[redacted]

General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 91-5870 **Docketed:** 09/30/1991
US v. Sheldon **Termed:** 07/01/1993
Appeal From: United States District Court for the Northern District of West Virginia at Elkins
Fee Status: fee paid

Case Type Information:
1) Criminal
2) Criminal - Conviction
3) null

Originating Court Information:
District: 0424-2 : CR-90-87
Court Reporter: Gilbert Halasz, Official Court Reporter
Presiding Judge: Robert R. Merhige, Jr., Senior U. S. District Court Judge
Date Filed: 05/24/1990

Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
09/24/1991	09/24/1991	09/26/1991

Prior Cases:
90-5695 **Date Filed:** 08/17/1990 **Date Disposed:** 09/10/1990 **Disposition:** order

Current Cases:

	Lead	Member	Start	End
Consolidated				
	91-5350	91-5430	10/21/1991	
	91-5350	91-5870	09/30/1991	

UNITED STATES OF AMERICA
Plaintiff - Appellee

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v.

TERRY SHELDON, a/k/a Mr. Scam, a/k/a Tapahpunja

Greta Conway Van Susteren

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

TERRY SHELDON, a/k/a Mr. Scam, a/k/a Tapahpunja

Defendant - Appellant

09/30/1991	1	Criminal case docketed. F [Entered: 09/30/1991 05:19 PM]
09/30/1991	2	Clerk order filed consolidating case(s) 91-5870 with 91-5350. Copies to all counsel. [91-5870, 91-5350] F [Entered: 09/30/1991 05:20 PM]
10/01/1991	3	Clerk order filed rescinding briefing order. dated: 09/25/91 Copies to all counsel. [91-5350] F [Entered: 10/01/1991 04:25 PM]
10/01/1991	4	Docketing notice issued. [91-5870, 91-5350] F [Entered: 10/01/1991 04:29 PM]
10/07/1991	5	Docketing statement filed by Appellant Terry Sheldon in 91-5870 [5] T/S needed: Y; T/S already on file: Y. [91-5870] SLW [Entered: 10/08/1991 03:44 PM]
10/09/1991	8	Motion filed by Appellant Keith Gordon Ham in 91-5350 to file separate briefs [8], to deconsolidate cases 91-5870 from lead case number 91-5350 [8] [91-5350, 91-5870] SLW [Entered: 10/09/1991 10:24 AM]
10/09/1991	9	Motion filed by Appellant Terry Sheldon in 91-5870 to file separate briefs [9] [91-5870, 91-5350] SLW [Entered: 10/09/1991 10:32 AM]
10/09/1991	10	Response to [8] motion to file separate briefs in 91-5350, 91-5870, [8] motion to deconsolidate cases in 91-5350, 91-5870, [9] motion to file separate briefs in 91-5350, 91-5870 requested of Appellee US in 91-5350, Appellee US in 91-5870 on or before 10/16/91. [91-5350, 91-5870] SLW [Entered: 10/09/1991 11:36 AM]
10/10/1991	11	Appearance form filed by Greta Conway Van Susteren for Appellant Terry Sheldon in 91-5870 . [91-5870] F [Entered: 10/10/1991 12:46 PM]
10/15/1991	13	Response [13] to motion to file separate briefs [8] in 91-5350, 91-5870, motion to deconsolidate cases [8] in 91-5350, 91-5870, motion to file separate briefs [9] in 91-5350, 91-5870 filed by Appellee US in 91-5350, Appellee US in 91-5870 . [91-5350, 91-5870] SLW [Entered: 10/15/1991 11:45 AM]
10/21/1991	14	Clerk order filed consolidating case(s) 91-5430 with previously consolidated cases 91-5870 and 91-5350(L). Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 10/21/1991 09:44 AM]
10/22/1991	15	Docketing notice issued. [91-5430] SLW [Entered: 10/22/1991 01:25 PM]
10/22/1991	16	Response to [8] motion to file separate briefs in 91-5350, 91-5870, [8] motion to deconsolidate cases in 91-5350, 91-5870, [9] motion to file separate briefs in 91-5350, 91-5870 requested of Appellant Steven Fitzpatrick in 91-5430 on or before 10/29/91. [91-5430, 91-5350, 91-5870] SLW [Entered: 10/22/1991 01:43 PM]
11/12/1991	18	Response to [8] motion to file separate briefs in 91-5350, 91-5870, [8] motion to deconsolidate cases in 91-5350, 91-5870, [9] motion to file separate briefs in 91-5350, 91-5870 requested of Appellant Steven Fitzpatrick in 91-5430 on or before 11/19/91. [91-5430, 91-5350, 91-5870] SLW [Entered: 11/12/1991 02:01 PM]
11/20/1991	19	Motion filed by Appellant Steven Fitzpatrick in 91-5430 to file separate briefs [19] [91-5430, 91-5350, 91-5870] BAL [Entered: 11/20/1991 10:52 AM]
11/20/1991	20	Docketing statement filed by Appellant Steven Fitzpatrick in 91-5430 [20] T/S needed: Y; T/S already on file: Y. [91-5430] BAL [Entered: 11/20/1991 01:03 PM]
11/20/1991	22	Transcript order filed for Gilbert F. Halasz in 91-5430, Gilbert F. Halasz in 91-5350, Gilbert F. Halasz in 91-5870 . [91-5430, 91-5350, 91-5870] BAL [Entered: 11/20/1991 01:14 PM]
11/20/1991	23	Transcript order acknowledgment filed. Pages: 25. Transcript due on 12/20/91 for Gilbert F. Halasz in 91-5350, for Gilbert F. Halasz in 91-5430, for Gilbert F. Halasz in 91-5870 . T/S certification due on 12/20/91 for Gilbert F. Halasz in 91-5350, for Gilbert F. Halasz in 91-5430, for Gilbert F. Halasz in 91-5870 [91-5350, 91-5430, 91-5870] BAL [Entered: 11/20/1991 01:20 PM]
11/20/1991	24	Appearance form filed by Richard Allen Dezio for Appellant Steven Fitzpatrick in 91-5430 . [91-5430] DAD [Entered: 11/20/1991 02:34 PM]
11/20/1991	25	Clerk order filed granting motion to file separate briefs [19] in 91-5350, 91-5430, 91-5870, granting motion to file separate briefs [8] in 91-5350, 91-5870, denying motion to deconsolidate cases [8] in 91-5350, 91-5870, granting motion to file separate briefs [9] in 91-5350, 91-5870 (combined length of all briefs not to exceed 100 pages) Copies to all counsel. [91-5350, 91-5430, 91-5870] BAL [Entered: 11/20/1991 03:01 PM]
01/02/1992	26	Certification transcript filed in district court by Gilbert F. Halasz in 91-5350, Gilbert F. Halasz in 91-5430, Gilbert F. Halasz in 91-5870 on 10/21/91. [91-5350, 91-5430, 91-5870] SLW [Entered: 01/02/1992 09:52 AM]
01/13/1992	27	Supplemental certification of ROA complete and retained in district court. [91-5350, 91-5430, 91-5870] SLW

		[Entered: 01/14/1992 07:43 AM]
01/14/1992	28	Briefing order filed. [91-5350, 91-5430, 91-5870] Appel- lants' briefs/joint appendix due 2/18/92 for Keith Gordon Ham in 91-5350, for Steven Fitzpatrick in 91-5430, for Terry Sheldon in 91-5870. (Separate briefs not to exceed 100 pages) Projected Calendar: April 1992 SLW [Entered: 01/14/1992 07:49 AM]
01/23/1992	30	Motion filed by Appellant Terry Sheldon in 91-5870 to file oversize brief of 60 pages, or in the alternative, an order equitably dividing the allotted pages for appeal among 3 appellants [30] [91-5870, 91-5350, 91-5430] SLW [Entered: 01/23/1992 02:49 PM]
01/23/1992	31	Motion filed by Appellant Terry Sheldon in 91-5870 to extend time to file appellant(s) brief until 30 days from the Court's ruling on the motion for leave to file an oversize brief. [31] [91-5870] SLW [Entered: 01/23/1992 02:56 PM]
01/24/1992	32	Clerk order filed denying motion to file oversize brief [30] in 91-5870, 91-5350, 91-5430, denying motion to extend time to file a's brief [31] in 91-5870 Copies to all counsel. [91-5870, 91-5350, 91-5430] SLW [Entered: 01/24/1992 03:43 PM]
01/24/1992	33	Corrected order filed acting on denying motion to file oversize brief [30] in 91-5870, 91-5350, 91-5430, denying motion to extend time to file a's brief [31] in 91-5870. [91-5870, 91-5350, 91-5430] SLW [Entered: 01/27/1992 03:35 PM]
01/28/1992	35	Motion filed by Appellant Keith Gordon Ham in 91-5350 [35] for reconsideration of [30] motion to file oversize brief in 91-5350, 91-5430, 91-5870 [91-5350, 91-5430, 91-5870] SLW [Entered: 01/28/1992 09:20 AM]
01/28/1992	36	Response to [35] motion for reconsideration in 91-5350, 91-5430, 91-5870 requested of Appellee US in 91-5350, Appellee US in 91-5430, Appellant Steven Fitzpatrick in 91-5430, Appellee US in 91-5870, Appellant Terry Sheldon in 91-5870 on or before 2/4/92. [91-5350, 91-5430, 91-5870] SLW [Entered: 01/28/1992 10:46 AM]
01/30/1992	37	Response [37] to motion for reconsideration [35] in 91-5350, 91-5430, 91-5870 filed by Appellant Terry Sheldon in 91-5870. [91-5350, 91-5430, 91-5870] SLW [Entered: 01/30/1992 10:57 AM]
02/03/1992	38	Response [38] to motion for reconsideration [35] filed by Appellant Steven Fitzpatrick in 91-5430 . [91-5430] DAD [Entered: 02/03/1992 10:49 AM]
02/03/1992	39	Motion filed by Appellant Steven Fitzpatrick in 91-5430 to extend time to file appellant(s) brief/appendix until 3/17/92 [39] [91-5430] DAD [Entered: 02/03/1992 10:51 AM]
02/03/1992	40	Response [40] to motion for reconsideration [35] in 91-5350, 91-5430, 91-5870 filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 . [91-5350, 91-5430, 91-5870] DAD [Entered: 02/03/1992 11:32 AM]
02/03/1992	43	Response [43] to motion for reconsideration [35] in 91-5430, 91-5350, 91-5870 filed by Appellant Steven Fitzpatrick in 91-5430. [91-5430, 91-5350, 91-5870] SLW [Entered: 02/12/1992 08:32 AM]
02/10/1992	41	Appellant Steven Fitzpatrick's motion to ext time to file a's br/apx [39] declared moot. (Briefing order suspended in all consolidated cases) [91-5430] SLW [Entered: 02/10/1992 01:56 PM]
02/10/1992	42	Clerk order filed suspending briefing order until ruling on motion for reconsideration. Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 02/10/1992 01:59 PM]
02/24/1992	45	COURT ORDER filed granting motion for reconsideration [35] in 91-5350, 91-5430, 91-5870. Each appellant may file a 50 page brief. Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 02/24/1992 01:44 PM]
02/24/1992	47	Briefing order resumed. Projected calendar: June 1992 [91-5350, 91-5430, 91-5870] Appellant(s) brief/joint appendix due 3/16/92 for Keith Gordon Ham in 91-5350, for Steven Fitzpatrick in 91-5430, for Terry Sheldon in 91-5870 . SLW [Entered: 02/24/1992 02:51 PM]
03/16/1992	49	Brief filed by Appellant Keith Gordon Ham in 91-5350 . Type of Service: HD Copies of brief: 8 # pages: 60. Sufficient [Y/N]: y. . [91-5350, 91-5430, 91-5870] Appellee(s) brief due 4/6/92 for US in 91-5350, for US in 91-5430, for US in 91-5870 . Robert Anderson [Entered: 03/17/1992 09:04 AM]
03/16/1992	50	Brief filed by Appellant Steven Fitzpatrick in 91-5430 . Type of Service: HD Copies of brief: 8 # pages: 22. Sufficient [Y/N]: y. . [91-5430, 91-5350, 91-5870] Robert Anderson [Entered: 03/17/1992 09:09 AM]
03/16/1992	51	Brief filed by Appellant Terry Sheldon in 91-5870 . Type of Service: HD Copies of brief: 8 # pages: 54. Sufficient [Y/N]: y. . [91-5870, 91-5350, 91-5430] Robert Anderson [Entered: 03/17/1992 09:14 AM]

03/16/1992	52	Joint appendix filed by Appellee US in 91-5350, Appellant Keith Gordon Ham in 91-5350, Appellee US in 91-5430, Appellant Steven Fitzpatrick in 91-5430, Appellee US in 91-5870, Appellant Terry Sheldon in 91-5870 . Type of Service: HD Copies of apx: 6 copies Vol. 1A and 1B, 2, 3,4, 5 # page: 1211 . Sufficient [Y/N]: y. .[91-5350, 91-5430, 91-5870] Robert Anderson [Entered: 03/17/1992 09:26 AM]
03/24/1992	53	Motion filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 to extend time to file appellee(s) brief until 5/11/92 [53], to file oversize brief of up to 100 pages [53] [91-5350, 91-5430, 91-5870] SLW [Entered: 03/24/1992 12:34 PM]
03/25/1992	54	CLERK ORDER FILED granting motion to file oversize brief [53] Pages: not to exceed 100 in 91-5350, 91-5430, 91-5870, granting motion to extend time to file e's br [53] Appellee(s) brief now due 4/27/92 for US in 91-5350, for US in 91-5430, for US in 91-5870. Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 03/25/1992 09:07 AM]
04/14/1992	58	Motion filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 to extend time to file appellee(s) brief until 5/11/92 [58] [91-5350, 91-5430, 91-5870] DAD [Entered: 04/14/1992 11:02 AM]
04/14/1992	59	CLERK ORDER FILED granting motion to extend time to file e's br [58] Appellee(s) brief now due 5/11/92 for US in 91-5350, for US in 91-5430, for US in 91-5870. Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 04/14/1992 01:27 PM]
05/12/1992	60	Case tentatively calendared for oral argument Term: June Place: Charleston. JLC [Entered: 05/12/1992 11:34 AM]
05/14/1992	63	Motion filed by Appellant Terry Sheldon in 91-5870 to strike appellee's brief [63] [91-5870, 91-5350, 91-5430] SLW [Entered: 05/14/1992 01:33 PM]
05/14/1992	64	Response to [63] motion to strike brief in 91-5870, 91-5350, 91-5430 requested of Appellee US in 91-5870, Appellee US in 91-5350, Appellee US in 91-5430 on or before 5/21/92. [91-5870, 91-5350, 91-5430] SLW [Entered: 05/14/1992 01:39 PM]
05/15/1992	65	Motion filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 for leave to file brief out of time [65] [91-5350, 91-5430, 91-5870] SLW [Entered: 05/15/1992 09:14 AM]
05/19/1992	66	Response [66] to motion to strike brief [63] in 91-5870, 91-5350, 91-5430 filed by Appellee US in 91-5870, Appellee US in 91-5350, Appellee US in 91-5430 . [91-5870, 91-5350, 91-5430] SLW [Entered: 05/19/1992 12:03 PM]
05/21/1992	67	CLERK ORDER FILED granting motion to file brief out of time [65] in 91-5350, 91-5430, 91-5870, denying motion to strike brief [63] in 91-5350, 91-5430, 91-5870 Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 05/21/1992 01:41 PM]
05/21/1992	68	Brief filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 . Type of Service: G - Order dated May 21, 1992 Copies: 8 # pages: 87. Sufficient [Y/N]: y. .[91-5350, 91-5430, 91-5870] Robert Anderson [Entered: 05/21/1992 04:03 PM]
05/22/1992	69	Case calendared for oral argument. [91-5350, 91-5430, 91-5870] JLC [Entered: 05/22/1992 12:34 PM]
05/22/1992	72	Motion filed by Appellant Terry Sheldon in 91-5870 to extend time to file reply brief until 5/27/92 [72] [91-5870] SLW [Entered: 05/26/1992 11:38 AM]
05/26/1992	73	CLERK ORDER FILED granting motion to ext time to file rply brief [72] until: 5/27/92. Copies to all counsel. [91-5870] SLW [Entered: 05/26/1992 11:39 AM]
05/26/1992	76	Reply brief filed by Appellant Keith Gordon Ham in 91-5350 . Type of Service: PM Copies of brief: 8 # pages: 30. Sufficient [Y/N]: y. . [91-5350, 91-5430, 91-5870] Robert Anderson [Entered: 05/27/1992 11:38 AM]
05/27/1992	75	CLERK ORDER FILED vacating order of 5/26/92 [75] which extended appellant's time for reply brief to 5/27/92. Appellant's reply brief now due 6/1/92. Copies to all counsel. [91-5350] DAD [Entered: 05/27/1992 10:51 AM]
05/29/1992	78	Reply brief filed by Appellant Steven Fitzpatrick in 91-5430 . Type of Service: PM Copies of brief: 8 # pages: 7. Sufficient [Y/N]: y. . [91-5430, 91-5350, 91-5870] JLE [Entered: 06/02/1992 01:46 PM]
06/01/1992	80	Reply brief filed by Appellant Terry Sheldon in 91-5870 . Type of Service: PM Copies of brief: 8 # pages: 14. Sufficient [Y/N]: y. . [91-5870, 91-5350, 91-5430] MR [Entered: 06/04/1992 09:47 AM]
06/04/1992	82	Motion filed by Appellant Terry Sheldon in 91-5870 for additional argument time. (no specific extra amount requested) [82] [91-5870] SLW [Entered: 06/04/1992 11:40 AM]

06/04/1992	83	Response to [82] motion for additional argument time in 91-5870 requested of Appellee US in 91-5870, Appellee US in 91-5350, Appellant Keith Gordon Ham in 91-5350, Appellee US in 91-5430, Appellant Steven Fitzpatrick in 91-5430 on or before 6/11/92. [91-5870, 91-5350, 91-5430] SLW [Entered: 06/04/1992 03:01 PM]
06/08/1992	85	Response [85] to motion for additional argument time [82] in 91-5870 filed by Appellant Steven Fitzpatrick in 91-5430. [91-5430, 91-5350, 91-5870] SLW [Entered: 06/08/1992 10:43 AM]
06/09/1992	86	Response [86] to motion for additional argument time [82] in 91-5870 filed by Appellant Keith Gordon Ham in 91-5350. [91-5350, 91-5430, 91-5870] SLW [Entered: 06/09/1992 09:31 AM]
06/11/1992	87	Response [87] to motion for additional argument time [82] in 91-5870 filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870. [91-5350, 91-5430, 91-5870] SLW [Entered: 06/11/1992 11:12 AM]
06/12/1992	89	COURT ORDER filed granting motion for additional argument time [82] in 91-5870 Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 06/12/1992 03:00 PM]
06/18/1992	91	Oral argument heard. Courtroom Deputy: JLC. [91-5430, 91-5350, 91-5870] JLE [Entered: 06/19/1992 04:57 PM]
06/22/1992	92	Letter referencing clarification of questions asked at oral argument filed by Appellant Keith Gordon Ham in 91-5350 [92] [91-5350] SLW [Entered: 06/22/1992 01:23 PM]
06/29/1992	95	Motion filed by Appellee US in 91-5350 to strike brief (letter filed by appellant Ham) on 6/22/92. [95] [91-5350] SLW [Entered: 06/29/1992 10:14 AM]
07/01/1992	97	Response [97] to motion to strike letter [95] filed by Appellant Keith Gordon Ham in 91-5350. [91-5350] SLW [Entered: 07/01/1992 10:19 AM]
08/26/1992	99	COURT ORDER filed denying motion to strike brief [95] granting leave to appellee to file supplemental brief in letter form, not to exceed two pages in length on or before 9/4/92. [99] Copies to all counsel. [91-5350] SLW [Entered: 08/26/1992 11:29 AM]
09/08/1992	100	Letter referencing court order to file supplemental briefs (letter no longer than 2 pages) [99] filed by Appellee US in 91-5350 [100] [91-5350] SLW [Entered: 09/08/1992 01:38 PM]
07/01/1993	109	Published, authored opinion filed. [91-5350, 91-5430, 91-5870] SLW [Entered: 07/01/1993 10:04 AM]
07/01/1993	110	Judgment order filed. Decision: vacated in part and remanded for retrial; reversed in part; dissent. [91-5350, 91-5430, 91-5870] SLW [Entered: 07/01/1993 10:20 AM]
07/08/1993	111	Motion filed by Appellee US in 91-5350, Appellee US in 91-5430, Appellee US in 91-5870 to extend time to file petition for rehearing until: 8/16/93 [111] [91-5350, 91-5430, 91-5870] SLW [Entered: 07/08/1993 09:26 AM]
07/08/1993	112	CLERK ORDER FILED granting motion to extend time to file pet reh [111] in 91-5350, 91-5430, 91-5870 Copies to all counsel. [91-5350, 91-5430, 91-5870] SLW [Entered: 07/08/1993 09:30 AM]
07/21/1993	113	Order amending opinion filed. [91-5350, 91-5430, 91-5870] SLW [Entered: 07/21/1993 12:08 PM]
08/17/1993	114	Mandate issued. [91-5350, 91-5430, 91-5870] F [Entered: 08/17/1993 02:59 PM]
02/22/1994	115	Federal Reporter Citation: 998 f.2d 1247. [91-5350, 91-5430, 91-5870] SJC [Entered: 02/22/1994 11:08 AM]

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Clear All

- **Documents and Docket Summary**
  Documents Only

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