federal Rules of Evidence, Federal Sentencing Guidelines, and Discovery practices among a number of other procedures of which he would need to be familiar. Defendant affirmed that he was familiar with procedures of handling a federal criminal case and wanted to proceed Pro Se in his case. This portion of the hearing concluded. (Tape #ZOOM iCloud) (rjs) (Entered: 07/28/2020)
07/27/2020	<u>40</u>		Minute Entry for proceedings held before Magistrate Judge Linda T. Walker: The parties appeared before the court for a status conference re defendant's attorney representation status. The court, having previously met with defendant on 07/27/20, advised the government that defendant has decided to represent himself. The court reiterated to the parties that defendant advised the court that he is familiar with and understands the Federal Rules of CR Procedures, Federal Rules of Evidence, Federal Sentencing Guidelines, and discovery practices and procedures of the court. The court advised the parties that it would inform Magistrate Judge Larkins, who is assigned this case, of the status of defendant's choice to represent himself in this matter should Judge Larkins decide to take a different course of action than the magistrate herein did. (Tape #ZOOM iCloud) (rjs) (Entered: 07/30/2020)
07/28/2020	<u>41</u>		FIRST SUPERSEDING INDICTMENT as to Maurice Fayne (1) count(s) 1s-3s, 4s, 5s, 6s-15s, 16s-18s, Daniel Eric Jay (2) count(s) 4; with Forfeiture provision. (jpa) (Entered: 07/30/2020)
07/28/2020	<u>42</u>		Defendant Information Sheet as to Maurice Fayne. (jpa) (Entered: 07/30/2020)
07/28/2020	<u>43</u>		Request for Arraignment as to Maurice Fayne. (jpa) (Entered: 07/30/2020)
07/28/2020	<u>44</u>		Summons Issued as to Maurice Fayne. Arraignment set for 8/12/2020 at 10:30 AM in ATLA Courtroom 2022 before

			Magistrate Judge Russell G. Vineyard. (jpa) (Entered: 07/30/2020)
07/31/2020	<u>50</u>		NOTICE of Change of Defendant Address for Maurice Fayne. (tcc) (Entered: 07/31/2020)
08/04/2020	<u>51</u>		SIXTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 08/03/20. (aaq) (Entered: 08/04/2020)
08/06/2020	<u>52</u>		MOTION for Continuance of the pretrial conference by Maurice Fayne. (jpa) (Entered: 08/07/2020)
08/06/2020	<u>53</u>		MOTION to Modify Conditions of Release by Maurice Fayne. (jpa) (Entered: 08/07/2020)
08/06/2020	<u>54</u>		MOTION to Suppress Criminal Affidavit and Evidence by Maurice Fayne. (jpa) (Entered: 08/07/2020)
08/07/2020	<u>55</u>		ORDER re <u>52</u> Motion for Continuance as to Maurice Fayne (1): The Court DENIES Mr. Fayne's motion for continuance and DIRECTS Mr. Fayne and the government to be present for a Status Conference on Friday, August 14, 2020 at 9:00 a.m., before the undersigned Magistrate Judge in Courtroom 1834, 18th Floor, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia. The Clerk of Court is DIRECTED to mail a copy of this order, via certified mail, to Defendant Maurice Fayne to the address in CM/ECF and to the address that Pretrial Services has on file which is: 4029 Mountain Side Trail Northeast, Dacula, Georgia 30019. Signed by Magistrate Judge John K. Larkins, III on 8/7/2020. (rjs) (Entered: 08/07/2020)
08/07/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>55</u> Order via certified mail/ERR #9171999991703257181675 (OK address) and #9171999991703257181668 (GA address). (rjs) (Entered: 08/07/2020)
08/10/2020	<u>56</u>		MOTION to Continue Pretrial Motions and Conference and to be Heard by Maurice Fayne. (Attachments: # <u>1</u> Affidavit) (rjs) (Entered: 08/10/2020)
08/10/2020	<u>57</u>		ORDER DENYING <u>56</u> Motion for Continuance of Pretrial Conference as to Maurice Fayne (1). The Court DIRECTS Mr. Fayne and the government to be present for a Status Conference on Friday, August 14, 2020 at 9:00 a.m., before the undersigned Magistrate Judge in Courtroom 1834, 18th Floor, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia. The Clerk of Court

			is DIRECTED to mail a copy of this order, via certified mail, to Defendant Maurice Fayne to the address in CM/ECF and to the address that Pretrial Services has on file which is: 4029 Mountain Side Trail Northeast, Dacula, Georgia 30019. Signed by Magistrate Judge John K. Larkins, III on 8/10/2020. (adg) (Entered: 08/11/2020)
08/10/2020			Status Conference set for 8/14/2020 as to Maurice Fayne at 09:00 AM in ATLA Courtroom 1834 before Magistrate Judge John K. Larkins III. (adg) (Entered: 08/11/2020)
08/11/2020			Clerk's Certificate of Mailing to Maurice Fayne re <u>57</u> Order on Motion to Continue. CMRR #91-7199-9991-7032-5718-1293 (OK address) 91-7199-9991-7032-5718-1286 (GA address). (adg) (Entered: 08/11/2020)
08/12/2020	<u>58</u>		Minute Entry for proceedings held before Magistrate Judge Russell G. Vineyard: ARRAIGNMENT as to Maurice Fayne (1) held. Def stood mute; PLEA of NOT GUILTY entered by the Court as to Counts 1s-3s,4s,5s,6s-15s,16s-18s. (Tape #FTR Gold) (rjs) (Entered: 08/12/2020)
08/12/2020	<u>61</u>		Pro Se MOTION for Discovery and Motion to Compel filed by Maurice Fayne. (ddm) (Entered: 08/14/2020)
08/14/2020	<u>62</u>		ORDER OF CJA 20-Appointment to Pay Court Appointed Standby Counsel: Appointment of Attorney Mark R. Jeffrey for Maurice Fayne. Signed by Magistrate Judge John K. Larkins, III on 8/14/2020. (ddm) (Entered: 08/14/2020)
08/14/2020	<u>63</u>		Minute Entry for proceedings held before Magistrate Judge John K. Larkins, III: Status Conference held as to Maurice Fayne. Status Conference Held. The court inquired if Defendant would like to have a court appointed counsel to represent him. Mr. Fayne expressed that he wished to continue to represent himself. After questioning Mr. Fayne, the court finds that Mr. Fayne knowingly and voluntarily waives his right to represent himself in this matter. The Court appoints Mark Jeffrey as standby counsel as to Defendant Maurice Fayne. Defendant's motion for demand for specific discovery is DENIED WITHOUT PREJUDICE. Defendant shall have until August 21, 2020, to provide the Government with a two terabyte hard drive in order to receive electronic discovery. Mr. Fayne advised the Court that all mail addressed to the address on record with pretrial services is being automatically forwarded to 6608 N Western Avenue #1307, Oklahoma City, OK 73116, and that all mail received there is scanned and emailed to him on the day of receipt. At this time, based on these representations, the Court will not require Mr. Fayne to maintain a mailing

			address in this district but cautioned Mr. Fayne that he alone bears the risk of mail being delayed or lost in transit and the consequences thereof. The Court also directed, however, that any materials to be sent via FedEx (or similar overnight delivery) to Mr. Fayne be sent to his address on record with pretrial services. (Tape #FTR) (ddm) (Entered: 08/14/2020)
08/14/2020	<u>64</u>		PRETRIAL SCHEDULING ORDER as to Maurice Fayne, Daniel Eric Jay. Pretrial Conference set for 8/27/2020 at 11:00 AM in ATLA Courtroom 1834 before Magistrate Judge John K. Larkins III. Pretrial motions shall be due on or before August 26, 2020. Signed by Magistrate Judge John K. Larkins, III on 8/14/2020. (ddm) (Entered: 08/14/2020)
08/14/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>64</u> Pretrial Scheduling Order,. (ddm) (Entered: 08/14/2020)
08/14/2020	<u>65</u>		ORDER as to Maurice Fayne. Defendant is permitted to travel to Arkansas from August 16 – 23, 2020. Signed by Magistrate Judge Justin S. Anand on 8/14/20. (bse) (Entered: 08/18/2020)
08/21/2020	<u>70</u>		Request for Leave of Absence for the following date(s): September 11–22, 2020, December 30, 2020 – January 8, 2021, by Mark R. Jeffrey. (Jeffrey, Mark) (Entered: 08/21/2020)
08/25/2020	<u>72</u>		MOTION for Relief on Bond Condition filed by Maurice Fayne. (Attachments: # <u>1</u> Text of Proposed Order) (ddm) (Entered: 08/25/2020)
08/25/2020	<u>73</u>		Unopposed MOTION to Continue Pretrial Conference and MOTION for Extension of Time to File Motions filed by Maurice Fayne. (Attachments: # <u>1</u> Text of Proposed Order) (ddm) (Entered: 08/25/2020)
08/26/2020	<u>75</u>		ORDER granting <u>73</u> Motion for Continuance as to Maurice Fayne. Defendant Maurice Fayne shall have until October 26, 2020 to file any necessary pretrial motions. The pretrial conference is rescheduled to Tuesday, October 27, 2020, at 9:30 a.m. The clerk is DIRECTED to exclude time from computation under the Speedy Trial Act. Signed by Magistrate Judge John K. Larkins, III on 8/26/2020. (rjs) (Entered: 08/26/2020)
08/26/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>75</u> Order. (rjs) (Entered: 08/26/2020)
08/28/2020	<u>76</u>		NOTICE OF FILING cover letter and trust documents, addressed to James Hatten, Clerk of Court, by Maurice Fayne. (tcc) Modified on 8/31/2020. Defendant Fayne called to inform the Clerk's Office that this pleading isn't a motion and shouldn't be on the docket. The documents

			were filed for Mr. Hatten's information. Motion terminated. (tcc). (Entered: 08/31/2020)
09/02/2020	<u>77</u>		SEVENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act as to Maurice Fayne, Daniel Eric Jay. Signed by Judge Thomas W. Thrash, Jr. on 9/1/2020. (bdb) (Entered: 09/02/2020)
09/03/2020	<u>78</u>		ORDER as to Maurice Fayne: Defendant is authorized to travel to Arkansas from Sunday, September 6, 2020 through Wednesday, September 9, 2020, for a court proceeding in Desha County Circuit Court scheduled for Tuesday, September 8, 2020 at 9:30 a.m. before the Honorable Sam Pope. Defendant has indicated that he will still be able to participate via videoconference in the previously-scheduled hearing on September 8, 2020 at 2:00 p.m. before the undersigned on the pending motion for modification of bond. Therefore, the Court will retain that hearing on the calendar. Signed by Magistrate Judge Justin S. Anand on 9/3/2020. (rjs) (Entered: 09/03/2020)
09/03/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>77</u> Order and <u>78</u> Order. (rjs) (Entered: 09/03/2020)
09/08/2020			NOTICE OF REMOTE HEARING ON MOTION as to Maurice Fayne <u>72</u> MOTION to Modify Conditions of Release, <u>53</u> MOTION to Modify Conditions of Release: Hearing set for 9/8/2020 at 2:00 PM before Magistrate Judge Justin S. Anand. Join ZoomGov Meeting https://ganduscourts.zoomgov.com/j/1605940119 Meeting ID: 160 594 0119 Passcode: 620219 One tap mobile +16692545252,,1605940119#,,,,,0#,,620219# US (San Jose) +16468287666,,1605940119#,,,,,0#,,620219# US (New York) (bse) (Entered: 09/08/2020)
09/08/2020	<u>79</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Motion Hearing was held on Defendant Maurice Fayne's motions. The Court GRANTED IN PART AND DENIED IN PART <u>53</u> MOTION to Modify Conditions of Release and DENIED <u>72</u> MOTION to Modify Conditions of Release. A written order will follow. (Tape #Zoom Recording) (rvb) (Entered: 09/08/2020)
09/09/2020	<u>80</u>		ORDER as to Maurice Fayne after a hearing re <u>53</u> MOTION to Modify Conditions of Release and <u>72</u> MOTION to Modify Conditions of Release, the Court GRANTED IN PART and DENIED IN PART Defendant's Motion for Modification of Bond Conditions. Signed by

			Magistrate Judge Justin S. Anand on 9/8/2020. (adg) (Entered: 09/09/2020)
09/09/2020	<u>81</u>		ORDER as to Maurice Fayne, Defendant's travel to Arkansas from Sunday, September 6, 2020 through Wednesday, September 9, 2020, is hereby extended until Wednesday, September 16, 2020. All other conditions of his bond remain in full force and effect. Signed by Magistrate Judge Justin S. Anand on 9/8/2020. (adg) (Entered: 09/09/2020)
09/15/2020	<u>82</u>		ORDER: Defendant shall report to pretrial services first thing Monday, September 28, 2020 or otherwise as instructed by his supervising officer. Signed by Magistrate Judge Justin S. Anand on 9/15/2020. (rjs) (Entered: 09/15/2020)
09/15/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>82</u> Order. (rjs) (Entered: 09/15/2020)
09/16/2020	<u>83</u>		NOTICE OF FILING Discovery as to Maurice Fayne (Attachments: # <u>1</u> Envelope)(adg) (Entered: 09/17/2020)
09/23/2020	<u>84</u>		PRO SE NOTICE OF FILING Letter as to Maurice Fayne (Attachments: # <u>1</u> Envelope)(kt) (Entered: 09/24/2020)
09/25/2020	<u>85</u>		MOTION to Travel outside Jurisdiction To Arkansas by Maurice Fayne. (Jeffrey, Mark) (Entered: 09/25/2020)
09/25/2020	<u>86</u>		ORDER granting <u>85</u> Motion to Travel outside Jurisdiction as to Maurice Fayne (1). Signed by Magistrate Judge Justin S. Anand on 9/25/20. (jpa) (Entered: 09/25/2020)
09/25/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>86</u> Order on Motion to Travel outside Jurisdiction. (jpa) (Entered: 09/25/2020)
09/29/2020	<u>87</u>		EIGHTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID19 AND RELATED CORONA VIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 9/28/20. (jpa) (Entered: 09/29/2020)
09/29/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>87</u> Order(jpa) (Entered: 09/29/2020)
09/29/2020	<u>88</u>		MOTION to Travel for Work filed by Maurice Fayne. (aaq) (Additional attachment(s) added on 9/30/2020: # <u>1</u> Envelope) (aaq). (Entered: 09/30/2020)
09/29/2020	<u>89</u>		ORDER DENYING <u>88</u> Motion to Travel for Work as to Maurice Fayne (1). Signed by Magistrate Judge Justin S. Anand on 9/29/20. (jpa) (Entered: 09/30/2020)

09/30/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>89</u> Order. (jpa) (Entered: 09/30/2020)
09/30/2020	<u>90</u>		ORDER as to Maurice Fayne. Upon Defendants request, Defendants travel to Arkansas is hereby extended from October 1, 2020 and must return to Atlanta on Saturday, October 3, 2020 for purposes of attending the funeral services of April Mills. Defendant must furnish all details of travel and where he is to stay to the probation officer. Defendant is not to have any contact with any potential witnesses in this case about the facts of this matter, to include Gannell Tubbs, and is not to reside at any location with Gannell Tubbs. All other conditions of his bond remain in full force and effect. Signed by Magistrate Judge Justin S. Anand on 9/30/20. (jpa) (Entered: 09/30/2020)
09/30/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>90</u> Order (jpa) (Entered: 09/30/2020)
10/21/2020	<u>92</u>		NOTICE of Claim of Champerty, Maintenance and Barratry Demand for a Cure to the Breach of Contract as to Maurice Fayne (adg) (Entered: 10/22/2020)
10/23/2020	<u>93</u>		Unopposed MOTION to Continue Pretrial Conference with Brief In Supportby USA as to Maurice Fayne, Daniel Eric Jay. (Phillips, John) (Entered: 10/23/2020)
10/26/2020	<u>94</u>		ORDER GRANTING <u>93</u> Motion for Continuance of the pretrial conference as to Maurice Fayne (1), Daniel Eric Jay (2). Any pretrial motions are due by 11/30/20. The Pretrial Conference set for 12/1/2020 at 09:30 AM via Zoom before Magistrate Judge John K. Larkins III. Signed by Magistrate Judge John K. Larkins, III on 10/26/20. (jpa) (Entered: 10/26/2020)
10/26/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>94</u> Order (jpa) (Entered: 10/26/2020)
11/09/2020	<u>95</u>		ORDER as to Maurice Fayne (1), the Defendant's conditions of release are amended to remove the conditions of curfew and locational monitoring. While the Defendant remains restricted to the Northern District of Georgia, the pretrial services office is authorized to grant approval for travel requests. All other conditions of release remain in place. Signed by Magistrate Judge Justin S. Anand on 11/9/2020. (tcc) (Entered: 11/09/2020)
11/09/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>95</u> Order on Motion to Modify Conditions of Release. (tcc) (Entered: 11/09/2020)
11/19/2020	<u>96</u>		SECOND SUPERSEDING INDICTMENT as to Maurice Fayne (1) count(s) 1ss, 2ss-4ss, 5ss, 6ss, 7ss-16ss, 17ss-19ss, 20ss, Daniel Eric Jay (2) count(s) 1s, 2s-4s, 5s, Michael D. Sargent (3) count(s) 1, 2-4, Mark T. Sargent

			(4) count(s) 1, 2-4. (rlb) (Entered: 11/20/2020)
11/19/2020	<u>97</u>		Request for Arraignment as to Maurice Fayne. (rlb) (Entered: 11/20/2020)
11/19/2020	<u>98</u>		Summons Issued as to Maurice Fayne Arraignment set for 12/17/2020 at 09:30 AM in ATLA Courtroom 1875 before Magistrate Judge Justin S. Anand. (rlb) (Entered: 11/20/2020)
11/19/2020	<u>103</u>		Defendant Information Sheet as to Maurice Fayne. (rlb) (Entered: 11/20/2020)
11/30/2020	<u>110</u>		ORDER CANCELLING the pretrial conference scheduled for 12/1/20 and GRANTING 109 Motion for Continuance of the pretrial conference as to Daniel Eric Jay (2). Defendant Maurice Fayne and Daniel Jay shall have until 1/11/21 to file any necessary pretrial motions. The Pretrial Conference is rescheduled to 1/12/2021 at 09:30 AM via zoom before Magistrate Judge John K. Larkins III. The delay between the original and the rescheduled pretrial conference shall be excluded from Speedy Trial Act calculations. Signed by Magistrate Judge John K. Larkins, III on 11/30/20. (jpa) (Entered: 11/30/2020)
11/30/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>110</u> Order (jpa) (Entered: 11/30/2020)
12/07/2020	<u>113</u>		NOTICE of Deed of Acknowledgement and Acceptance Without Further Consideration Nunc Pro Tunc Ab Initio; Notice of Conveyance of Legal Title by Nature Without Further Consideration Nunc Pro Tunc Ab Initio; Notice of Certificate of Legal Title by Nature on Special Deposit; Special and Private Trust Indenture Governing the Special Use of the Foreign Trust: JAMESN. HATTEN res as to Maurice Fayne. (tcc) (Entered: 12/08/2020)
12/08/2020	<u>111</u>		MOTION to Modify Conditions of Release <i>to Interview Witnesses and/or Co-Defendants</i> by Daniel Eric Jay. (Attachments: # <u>1</u> Text of Proposed Order) (Cambre, Megan) Modified on 12/9/2020 to remove co-defendants (jpa). (Entered: 12/08/2020)
12/08/2020	<u>112</u>		NINTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 12/8/20. (jpa) (Entered: 12/08/2020)
12/08/2020			Clerk's Certificate of Mailing as to Maurice Fayne re <u>112</u> Order (jpa) (Entered: 12/08/2020)

12/11/2020			NOTICE OF REMOTE PROCEEDINGS as to Maurice Fayne, Daniel Eric Jay re <u>98</u> and 100 Summonses Issued. Arraignment will be held via Zoom. Meeting ID: 160 426 5659 Passcode: 747990. (bse) (Entered: 12/11/2020)
12/15/2020			Document 120 is sealed. (jpa) (Entered: 12/15/2020)
12/17/2020	<u>123</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: ARRAIGNMENT held. Defendant stood mute; PLEA of NOT GUILTY by Maurice Fayne (1) to Counts 1ss,2ss-4ss,5ss,6ss,7ss-16ss,17ss-19ss,20ss entered. (Tape #FTR) (jpa) (Entered: 12/18/2020)
12/17/2020	<u>124</u>		ORDER Pursuant to the Due Process Protections Act as to Maurice Fayne. Signed by Magistrate Judge Justin S. Anand on 12/17/20. (jpa) (Entered: 12/18/2020)
12/22/2020	<u>125</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Bond Revocation Hearing as to Maurice Fayne. The Court held a hearing on the probation officer's petition for revocation. After hearing from the parties, the Court revoked the defendant's bond. A written order will follow. (Tape #FTR) (jpa) (Entered: 12/22/2020)
12/22/2020	<u>126</u>		ORDER as to Maurice Fayne REVOKING defendant's bond and that he be DETAINED through trial and, if applicable, sentencing. Signed by Magistrate Judge Justin S. Anand on 12/22/20. (jpa) (Entered: 12/22/2020)
01/04/2021	<u>129</u>		PRO SE MOTION for Reconsideration re <u>126</u> Order by Maurice Fayne. (Attachments: # <u>1</u> Proposed Order) (tmf) (Entered: 01/04/2021)
01/05/2021			Documents 130-131 are sealed. (jpa) (Entered: 01/05/2021)
01/11/2021	<u>134</u>		NOTICE OF ATTORNEY APPEARANCE Radka Nations appearing for USA. (Nations, Radka) (Entered: 01/11/2021)
01/12/2021	<u>136</u>		Minute Entry for proceedings held before Magistrate Judge John K. Larkins, III: Pretrial Conference as to Maurice Fayne. Defendant Maurice Fayne's oral request to appoint counsel is GRANTED. Mr. Mark Jeffrey is hereby relieved as standby counsel to Mr. Fayne. The Clerk is DIRECTED to TERMINATE Mark Jeffrey as standby counsel to defendant Maurice Fayne. Defendant Fayne shall have until February 18, 2021 to file any pretrial motions. The pretrial conference is hereby continued to Friday, February 19, 2021 at 9:30 a.m., via zoom. The Clerk is DIRECTED to exclude time between January 12, 2021 and February 19, 2021, under the Speedy Trial Act because the ends of justice outweigh the best interest of the public and the defendants in a speedy trial pursuant to

			Title 18 United States Code, Section 3161(h)(7)(A) and (B)(i). (Tape #Zoom) (jpa) (Entered: 01/12/2021)
01/12/2021			Set/Reset Deadlines/Hearings as to Maurice Fayne: Pretrial Conference continued to 2/19/2021 at 09:30 AM via Zoom before Magistrate Judge John K. Larkins III. (jpa) (Entered: 01/12/2021)
01/12/2021			Attorney update in case as to Maurice Fayne. Attorney Mark R. Jeffrey terminated. (jpa) (Entered: 01/12/2021)
01/12/2021	<u>137</u>		ORDER Appointing Attorney Saraliene Durrett for Maurice Fayne. Signed by Magistrate Judge John K. Larkins, III on 1/12/21. (jpa) (Entered: 01/12/2021)
01/15/2021	<u>143</u>		Notice for Leave of Absence for the following date(s): May 28, 2021; May 31, 2021; June 1–4, 2021; July 2–7, 2021, by Saraliene Durrett. (Durrett, Saraliene) (Entered: 01/15/2021)
01/21/2021			Submission of the <u>129</u> MOTION for Reconsideration re <u>126</u> Order as to Maurice Fayne to Magistrate Judge Justin S. Anand. (aaq) (Entered: 01/21/2021)
01/22/2021			NOTICE OF REMOTE HEARING ON MOTION as to Maurice Fayne re: <u>129</u> MOTION for Reconsideration re <u>126</u> Order. Hearing set for 2/4/2021 at 2:00 PM before Magistrate Judge Justin S. Anand. Join ZoomGov Meeting https://ganduscourts.zoomgov.com/j/1601662621 Meeting ID: 160 166 2621 Passcode: 872004 (bse) Modified on 1/26/2021 to update the time for the hearing (bse). (Entered: 01/22/2021)
01/26/2021	<u>144</u>		TRANSCRIPT of Proceedings as to Maurice Fayne held on 05/13/2020, before Judge Justin S. Anand. Court Reporter/Transcriber Jana B. Colter, FAPR, RMR, CRR, CRC. A full directory of court reporters and their contact information can be found at www.gand.uscourts.gov/directory-court-reporters . Redaction Request due 2/16/2021. Redacted Transcript Deadline set for 2/26/2021. Release of Transcript Restriction set for 4/26/2021. (Attachments: # <u>1</u> Notice of Filing Transcript) (jbc) (Entered: 01/26/2021)
01/26/2021	<u>145</u>		TRANSCRIPT of Proceedings as to Maurice Fayne held on 12/20/2020, before Judge Justin S. Anand. Court Reporter/Transcriber Jana B. Colter, FAPR, RMR, CRR, CRC. A full directory of court reporters and their contact information can be found at www.gand.uscourts.gov/directory-court-reporters . Redaction Request due 2/16/2021. Redacted Transcript Deadline set for 2/26/2021. Release of Transcript Restriction set for 4/26/2021. (Attachments: # <u>1</u> Notice of Filing Transcript) (jbc) (Entered: 01/26/2021)

01/28/2021	<u>148</u>		TENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 01/27/2021. (jpa) (Entered: 01/28/2021)
02/03/2021	<u>152</u>		Supplemental Brief re: <u>129</u> MOTION for Reconsideration re <u>126</u> Order as to Maurice Fayne filed by Maurice Fayne (Attachments: # <u>1</u> Exhibit text messages)(Durrett, Saraliene) (Entered: 02/03/2021)
02/03/2021	<u>153</u>		Unopposed MOTION to Continue pretrial motions deadline and pretrial conference by Maurice Fayne. (Attachments: # <u>1</u> Text of Proposed Order) (Durrett, Saraliene) (Entered: 02/03/2021)
02/03/2021	<u>154</u>		Supplemental Brief re: <u>152</u> Supplemental Brief as to Maurice Fayne filed by Maurice Fayne (Attachments: # <u>1</u> Exhibit Full text chain)(Durrett, Saraliene) (Entered: 02/03/2021)
02/04/2021	<u>155</u>		ORDER GRANTING <u>153</u> Motion for extension of time to file pretrial motions and to hold the pretrial conference as to Maurice Fayne (1). Pretrial Conference reset for 4/13/2021 at 10:30 AM in No Courtroom before Magistrate Judge John K. Larkins III. Defendant Maurice Fayne shall have until April 12, 2021 to file any necessary pretrial motions. The clerk is DIRECTED to exclude time from computation under the Speedy Trial Act pursuant to Title 18, United States Code, Section 3161(h)(7)(A) & (B)(i). Signed by Magistrate Judge John K. Larkins, III on 2/4/2021. (tcc) (Entered: 02/04/2021)
02/04/2021			Clerk's Certificate of Mailing as to Maurice Fayne re <u>155</u> Order on Motion to Continue. (tcc) (Entered: 02/04/2021)
02/04/2021	<u>156</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Motion Hearing held as to Maurice Fayne re <u>129</u> MOTION for Reconsideration. <u>129</u> MOTION Taken Under Advisement. The hearing will be continued. The government is ordered to respond to defendant's motion by February 19, 2021, and the defendant shall file his reply by February 26, 2021. Motion Hearing set for March 1, 2021 at 9:30 a.m. in Courtroom 1875; (Tape #Zoom Recording) (tcc) (Entered: 02/04/2021)
02/10/2021			Document 160 is sealed. (jpa) (Entered: 02/10/2021)
02/10/2021			Document 161 is sealed. (jpa) (Entered: 02/10/2021)
02/17/2021			

			Documents 163–164 are sealed. (jpa) (Entered: 02/17/2021)
02/19/2021	<u>167</u>		RESPONSE in Opposition as to Maurice Fayne filed by USA re <u>129</u> MOTION for Reconsideration re <u>126</u> Order (Attachments: # <u>1</u> Exhibit text messages from Fayne to Jimia Cain, # <u>2</u> Exhibit Cain's civil complaint against Fayne, # <u>3</u> Exhibit Affidavit of Service – stating that Cain's civil complaint was hand–delivered to Defendant Maurice Fayne)(Phillips, John) (Entered: 02/19/2021)
02/26/2021			NOTICE OF HEARING as to Maurice Fayne. Hearing set for 3/1/2021 at 9:30 AM in ATLA Courtroom 1875 before Magistrate Judge Justin S. Anand. (bse) (Entered: 02/26/2021)
03/01/2021			RETURN of 170 APPLICATION for Admission of Steven Jumes Pro Hac Vice (Application fee \$ 150, receipt number AGANDC–10771391). to attorney for correction regarding form. (nmb) (Entered: 03/01/2021)
03/01/2021	<u>172</u>		Notice for Leave of Absence for the following date(s): April 5–9, 2021, by Saraliene Durrett. (Durrett, Saraliene) (Entered: 03/01/2021)
03/01/2021	<u>173</u>		TRANSCRIPT of Zoom Hearing on Motion for Bond Reconsideration Proceedings as to Maurice Fayne held on 2/4/2021, before Judge Justin S. Anand. Court Reporter/Transcriber Shannon R. Welch, RMR, CRR. A full directory of court reporters and their contact information can be found at www.gand.uscourts.gov/directory-court-reporters . Redaction Request due 3/22/2021. Redacted Transcript Deadline set for 4/1/2021. Release of Transcript Restriction set for 6/1/2021. (Attachments: # <u>1</u> Notice of Filing) (srw) (Entered: 03/01/2021)
03/04/2021			Attorney update in case as to Maurice Fayne, Daniel Eric Jay, Michael D. Sargent, Mark T. Sargent. Attorney Steven Todd Jumes for Michael D. Sargent added. (nmb) (Entered: 03/04/2021)
03/04/2021			APPROVAL by Clerks Office re: 170 APPLICATION for Admission of Steven Jumes Pro Hac Vice (Application fee \$ 150, receipt number AGANDC–10771391).. Attorney Steven Todd Jumes added appearing on behalf of Maurice Fayne, Daniel Eric Jay, Michael D. Sargent, Mark T. Sargent (nmb) (Entered: 03/04/2021)
03/04/2021			ORDER granting 170 Application for Admission Pro Hac Vice as to Steven Jumes by CRD at the direction of the Court. Approved by Judge Mark H. Cohen on March 4, 2021. (lwb) (Entered: 03/04/2021)
03/10/2021	<u>175</u>		

			ELEVENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. The time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act. Signed by Judge Thomas W. Thrash, Jr. on 03/09/2021. (jpa) (Entered: 03/10/2021)
03/10/2021	<u>176</u>		ORDER as to Maurice Fayne GRANTING the request of continuance. The Motion Hearing is rescheduled for 3/19/2021 at 02:00 PM in ATLA Courtroom 1875 before Magistrate Judge Justin S. Anand. All time between March 1, 2021 and March 19, 2021, is excluded from Speedy Trial calculations. Signed by Magistrate Judge Justin S. Anand on 3/3/21. (jpa) Received in the Clerk's office on 3/10/21 (jpa). (Entered: 03/10/2021)
03/10/2021			Clerk's Certificate of Mailing as to Maurice Fayne re <u>175</u> Order and <u>176</u> Order (jpa) (Entered: 03/10/2021)
03/18/2021	<u>177</u>		Withdrawal of Motion <u>129</u> MOTION for Reconsideration re <u>126</u> Order filed by Maurice Fayne as to Maurice Fayne (Durrett, Saraliene) (Entered: 03/18/2021)
03/18/2021			NOTICE OF CANCELLATION of Hearing re: Motion to Reconsider Bond as to Maurice Fayne. Hearing set for 3/19/2021 at 2:00 PM in ATLA Courtroom 1875 before Magistrate Judge Justin S. Anand. (bse) (Entered: 03/18/2021)
04/03/2021	<u>179</u>		Unopposed MOTION to Continue pretrial motions deadline and pretrial conference by Maurice Fayne. (Attachments: # <u>1</u> Text of Proposed Order) (Durrett, Saraliene) (Entered: 04/03/2021)
04/12/2021	<u>181</u>		ORDER granting <u>179</u> Motion for Continuance of pretrial conference as to Maurice Fayne (1); 180 Motion for Continuance of pretrial conference as to Michael D. Sargent (3), Mark T. Sargent (4). Defendants Maurice Fayne, Michael D. Sargent and Mark T. Sargent shall have until May 14, 2021 to file any necessary pretrial motions. The pretrial conference is rescheduled to Monday, May 17, 2021, at 9:30 a.m. The delay between the original and the rescheduled pretrial conference shall be excluded from Speedy Trial Act calculations. The pretrial conference will be conducted via Zoom. Signed by Magistrate Judge John K. Larkins, III on 4/12/21. (rlb) (Entered: 04/12/2021)
04/21/2021			NOTICE Setting Case for Tender of Plea as to Maurice Fayne. Tender Plea Hearing set for 4/26/2021 at 10:00 AM in ATLA Courtroom 1905 before Judge Mark H. Cohen. (lwb) (Entered: 04/21/2021)
04/21/2021	<u>183</u>		

			ORDER that Defendant's <u>33</u> Motion to Dismiss, <u>35</u> Motion to Dismiss, and <u>54</u> Motion to Suppress Evidence as to Maurice Fayne (1) are WITHDRAWN. Signed by Magistrate Judge John K. Larkins, III on 4/21/21. (jpa) (Entered: 04/21/2021)
04/21/2021			Clerk's Certificate of Mailing as to Maurice Fayne re <u>183</u> Order (jpa) (Entered: 04/21/2021)
04/21/2021			(Found in the <u>183</u> Order) ORDER CERTIFYING CASE READY FOR TRIAL as to Maurice Fayne. Signed by Magistrate Judge John K. Larkins, III on 4/21/21. (jpa) (Entered: 04/21/2021)
04/23/2021			NOTICE RESETTING Case for Tender of Plea as to Maurice Fayne. Tender Plea Hearing reset for 5/11/2021 at 03:00 PM in ATLA Courtroom 1905 before Judge Mark H. Cohen. (lwb) (Entered: 04/23/2021)
05/11/2021			Documents 184–185 are sealed. (jpa) (Entered: 05/11/2021)
05/11/2021	<u>186</u>		Minute Entry for proceedings held before Judge Mark H. Cohen: Change of Plea Hearing as to Maurice Fayne. Defendant sworn. Signatures verified on plea agreement. Signed plea agreement was tendered to the Court. Court advised defendant of his rights. The Government presented the terms of the plea agreement and the elements of the offense. The Government summarized the evidence in the case. Court finds factual basis for acceptance of plea. Government summarized the penalties of the offense. Court announced the findings and accepted and entered the defendant's plea. PLEA of GUILTY by Maurice Fayne (1) Guilty Count 1ss,2ss–4ss,5ss,6ss. (Attachments: # <u>1</u> Guilty Plea and Plea Agreement) (Court Reporter Judith Wolff) (jpa) (Entered: 05/12/2021)
05/11/2021	<u>187</u>		CONSENT PRELIMINARY ORDER OF FORFEITURE OF PROPERTY as to Maurice Fayne. Signed by Judge Mark H. Cohen on 5/11/21. (jpa) (Entered: 05/12/2021)
05/11/2021	<u>188</u>		NOTICE OF SENTENCING Set as to Maurice Fayne for 9/8/2021 at 10:00 AM in ATLA Courtroom 1905 before Judge Mark H. Cohen. (jpa) (Entered: 05/12/2021)
05/12/2021	<u>189</u>		MOTION for Release from Custody <i>pending sentencing and BOP designation</i> by Maurice Fayne. (Durrett, Saraliene) (Entered: 05/12/2021)
05/18/2021			NOTICE OF REMOTE HEARING ON MOTION as to Maurice Fayne re: <u>189</u> MOTION for Release from Custody <i>pending sentencing and BOP designation</i> . Hearing set for 5/24/2021 at 11:30 AM before Magistrate Judge Justin S. Anand. Join ZoomGov Meeting https://ganduscourts.zoomgov.com/j/1617733668 Meeting

			ID: 161 773 3668 Passcode: 248199 (bse) (Entered: 05/18/2021)
05/21/2021	<u>193</u>		RESPONSE in Opposition as to Maurice Fayne filed by USA re <u>189</u> MOTION for Release from Custody <i>pending sentencing and BOP designation</i> (Attachments: # <u>1</u> Exhibit Cain's civil complaint against Fayne, # <u>2</u> Exhibit Affidavit of Service on Fayne)(Phillips, John) (Entered: 05/21/2021)
05/24/2021	<u>194</u>		Minute Entry for proceedings held before Magistrate Judge Justin S. Anand: Motion Hearing as to Maurice Fayne. As stated in open court, the <u>189</u> Motion for Release from Custody is DENIED. (Tape #Zoom Recording) (jpa) (Entered: 05/24/2021)
06/11/2021			Document 196 is sealed. (cmd) (Entered: 06/11/2021)
06/14/2021			Document 195 is sealed. (jpa) (Entered: 06/14/2021)
06/15/2021	<u>197</u>		Notice for Leave of Absence for the following date(s): September 27–October 1, 2021; November 8–11, 2021, by Saraliene Durrett. (Durrett, Saraliene) (Entered: 06/15/2021)
06/24/2021	<u>202</u>		TRANSCRIPT of the Change of Plea and Bond Motion Hearing Proceedings as to Maurice Fayne held on May 11, 2021, before Judge Mark H. Cohen. Court Reporter/Transcriber Judith M. Wolff. A full directory of court reporters and their contact information can be found at www.gand.uscourts.gov/directory-court-reporters . Redaction Request due 7/15/2021. Redacted Transcript Deadline set for 7/26/2021. Release of Transcript Restriction set for 9/22/2021. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (kac) (Entered: 06/25/2021)
07/15/2021			NOTICE OF SENTENCING RESET as to Maurice Fayne. Sentencing reset for 9/14/2021 at 10:00 AM in ATLA Courtroom 1905 before Judge Mark H. Cohen. (lwb) (Entered: 07/15/2021)
07/15/2021	<u>205</u>		NOTICE OF FILING Declaration of Publication as to Maurice Fayne filed by USA (Nations, Radka) (Entered: 07/15/2021)
07/20/2021	<u>206</u>		MOTION For Final Order of Forfeiture by USA as to Maurice Fayne. (Attachments: # <u>1</u> Text of Proposed Order) (Nations, Radka) (Entered: 07/20/2021)
07/20/2021	<u>207</u>		FINAL ORDER AND JUDGMENT OF FORFEITURE as to Maurice Fayne. This Court having found that the Defendant has an interest in the property subject to forfeiture pursuant to 18 U.S.C. § 982(a)(2) and that no one filed a petition claiming an interest in the assets, it is hereby ORDERED, ADJUDGED AND DECREED that:

			1. Final forfeiture judgment against the following property is hereby entered pursuant to 18 U.S.C. § 982982(a)(2): See document for specifics. Signed by Judge Mark H. Cohen on 7/20/2021. (tmf) (Entered: 07/20/2021)
07/23/2021			Document 210 is sealed. (jpk) (Entered: 07/26/2021)
07/23/2021			Document 211 is sealed. (jpk) (Entered: 07/27/2021)
08/16/2021	<u>212</u>		Return of Service Executed on 8/3/2021 as to \$9,362.47 in funds seized from United Community Bank account number XXXXXX2299, and \$29,477.91 in funds seized from United Community Bank account number XXXXXX2864. Forfeited assets transferred. (Attachments: # <u>1</u> \$29,477.91 in funds seized from United Community Bank account number XXXXXX2864)(tmf) (Entered: 08/17/2021)
09/08/2021	<u>215</u>		Sentencing Memorandum as to Maurice Fayne filed by Maurice Fayne (Attachments: # <u>1</u> Exhibit Article: Judging White Collar Fraud Sentencing, # <u>2</u> Exhibit Andre Clark Press Release, # <u>3</u> Exhibit Austin Hsu Press Release, # <u>4</u> Exhibit Daniel Trosin Press Release)(Durrett, Saraliene) (Entered: 09/08/2021)
09/10/2021	<u>217</u>		NOTICE OF FILING letters of support as to Maurice Fayne (Attachments: # <u>1</u> Text of Proposed Order)(Durrett, Saraliene) (Entered: 09/10/2021)
09/14/2021	<u>229</u>		Minute Entry for proceedings held before Judge Mark H. Cohen: Sentencing hearing held as to Maurice Fayne. No objections to the PSR by Government and Defense. PSR was adopted by the Court to which no objections had been raised. Court set forth sentencing guideline calculations. No objections to the guidelines as stated. Parties presented argument and recommendation regarding a reasonable sentence. Court advised defendant of his right of allocution. Defendant made a statement on his behalf. Witnesses Laura Wolf and Sean Frank gave victim impact statements. Sentence pronounced. See J&C for details. 3553 factors stated by Court. Appeal rights given. (Court Reporter Judith Wolf) (tmf) (Entered: 09/14/2021)
09/14/2021	<u>230</u>		JUDGMENT AND COMMITMENT as to Maurice Fayne (1), Count(s) 1-3, 16-18, 16s-18s, 17ss-19ss, 1s-3s, 20ss, 4, 4s, 5, 5s, 6-15, 6s-15s, 7ss-16ss, DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04; Count(s) 1ss, 2ss-4ss, 5ss, 6ss, CBOP 210 MONTHS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF 210 MONTHS, SR 5 YEARS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF SR OF

		5 YEARS, SA \$600, TOTAL RESTITUTION OF \$4,465,865.55 TO BE PAID JOINTLY AND SEVERALLY WITH MICHAEL SARGENT (1:21-CR-219-MHC-JKL) AND DANIEL ERIC JAY, IF CONVICTED (\$2,045,300.00 to United Community Bank, \$20,453.00 to U.S. Small Business Administrative/DFC, \$221,000.00 to Jimia Cain, \$231,862.00 to Sean Frank, \$163,811.19 to Laura Wolf, \$52,635.00 to Robert Tuscana, \$150,000.00 to Amanda Napier, \$174,400.00 to Marla Newman, \$156,350.00 to Jeanne Johnston, \$102,338.47 to Mike Rubial, \$45,000.00 to Linda Appleby, \$22,000.00 to Alejandro Davila, \$128,900.00 to Edie Lenaburg, \$130,000 to Ruben Azrak, \$50,000.00 to Terrance Miller, \$544,565.89 to Ken Pritchett, \$100,000.00 to Elizabeth Baun, \$30,000.00 to John Baun, \$9,600.00 to Tameika Price, \$59,000.00 to Jamar Rucker, and \$28,650.00 to Sherrie Odom). Payment of criminal monetary penalties is due during the period of imprisonment in accordance with the Bureau of Prisons Financial Responsibility Program. The court makes the following recommendations to the Bureau of Prisons: That the Defendant be allowed to serve his custodial sentencing in a facility located as close as possible to Texarkana, Texas. The defendant is remanded to the custody of the United States Marshal. Signed by Judge Mark H. Cohen on 9/14/2021. --Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (tmf) (Additional attachment(s) added on 9/15/2021: # <u>1</u> Main document-Corrected PDF) (tmf). Modified on 9/15/2021 to edit date(tmf). Modified on 9/16/2021 to remove date and document changes, filing returned to original date of entry and pdf(tmf). (Entered: 09/15/2021)
09/15/2021		---CORRECTION FILED IN ERROR--- Notification of Docket Correction re <u>230</u> Judgment and Commitment,(Additional attachment(s) added on 9/15/2021: # 1 Main document-Corrected PDF) (tmf). Modified on 9/15/2021 to edit date(tmf). (tmf) Modified on 9/16/2021 to add red text(tmf). (Entered: 09/15/2021)
09/15/2021	<u>231</u>	AMENDED JUDGMENT AND COMMITMENT as to Maurice Fayne (1), Count(s) 1-3, 16-18, 16s-18s, 17ss-19ss, 1s-3s, 20ss, 4, 4s, 5, 5s, 6-15, 6s-15s, 7ss-16ss, DISMISSED W/OUT PREJUDICE PURSUANT TO S.O. 07-04; Count(s) 1ss, 2ss-4ss, 5ss, 6ss, CBOP 210 MONTHS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF 210 MONTHS, SR 5 YEARS AS TO EACH OF COUNTS 1 THROUGH 6, TO BE SERVED CONCURRENTLY WITH EACH OTHER

		FOR A TOTAL TERM OF SR OF 5 YEARS, SA \$600, TOTAL RESTITUTION OF \$4,465,865.55 TO BE PAID JOINTLY AND SEVERALLY WITH MICHAEL SARGENT (1:21-CR-219-MHC-JKL) AND DANIEL ERIC JAY, IF CONVICTED (\$2,045,300.00 to United Community Bank, \$20,453.00 to U.S. Small Business Administrative/DFC, \$221,000.00 to Jimia Cain, \$231,862.00 to Sean Frank, \$163,811.19 to Laura Wolf, \$52,635.00 to Robert Tuscana, \$150,000.00 to Amanda Napier, \$174,400.00 to Marla Newman, \$156,350.00 to Jeanne Johnston, \$102,338.47 to Mike Rubial, \$45,000.00 to Linda Appleby, \$22,000.00 to Alejandro Davila, \$128,900.00 to Edie Lenaburg, \$130,000 to Ruben Azrak, \$50,000.00 to Terrance Miller, \$544,565.89 to Ken Pritchett, \$100,000.00 to Elizabeth Baun, \$30,000.00 to John Baun, \$9,600.00 to Tameika Price, \$59,000.00 to Jamar Rucker, and \$28,650.00 to Sherrie Odom). Payment of criminal monetary penalties is due during the period of imprisonment in accordance with the Bureau of Prisons Financial Responsibility Program. The court makes the following recommendations to the Bureau of Prisons: That the Defendant be allowed to serve his custodial sentencing in a facility located as close as possible to Texarkana, Texas. The defendant is remanded to the custody of the United States Marshal. Signed by Judge Mark H. Cohen on 9/14/2021. --Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (tmf) (Entered: 09/16/2021)
09/16/2021	<u>232</u>	MOTION to Withdraw as Attorney <i>and motion to appoint new counsel for appeal</i> by Maurice Fayne. (Durrett, Saraliene) (Entered: 09/16/2021)
09/16/2021	<u>233</u>	ORDER granting <u>232</u> Motion to Withdraw as Attorney. Saraliene Durrett withdrawn from case as to Maurice Fayne (1). Signed by Magistrate Judge John K. Larkins, III on 9/16/2021. (tmf) (Entered: 09/16/2021)
09/16/2021	<u>234</u>	ORDER OF CJA 20--Appointment to Pay Court Appointed Counsel: Appointment of Attorney Leigh Ann Webster for Maurice Fayne. Signed by Magistrate Judge John K. Larkins, III on 9/16/2021. (tmf) (Entered: 09/16/2021)
09/16/2021	<u>235</u>	NOTICE OF APPEAL as to Maurice Fayne re <u>231</u> Amended Judgment and Commitment,,,,,,. Transcript Order Form due on 9/30/2021 (Webster, Leigh) (Entered: 09/16/2021)
09/16/2021		Request For Presentence Investigation Report as to Maurice Fayne re: <u>235</u> Notice of Appeal filed on 9/16/21. (pjm) (Entered: 09/16/2021)
09/16/2021	<u>236</u>	

			USCA Appeal Transmission Letter as to Maurice Fayne to 11th Circuit re: <u>235</u> Notice of Appeal filed by Maurice Fayne. (pjm) (Entered: 09/16/2021)
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA

v.

MAURICE FAYNE

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:20-CR-228-01-MHC-JKL

USM Number: 73197019

Saraliene Durrett

Defendant's Attorney

THE DEFENDANT:

The defendant pleaded guilty to Counts One through Six of the Second Superseding Criminal Indictment.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1343 and 1349	Conspiracy to Commit Wire Fraud	May 13, 2020	One
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Two
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Three
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Four
18 U.S.C. §§ 1344 and 2	Bank Fraud	May 13, 2020	Five
18 U.S.C. §§ 1014 and 2	False Statement to a Financial Institution	May 13, 2020	Six

The defendant is sentenced as provided in this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 2 of 9

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. The defendant must notify the court and United States Attorney of material changes in economic circumstances.

September 14, 2021

Date of Imposition of Judgment



Signature of Judge

MARK H. COHEN, U. S. DISTRICT JUDGE

Name and Title of Judge

September 14, 2021

Date

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 3 of 9

Judgment in a Criminal Case
Sheet 2 -- Imprisonment

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: **TWO HUNDRED TEN (210) MONTHS, AS TO EACH OF COUNTS ONE THROUGH SIX, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF TWO HUNDRED TEN (210) MONTHS.**

Payment of criminal monetary penalties is due during the period of imprisonment in accordance with the Bureau of Prisons Financial Responsibility Program.

The court makes the following recommendations to the Bureau of Prisons: That the Defendant be allowed to serve his custodial sentencing in a facility located as close as possible to Texarkana, Texas.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

DEPUTY UNITED STATES MARSHAL

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 4 of 9

Judgment in a Criminal Case
Sheet 3 -- Supervised Release

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of FIVE (5) YEARS, which consists of five years on each of Counts One through Six, all counts to be served concurrently.

Within 72 hours of release from the custody of the bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.

Any restitution payment made that is not payment in full, must be paid in monthly installments from any wages you earn in prison, during any period of incarceration, and you must pay, at a minimum, the greater of \$25.00 or 50% of the deposits in your inmate trust account per quarter. Any portion of the restitution that is not paid in full at the time of your release from imprisonment shall become a condition of supervision and be paid to the Clerk, U.S. District Court, Northern District of Georgia for distribution to the victims at a monthly rate of \$150.00 plus 25% of any gross monthly income in excess of \$2,500.00 per month.

MANDATORY CONDITIONS

1. You must not commit another federal, state, or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. Restitution payments must be made to Clerk, U.S. District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Dr. SW, Atlanta, GA 30303.
5. You must cooperate in the collection of DNA as directed by the probation officer.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached pages.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 5 of 9

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and Supervised Release Conditions, available at: www.uscourts.gov

I understand that a violation of any of these conditions of supervised release may result in modification, extension, or revocation of my term of supervision.

Defendant's Signature _____ Date _____

USPO's Signature _____ Date _____

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 6 of 9

SPECIAL CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following special conditions of supervision:

You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you violated a condition of your supervision and that areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner. You must permit confiscation and/or disposal of any material considered to be contraband or any other item which may be deemed to have evidentiary value of violations of supervision.

You must make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer. You must provide the probation officer with full and complete access to any requested financial information and authorize the release of any financial information. The probation office may share the financial information with the United States Attorney's Office. You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

You must participate in a mental health treatment program and follow the rules and regulations of that program. Such program may require that you submit to an evaluation and / or testing. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.) You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not obstruct, attempt to obstruct, or tamper with any testing methods. You must pay all or part of the costs of testing based on your ability to pay unless excused by the probation officer.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 7 of 9

Judgment in a Criminal Case
Sheet 5 -- Criminal Monetary Penalties

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties as provided below. All criminal penalties shall be due immediately. Payments must be made to the Clerk of Court, United States District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Drive SW, Atlanta, Georgia, 30303.

Special Assessment

TOTAL \$600.00

RESTITUTION

TOTAL \$4,465,865.55

Restitution in the amount of **\$4,465,865.55** is owed in this case. This amount may be adjusted higher and modified in an amended order. Restitution should be paid to the Clerk of Court for disbursement to the victims outlined below. Restitution should be paid jointly and severally with Michael Sargent (1:21-CR-219-MHC-JKL) and Daniel Eric Jay, if convicted.

United Community Bank
125 Highway 515 East
Blairsville, Georgia 30512
Amount: \$2,045,300.00

U.S. Small Business Administrative/DFC
721 19th Street, Third Floor, Room 301
Denver, Colorado, 80202
Amount: \$20,453.00

Jimia Cain
87101 N. Herrington Road
West Richland, WA 99353
Amount: \$221,000.00

Sean Frank
6160 Warren Parkway, #100
Frisco, TX 75094
Amount: \$231,862.00

Laura Wolf
7252 Mediterranean Drive
Plano, TX 75093
Amount: \$163,811.19

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 8 of 9

Robert Tuscana
P.O. Box 542285
Grand Prairie, TX 75054
Amount: \$52,635.00

Amanda Napier
1351 County Road 1473
Quitman, TX 75783
Amount: \$150,000.00

Marla Newman
3617 Stonington Drive
Plano, TX 75093
Amount: \$174,400.00

Jeanne Johnston
15113 King of Spain Court
Dallas, TX 75248
Amount: \$156,350.00

Mike Rubial
607 May Road
Seagoville, TX 75159
Amount: \$102,338.47

Linda Appleby
8105 Toltec Drive
North Little Rock, Arkansas 72116
Amount: \$45,000.00

Alejandro Davila
10513 Wild Oak Drive
Ft. Worth, TX 76140
Amount: \$22,000.00

Edie Lenaburg
3917 Huaco Lane
Waco, TX 76710
Amount: \$128,900.00

Ruben Azrak
222 Maplewood Avenue
Oakhurst, New Jersey 07755-1618
Amount: \$130,000

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 9 of 9

Terrance Miller
8755 The Espanade
Apartment 131
Orlando, Florida 32836
Amount: \$50,000.00

Ken Pritchett
2202 Somerset
Midlothian, TX 76065
Amount: \$544,565.89

Elizabeth Baun
107 Meadow Lane
Sewickley, PA 15143
Amount: \$100,000.00

John Baun
101 Bradford Road
Suite 200
Wexford, PA 15090
Amount: \$30,000.00

Tameika Price
11816 Indood Road, #3079
Dallas, TX 75244
Amount: \$9,600.00

Jamar Rucker
1805 Millside Terrace
Dacula, GA 30019
Amount: \$59,000.00

Sherrie Odom
1309 W. Main Street
Waxahachie, TX 75165
Amount: \$28,650.00

FORFEITURE

It is ordered that all of the Defendant's right, title, and interest in the property identified in the Final Order of Forfeiture dated July 20, 2021 [Doc. 207], which is hereby incorporated by reference, is forfeited.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA	)	AMENDED
	)	JUDGMENT IN A CRIMINAL CASE
v.	)	Case Number: 1:20-CR-228-01-MHC-JKL
	)	USM Number: 73197019
MAURICE FAYNE	)	
	)	<u>Saraliene Durrett</u>
	)	Defendant's Attorney

THE DEFENDANT:

The defendant pleaded guilty to Counts One through Six of the Second Superseding Criminal Indictment.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1343 and 1349	Conspiracy to Commit Wire Fraud	May 13, 2020	One
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Two
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Three
18 U.S.C. §§ 1343 and 2	Wire Fraud	May 13, 2020	Four
18 U.S.C. §§ 1344 and 2	Bank Fraud	May 13, 2020	Five
18 U.S.C. §§ 1014 and 2	False Statement to a Financial Institution	May 13, 2020	Six

The defendant is sentenced as provided in this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

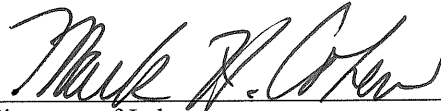
DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 2 of 9

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. The defendant must notify the court and United States Attorney of material changes in economic circumstances.

September 14, 2021

Date of Imposition of Judgment



Signature of Judge

MARK H. COHEN, U. S. DISTRICT JUDGE

Name and Title of Judge

September 15, 2021

Date

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 3 of 9

Judgment in a Criminal Case
Sheet 2 -- Imprisonment

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: **TWO HUNDRED TEN (210) MONTHS, AS TO EACH OF COUNTS ONE THROUGH SIX, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF TWO HUNDRED TEN (210) MONTHS.**

Payment of criminal monetary penalties is due during the period of imprisonment in accordance with the Bureau of Prisons Financial Responsibility Program.

The court makes the following recommendations to the Bureau of Prisons: That the Defendant be allowed to serve his custodial sentencing in a facility located as close as possible to Texarkana, Texas.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

DEPUTY UNITED STATES MARSHAL

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 4 of 9

Judgment in a Criminal Case
Sheet 3 -- Supervised Release

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of FIVE (5) YEARS, which consists of five years on each of Counts One through Six, all counts to be served concurrently.

Within 72 hours of release from the custody of the bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.

Any restitution payment made that is not payment in full, must be paid in monthly installments from any wages you earn in prison, during any period of incarceration, and you must pay, at a minimum, the greater of \$25.00 or 50% of the deposits in your inmate trust account per quarter. Any portion of the restitution that is not paid in full at the time of your release from imprisonment shall become a condition of supervision and be paid to the Clerk, U.S. District Court, Northern District of Georgia for distribution to the victims at a monthly rate of \$150.00 plus 25% of any gross monthly income in excess of \$2,500.00 per month.

MANDATORY CONDITIONS

1. You must not commit another federal, state, or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. Restitution payments must be made to Clerk, U.S. District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Dr. SW, Atlanta, GA 30303.
5. You must cooperate in the collection of DNA as directed by the probation officer.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached pages.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 5 of 9

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and Supervised Release Conditions, available at: www.uscourts.gov

I understand that a violation of any of these conditions of supervised release may result in modification, extension, or revocation of my term of supervision.

Defendant's Signature _____ Date _____

USPO's Signature _____ Date _____

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 6 of 9

SPECIAL CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following special conditions of supervision:

You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you violated a condition of your supervision and that areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner. You must permit confiscation and/or disposal of any material considered to be contraband or any other item which may be deemed to have evidentiary value of violations of supervision.

You must make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer. You must provide the probation officer with full and complete access to any requested financial information and authorize the release of any financial information. The probation office may share the financial information with the United States Attorney's Office. You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

You must participate in a mental health treatment program and follow the rules and regulations of that program. Such program may require that you submit to an evaluation and / or testing. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.) You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not obstruct, attempt to obstruct, or tamper with any testing methods. You must pay all or part of the costs of testing based on your ability to pay unless excused by the probation officer.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 7 of 9

Judgment in a Criminal Case
Sheet 5 -- Criminal Monetary Penalties

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties as provided below. All criminal penalties shall be due immediately. Payments must be made to the Clerk of Court, United States District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Drive SW, Atlanta, Georgia, 30303.

Special Assessment

TOTAL \$600.00

RESTITUTION

TOTAL \$4,465,865.55

Restitution in the total amount of **\$4,465,865.55** is owed in this case. This amount may be adjusted higher and modified in an amended order. Restitution should be paid to the Clerk of Court for disbursement to the named victims and amounts as listed below.

United Community Bank
125 Highway 515 East
Blairsville, Georgia 30512
Amount: \$2,045,300.00

U.S. Small Business Administrative/DFC
721 19th Street, Third Floor, Room 301
Denver, Colorado 80202
Amount: \$20,453.00

Restitution for the following victims is owed jointly and severally with Michael Sargent (No. 1:21-CR-219-MHC-JKL).

Jimia Cain
87101 N. Herrington Road
West Richland, WA 99353
Amount: \$221,000.00

Sean Frank
6160 Warren Parkway, #100
Frisco, TX 75094
Amount: \$231,862.00

Laura Wolf
7252 Mediterranean Drive
Plano, TX 75093
Amount: \$163,811.19

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 8 of 9

Robert Tuscana
P.O. Box 542285
Grand Prairie, TX 75054
Amount: \$52,635.00

Amanda Napier
1351 County Road 1473
Quitman, TX 75783
Amount: \$150,000.00

Marla Newman
3617 Stonington Drive
Plano, TX 75093
Amount: \$174,400.00

Jeanne Johnston
15113 King of Spain Court
Dallas, TX 75248
Amount: \$156,350.00

Mike Rubial
607 May Road
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Amount: \$102,338.47

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North Little Rock, Arkansas 72116
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Alejandro Davila
10513 Wild Oak Drive
Ft. Worth, TX 76140
Amount: \$22,000.00

Edie Lenaburg
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Waco, TX 76710
Amount: \$128,900.00

Ruben Azrak
222 Maplewood Avenue
Oakhurst, New Jersey 07755-1618
Amount: \$130,000

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 9 of 9

Terrance Miller
8755 The Espanade
Apartment 131
Orlando, Florida 32836
Amount: \$50,000.00

Ken Pritchett
2202 Somerset
Midlothian, TX 76065
Amount: \$544,565.89

Elizabeth Baun
107 Meadow Lane
Sewickley, PA 15143
Amount: \$100,000.00

John Baun
101 Bradford Road
Suite 200
Wexford, PA 15090
Amount: \$30,000.00

Tameika Price
11816 Indood Road, #3079
Dallas, TX 75244
Amount: \$9,600.00

Jamar Rucker
1805 Millside Terrace
Dacula, GA 30019
Amount: \$59,000.00

Sherrie Odom
1309 W. Main Street
Waxahachie, TX 75165
Amount: \$28,650.00

FORFEITURE

It is ordered that all of the Defendant's right, title, and interest in the property identified in the Final Order of Forfeiture dated July 20, 2021 [Doc. 207], which is hereby incorporated by reference, is forfeited.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA	)	AMENDED
	)	JUDGMENT IN A CRIMINAL CASE
v.	)	Case Number: 1:20-CR-228-01-MHC-JKL
	)	USM Number: 73197019
MAURICE FAYNE	)	
	)	<u>Saraliene Durrett</u>
	)	Defendant's Attorney

THE DEFENDANT:

The defendant pleaded guilty to Counts One through Six of the Second Superseding Criminal Indictment.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
<u>18 U.S.C. §§ 1343 and 1349</u>	Conspiracy to Commit Wire Fraud	May 13, 2020	One
<u>18 U.S.C. §§ 1343 and 2</u>	Wire Fraud	May 13, 2020	Two
<u>18 U.S.C. §§ 1343 and 2</u>	Wire Fraud	May 13, 2020	Three
<u>18 U.S.C. §§ 1343 and 2</u>	Wire Fraud	May 13, 2020	Four
<u>18 U.S.C. §§ 1344 and 2</u>	Bank Fraud	May 13, 2020	Five
<u>18 U.S.C. §§ 1014 and 2</u>	False Statement to a Financial Institution	May 13, 2020	Six

The defendant is sentenced as provided in this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

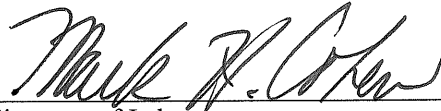
DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 2 of 9

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. The defendant must notify the court and United States Attorney of material changes in economic circumstances.

September 14, 2021

Date of Imposition of Judgment



Signature of Judge

MARK H. COHEN, U. S. DISTRICT JUDGE

Name and Title of Judge

September 15, 2021

Date

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 3 of 9

Judgment in a Criminal Case
Sheet 2 -- Imprisonment

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: **TWO HUNDRED TEN (210) MONTHS, AS TO EACH OF COUNTS ONE THROUGH SIX, TO BE SERVED CONCURRENTLY WITH EACH OTHER FOR A TOTAL TERM OF IMPRISONMENT OF TWO HUNDRED TEN (210) MONTHS.**

Payment of criminal monetary penalties is due during the period of imprisonment in accordance with the Bureau of Prisons Financial Responsibility Program.

The court makes the following recommendations to the Bureau of Prisons: That the Defendant be allowed to serve his custodial sentencing in a facility located as close as possible to Texarkana, Texas.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ , with a certified copy of this judgment.

UNITED STATES MARSHAL

DEPUTY UNITED STATES MARSHAL

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 4 of 9

Judgment in a Criminal Case
Sheet 3 -- Supervised Release

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of FIVE (5) YEARS, which consists of five years on each of Counts One through Six, all counts to be served concurrently.

Within 72 hours of release from the custody of the bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.

Any restitution payment made that is not payment in full, must be paid in monthly installments from any wages you earn in prison, during any period of incarceration, and you must pay, at a minimum, the greater of \$25.00 or 50% of the deposits in your inmate trust account per quarter. Any portion of the restitution that is not paid in full at the time of your release from imprisonment shall become a condition of supervision and be paid to the Clerk, U.S. District Court, Northern District of Georgia for distribution to the victims at a monthly rate of \$150.00 plus 25% of any gross monthly income in excess of \$2,500.00 per month.

MANDATORY CONDITIONS

1. You must not commit another federal, state, or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. Restitution payments must be made to Clerk, U.S. District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Dr. SW, Atlanta, GA 30303.
5. You must cooperate in the collection of DNA as directed by the probation officer.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached pages.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 5 of 9

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
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12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see Overview of Probation and Supervised Release Conditions, available at: www.uscourts.gov

I understand that a violation of any of these conditions of supervised release may result in modification, extension, or revocation of my term of supervision.

Defendant's Signature _____ Date _____

USPO's Signature _____ Date _____

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 6 of 9

SPECIAL CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following special conditions of supervision:

You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you violated a condition of your supervision and that areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner. You must permit confiscation and/or disposal of any material considered to be contraband or any other item which may be deemed to have evidentiary value of violations of supervision.

You must make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer. You must provide the probation officer with full and complete access to any requested financial information and authorize the release of any financial information. The probation office may share the financial information with the United States Attorney's Office. You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

You must participate in a mental health treatment program and follow the rules and regulations of that program. Such program may require that you submit to an evaluation and / or testing. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.) You must pay all or part of the costs of the program based on your ability to pay unless excused by the probation officer.

You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not obstruct, attempt to obstruct, or tamper with any testing methods. You must pay all or part of the costs of testing based on your ability to pay unless excused by the probation officer.

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 7 of 9

Judgment in a Criminal Case
Sheet 5 -- Criminal Monetary Penalties

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties as provided below. All criminal penalties shall be due immediately. Payments must be made to the Clerk of Court, United States District Court, Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Drive SW, Atlanta, Georgia, 30303.

Special Assessment

TOTAL \$600.00

RESTITUTION

TOTAL \$4,465,865.55

Restitution in the total amount of **\$4,465,865.55** is owed in this case. This amount may be adjusted higher and modified in an amended order. Restitution should be paid to the Clerk of Court for disbursement to the named victims and amounts as listed below.

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125 Highway 515 East
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Amount: \$2,045,300.00

U.S. Small Business Administrative/DFC
721 19th Street, Third Floor, Room 301
Denver, Colorado 80202
Amount: \$20,453.00

Restitution for the following victims is owed jointly and severally with Michael Sargent (No. 1:21-CR-219-MHC-JKL).

Jimia Cain
87101 N. Herrington Road
West Richland, WA 99353
Amount: \$221,000.00

Sean Frank
6160 Warren Parkway, #100
Frisco, TX 75094
Amount: \$231,862.00

Laura Wolf
7252 Mediterranean Drive
Plano, TX 75093
Amount: \$163,811.19

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 8 of 9

Robert Tuscana
P.O. Box 542285
Grand Prairie, TX 75054
Amount: \$52,635.00

Amanda Napier
1351 County Road 1473
Quitman, TX 75783
Amount: \$150,000.00

Marla Newman
3617 Stonington Drive
Plano, TX 75093
Amount: \$174,400.00

Jeanne Johnston
15113 King of Spain Court
Dallas, TX 75248
Amount: \$156,350.00

Mike Rubial
607 May Road
Seagoville, TX 75159
Amount: \$102,338.47

Linda Appleby
8105 Toltec Drive
North Little Rock, Arkansas 72116
Amount: \$45,000.00

Alejandro Davila
10513 Wild Oak Drive
Ft. Worth, TX 76140
Amount: \$22,000.00

Edie Lenaburg
3917 Huaco Lane
Waco, TX 76710
Amount: \$128,900.00

Ruben Azrak
222 Maplewood Avenue
Oakhurst, New Jersey 07755-1618
Amount: \$130,000

DEFENDANT: MAURICE FAYNE
CASE NUMBER: 1:20-CR-228-01-MHC-JKL

Judgment -- Page 9 of 9

Terrance Miller
8755 The Espanade
Apartment 131
Orlando, Florida 32836
Amount: \$50,000.00

Ken Pritchett
2202 Somerset
Midlothian, TX 76065
Amount: \$544,565.89

Elizabeth Baun
107 Meadow Lane
Sewickley, PA 15143
Amount: \$100,000.00

John Baun
101 Bradford Road
Suite 200
Wexford, PA 15090
Amount: \$30,000.00

Tameika Price
11816 Indood Road, #3079
Dallas, TX 75244
Amount: \$9,600.00

Jamar Rucker
1805 Millside Terrace
Dacula, GA 30019
Amount: \$59,000.00

Sherrie Odom
1309 W. Main Street
Waxahachie, TX 75165
Amount: \$28,650.00

FORFEITURE

It is ordered that all of the Defendant's right, title, and interest in the property identified in the Final Order of Forfeiture dated July 20, 2021 [[Doc. 207](#)], which is hereby incorporated by reference, is forfeited.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

**UNITED STATES OF
AMERICA,**

Plaintiff,

VS

MAURICE FAYNE,

Defendant.

CASE NO.

1:20-CR-00228-1-MHC-JKL

ORDER APPOINTING COUNSEL

The Court finds the Defendant, the individual named below, having testified under oath or having otherwise satisfied this Court that he or she is financially unable to employ counsel, is indigent, and because the interest of justice so require;

IT IS ORDERED that Leigh Ann Webster is hereby appointed to represent Defendant Maurice Fayne.

This 16th day of September, 2021.

J. K. Lal: III

JOHN K. LARKINS III
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION NO.
V.	)	
	)	1:20-cr-228-MHC-JKL
MAURICE FAYNE	)	

NOTICE OF APPEAL

Notice is hereby given that Maurice Fayne hereby appeals to the Eleventh Circuit Court of Appeals the judgment entered on September 16, 2021, by the Honorable Mark H. Cohen (Doc. 231) in the United States District Court for the Northern District of Georgia.

Dated: This 16th day of September, 2021.

Respectfully submitted,

/s/ Leigh Ann Webster
Leigh Ann Webster
Georgia Bar No. 968087
Attorney for Maurice Fayne

STRICKLAND WEBSTER, LLC
830 Glenwood Ave
Suite 510-203
Atlanta, Georgia 30316
Telephone: (404) 590-7967
law@stricklandwebster.com

CERTIFICATE OF SERVICE

I served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

Dated: This 16th day of September, 2021.

Respectfully submitted,

/s/ Leigh Ann Webster
Leigh Ann Webster
Georgia Bar No. 968087
Attorney for Maurice Fayne

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