

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:09-cr-01142-RPP-1**

Case title: USA v. Portillo

Date Filed: 12/02/2009

Date Filed	#	Docket Text
12/01/2009	<u>2</u>	SEALED INDICTMENT as to Sealed Defendant 1 (1) count(s) 1. (jm) (Entered: 01/26/2010)
12/04/2009	1	SEALED DOCUMENT placed in vault. (nm) (Entered: 12/07/2009)
01/25/2010	<u>3</u>	Order to Unseal Indictment as to Sealed Defendant 1.. (Signed by Magistrate Judge Ronald L. Ellis on 1/25/10)(jm) (Entered: 01/26/2010)
01/25/2010		INDICTMENT UNSEALED as to Alfonso Portillo. (jm) (Entered: 01/26/2010)
01/25/2010		Case Designated ECF as to Alfonso Portillo. (jm) (Entered: 01/26/2010)
01/25/2010		Case as to Alfonso Portillo ASSIGNED to Judge Judge Robert P. Patterson. Judge Judge Unassigned no longer assigned to the case.. (jm) (Entered: 01/26/2010)
01/25/2010		Attorney update in case as to Alfonso Portillo. Attorney Michael Max Rosensaft for USA added.. (jm) (Entered: 01/26/2010)
01/25/2010	<u>5</u>	ORDER as to Alfonso Portillo to temporarily unseal the indictment. (Document originally filed, then placed under seal, on 12/1/09). (Signed by Magistrate Judge Kevin Nathaniel Fox on 12/1/09)(jm) (Entered: 01/26/2010)
01/26/2010	<u>6</u>	STATUS REPORT by USA as to Alfonso Portillo. (Rosensaft, Michael) (Entered: 01/26/2010)
05/20/2011	<u>7</u>	MOTION for Glenn W. MacTaggart to Appear Pro Hac Vice. Document filed by Alfonso Portillo. (sjo) (Entered: 05/24/2011)
05/25/2011	<u>8</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>7</u> Motion for Glenn W. MacTaggart to Appear Pro Hac Vice as to Alfonso Portillo (1). (Signed by Judge Robert P. Patterson on 5/25/2011) (ja) Modified on 5/26/2011 (jar). (Entered: 05/25/2011)
05/26/2011		CASHIERS OFFICE REMARK as to Alfonso Portillo on <u>7</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/20/2011, Receipt Number 7326. (jd) (Entered: 05/26/2011)
07/08/2011	<u>9</u>	ORDER TO ANSWER as to Alfonso Portillo. Petitioner having filed a Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, the Court ORDERS that: The United States Attorney for the Southern District of New York shall file an answer or other pleadings in response to the Motion, along with transcripts of any relevant proceedings not already contained in the record, by July 25, 2011. Petitioner may file reply papers, if any, no later than thirty (30) days thereafter. It is further ORDERED that the Clerk of Court serve copies of this Order, the Motion and all other papers in support thereof, by certified mail upon the United States Attorney for the Southern District of New York. SO ORDERED. (Signed by Judge Robert P. Patterson on 7/8/2011) The Clerks Office Has Mailed Copies. (ja) (Entered: 07/08/2011)
07/08/2011		Minute Entry for proceedings held before Judge Robert P. Patterson: as to Alfonso Portillo. Government to respond to motion by 7/25/2011. (ja) (Entered: 07/08/2011)
07/08/2011		Transmission to Docket Assistant Clerk. Transmitted re: <u>9</u> Order, as to Alfonso Portillo, to the Docket Assistant Clerk for case processing. (ja) (Entered: 07/08/2011)

07/08/2011	<u>10</u>	ORDER: As to Alfonso Portillo. Petitioner having filed a Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241, the Court ORDERS that: The United States Attorney for the Southern District of New York shall file an answer or other pleadings in response to the Motion, along with transcripts of any relevant proceedings not already contained in the record, by July 25, 2011. Petitioner may file reply papers, if any, no later than thirty (30) days thereafter. It is further ORDERED that the Clerk of Court serve copies of this Order, the Motion and all other papers in support thereof, by certified mail upon the United States Attorney for the Southern District of New York. (Signed by Judge Robert P. Patterson on 7/8/2011) The Clerks Office Has Mailed Copies. (dnd) (Entered: 07/11/2011)
08/24/2011	<u>11</u>	ORDER as to Alfonso Portillo. IT IS HEREBY ORDERED that, on application of Petitioner Alfonso Portillo by attorney Andrew J. Frisch, Petitioner may file a reply memorandum of law in excess of ten pages but not to exceed fifteen pages. (Signed by Judge Robert P. Patterson on 8/23/2011)(ja) (Entered: 08/24/2011)
08/24/2011	<u>12</u>	MEMO ENDORSEMENT on Declaration in Support of Petitioner's Motion for Leave to File a Reply Brief in Excess of Ten Pages, as to Alfonso Portillo. -- Judge endorsed: Application denied. Fifteen (15) pages will be permitted for the Reply. So ordered. (Signed by Judge Robert P. Patterson on 8/23/2011)(ja) (Entered: 08/24/2011)
09/02/2011	<u>13</u>	ORDER as to Alfonso Portillo: Oral Argument on the Petitioner's petition for a writ of habeas corpus is set for 9/14/2011 at 09:30 AM before Judge Robert P. Patterson. (Signed by Judge Robert P. Patterson on 9/1/2011) (ab) (Entered: 09/02/2011)
05/10/2012	<u>14</u>	OPINION AND ORDER as to Alfonso Portillo. In view of the foregoing, Petitioner has not met his burden to establish that the United States is exercising constructive custody over him. Thus, this Court does not have jurisdiction to hear Petitioner's writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Signed by Judge Robert P. Patterson on 5/10/2012)(jar) (Entered: 05/10/2012)
05/10/2012	<u>15</u>	INTERNET CITATION NOTE as to Alfonso Portillo: Material from decision with Internet citation re: <u>14</u> Memorandum & Opinion. (Attachments: # <u>1</u> U.S. Extradition Request for Former President Alfonso Portillo (Taken Questi) (tro) (Entered: 06/11/2012)
05/10/2012	<u>16</u>	INTERNET CITATION NOTE as to Alfonso Portillo: Material from decision with Internet citation re: <u>14</u> Memorandum & Opinion. (tro) (Entered: 06/11/2012)
08/09/2012	<u>17</u>	BILL OF PARTICULARS by USA as to Alfonso Portillo. (Paul, Sarah) (Entered: 08/09/2012)
08/10/2012	<u>18</u>	POST-INDICTMENT RESTRAINING ORDER PURSUANT TO 18 U.S.C. §§ 982 and 21 U.S.C. § 853 as to Alfonso Portillo. For the reasons set forth in this Order; IT IS HEREBY ORDERED that: ALFONSO PORTILLO (the "Defendant"), his attorneys, agents, his family members, anyone acting on the Defendant's behalf, all persons or entities acting for or in concert with or in participation with any of the above, and all persons and entities having actual knowledge of this Order, shall not take any action prohibited by this Order; IT IS HEREBY FURTHER ORDERED that the Defendant, his attorneys, agents, his family members, anyone acting on the Defendant's behalf, all persons or entities acting in concert or participation with any of the above, and all persons and entities having actual knowledge of this Order, shall not directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, dissipate, distribute, or move the contents of the Target Accounts; IT IS HEREBY FURTHER ORDERED that this Restraining Order shall be binding upon the Defendant, his attorneys, agents, his family members, anyone acting on the Defendant's behalf, all persons or entities acting in concert or participation with any of the above, and all persons and entities having actual knowledge of this Order. SO ORDERED. (Signed by Judge Robert P. Patterson on 8/9/2012)(dnd) (Entered: 08/10/2012)
08/10/2012	<u>19</u>	EX PARTE APPLICATION IN SUPPORT OF POST-INDICTMENT RESTRAINING ORDER PURSUANT TO 18 U.S.C. § 982 and 21 U.S.C. § 853 as to Alfonso Portillo. The Government respectfully submits this ex parte application, together with the accompanying Declaration of Special Agent Cezary

		K. Tchorznicki of the Internal Revenue Service ("IRS") (the "Tchorznicki Declaration"), pursuant to Title 18, United States Code, Sections 982(a) (8) and 982(a)(1) and Title 21, United States Code 853(e), for an ex post indictment order restraining ALFONSO PORTILLO, the defendant, and all attorneys, agents employees, and anyone acting on his behalf acting in concert or participation with any of the above, from engaging in the transfer, sale assignment, pledge, hypothecation, encumbrance dissipation or movement of certain property. In support thereof, I respectfully submit the following... (dnd) Modified on 8/10/2012 (dnd). (Entered: 08/10/2012)
08/21/2012	<u>20</u>	EX PARTE APPLICATION IN SUPPORT OF POST-INDICTMENT RESTRAINING ORDER PURSUANT TO 18 U.S.C. § 982 and 21 U.S.C. § 853 by USA as to Alfonso Portillo. The Government respectfully submits this ex parte application, together with the accompanying Declaration of Special Agent Cezary K. Tchorznicki of the Internal Revenue Service ("IRS") (the "Tchorznicki Declaration"), pursuant to Title 18, United States Code, Sections 982(a) (8), and 982(a) (1) and Title 21, United States Code 853(e), for an ex parte, post indictment order restraining ALFONSO PORTILLO, the defendant, and all attorneys, agents, employees, and anyone acting on his behalf, acting in concert or participation with any of the above, from engaging in the transfer, sale, assignment, pledge, hypothecation, encumbrance, dissipation or movement of certain property. In support thereof, I respectfully submit the following... (dnd) (Entered: 08/21/2012)
05/28/2013	<u>21</u>	NOTICE OF ATTORNEY APPEARANCE Rachel Peter Kovner appearing for USA. (Kovner, Rachel) (Entered: 05/28/2013)
05/28/2013	<u>22</u>	NOTICE OF ATTORNEY APPEARANCE Adam Fee appearing for USA. (Fee, Adam) (Entered: 05/28/2013)
05/28/2013	<u>23</u>	ORDER OF REMAND as to Alfonso Portillo. IT IS HEREBY ORDERED that the above named defendant is remanded to the custody of the US Marshal for the Southern District of NY. (Signed by Judge Robert P. Patterson on 5/28/2013)(jw) (Entered: 05/28/2013)
05/28/2013		Minute Entry for proceedings held before Judge Robert P. Patterson: Initial Appearance as to Alfonso Portillo held on 5/28/2013. Defendant Portillo, produced by US Marshals, present with attorneys Rosenfield, MacTaggart, Jakoby, Feldman & Grajales. AUSAs Kovner & Fee present. Agent Dye present. Court Interpreter M. Hess present. Defendant makes his first appearance, is advised of his rights. The defendant is then arraigned and enters a plea of not guilty. Court accepts plea. Conference is held, schedule is set: Gvt notes there is voluminous discovery, it will be provided on a rolling basis, discovery to be completed by 6/28/13. Defense motions by 8/28/13, Gvt reply by 9/18, defendant reply by 9/30/13. Gvt notes that consular notification was made on 5/25/13, defendant waived speedy trial on 5/24/13. Defense counsel notes the defendants two medical issues: heart condition that he is receiving his medication for at his facility and the defendant also has water on the lung. Defense counsel requests that perhaps his air conditioning vents can be covered at the facility. Defense counsel will submit a letter regarding covering the vents. Defense counsel notifies that the defendant is in the process of putting together a bail package and would like to make a bail application within the next ten days to two weeks. Bail application will be made once the bail package has been put together. All time is excluded, IOJ, through 8/28/13. The defendant is continued remanded. (jbo) (Entered: 05/28/2013)
05/28/2013		Minute Entry for proceedings held before Judge Robert P. Patterson: Arraignment as to Alfonso Portillo (1) Count 1 held on 5/28/2013. Plea entered by Alfonso Portillo (1) Count 1 Not Guilty. (jbo) (Entered: 05/28/2013)