

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION
PUBLIC REPORT

ROBERT JUNELL
UNITED STATES DISTRICT JUDGE

COURTROOM 3

Tuesday, November 24, 2009

08:30 AM SENTENCING IN MIDLAND

MO:09-CR-00165

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

I (3)GENARO LUJAN

ATTY: KEVIN B. MILLER (RET)

08:45 AM FINAL REVOCATION HEARING

PE:06-CR-00141

UNITED STATES OF AMERICA

AUSA: JAMES J. MILLER JR.

AUSA: AUSTIN M. BERRY

VS

(1)KEVIN DUNIVEN

ATTY: THOMAS S. MORGAN (RET)

09:00 AM RESENTENCING IN MIDLAND

MO:07-CR-00096

UNITED STATES OF AMERICA

AUSA: JOSEPH H. GAY JR.

AUSA: JOHN S. KLASSEN

VS

(1)RAFI WALI MCCALL

ATTY: THOMAS S. MORGAN (RET)

PROBATION: DOUGLAS BRAMLEY

09:15 AM FINAL REVOCATION HEARING

MO:06-CR-00213

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(1)WILLIAM CARTER RAY

PROBATION: JAVIER CENICEROS

Tuesday, November 24, 2009

09:15 AM SENTENCING IN MIDLAND

[MO:09-CR-00059](#)

UNITED STATES OF AMERICA
VS
(2)JOSE ALFREDO GARZA (BOND)

AUSA: JOHN S. KLASSEN

ATTY: PAUL KOBBE WILLIAMS (CJA)
PRETRIAL: TERRY LUCK
PROBATION: LORENA TOSCANO

09:30 AM SENTENCING IN MIDLAND

[MO:09-CR-00206](#)

UNITED STATES OF AMERICA
VS
(1)KEITH ANTHONY TOWERS

AUSA: AUSTIN M. BERRY

ATTY: WAYNE N. FROST (CJA)
PROBATION: JASON CROUCH

09:45 AM STATUS CONFERENCE

[PE:00-CR-00034](#)

UNITED STATES OF AMERICA
VS
(1)CELIA URIAS-QUINTANILLA

AUSA: JOHN S. KLASSEN

PROBATION: KATHERINE HARRISON

10:30 AM HEARING ON ALL DISPOSITIVE MOTIONS

[MO:09-CV-00024](#)

28:1332 DIVERSITY-INSURANCE CONTRACT

KEY ENERGY SERVICES, INC.

Plaintiff

ATTY: ANDREW HARPER ESTES

ATTY: JEREMY C. SMITH

ATTY: SCOTT M. KIDWELL

ATTY: JOHN M. SYLVESTER

VS

Versus

TWIN CITY FIRE INSURANCE COMPANY

Defendant

ATTY: HARVEY G. BROWN, JR.

ATTY: MICHAEL F. PERLIS

ATTY: ANDREW HARPER ESTES

ATTY: RICHARD R. JOHNSON

Tuesday, November 24, 2009

03:00 PM FINAL REVOCATION HEARING

MO:07-CR-00007

UNITED STATES OF AMERICA
VS
(1)BERNAVE CASTRO

AUSA: JOHN S. KLASSEN

PROBATION: MICHAEL RICHARDS

03:00 PM SENTENCING IN MIDLAND

MO:09-CR-00179

UNITED STATES OF AMERICA

VS
(1)JOSHUA BELL

(2)CHRISTOPHER SIMMONS

(3)PRESTON SAVELL

AUSA: BRANDI MARIE YOUNG

AUSA: KERRY A. FLECK

ATTY: E. JASON LEACH (CJA)
PROBATION: JASON CROUCH

ATTY: STEVE HERSHBERGER (CJA)
PROBATION: JASON CROUCH

ATTY: DAVID G. ROGERS (CJA)
PROBATION: JASON CROUCH

Wednesday, November 25, 2009

08:30 AM PLEA

MO:09-CR-00158

UNITED STATES OF AMERICA
VS
(1)CODY LEE CARTER

AUSA: JOHN S. KLASSEN

ATTY: DAVID G. ROGERS (CJA)

09:00 AM EVIDENTIARY HEARING-BRADY ISSUE

MO:05-CR-00134

UNITED STATES OF AMERICA

VS
(1)YOLANDA JEAN MADDEN

AUSA: JOSEPH H. GAY JR.

AUSA: JOHN S. KLASSEN

ATTY: MARK ANDREW SAMPSON (RET)
PROBATION: AMANDA GARCIA

Thursday, November 26, 2009

09:00 AM THANKSGIVING DAY - FEDERAL HOLIDAY - COURTHOUSE CLOSED

Friday, November 27, 2009

08:00 AM COURTHOUSE CLOSED

Monday, November 30, 2009

08:30 AM JURY SELECTION/TRIAL

MO:09-CR-00249

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

(1)MIGUEL ANTONIO CARRILLO

ATTY: THOMAS S. MORGAN (CJA)

(2)LORI RODRIGUEZ

ATTY: JUSTIN EUGENE WEATHERLY (CJA)

MO:09-CR-00252

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

(1)ARMANDO SAUSED A SR.

ATTY: ALVARO MARTINEZ JR. (CJA)

MO:09-CR-00253

UNITED STATES OF AMERICA

AUSA: BRANDI MARIE YOUNG

VS

(2)AGUSTIN SANCHEZ

ATTY: DAVID CLYNE GREENHAW (CJA)

MO:09-CR-00258

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

(1)SCOTT JAMES MCDOWELL

ATTY: DAVID G. ROGERS (CJA)

MO:09-CR-00259

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

(1)KIMBERLY LYNN MONROE

ATTY: ALLEN R. STRODER (CJA)

MO:09-CR-00260

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

(1)ARLANA DORIS MOORE

ATTY: DAN KYLE WADE (CJA)

Monday, November 30, 2009

08:30 AM JURY SELECTION/TRIAL

MO:09-CR-00264

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

(4)BILL REGISTER

ATTY: GERALD R. LOPEZ (RET)

(5)TRICIA BEASLEY

ATTY: WAYNE N. FROST (CJA)

Tuesday, December 01, 2009

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00222

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

I (1)ANIBAL BATISTA-JUNIOR

ATTY: GERALD R. LOPEZ (CJA)

PROBATION: MICHELLE WADLEY

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00230

UNITED STATES OF AMERICA

VS

(1)ARTURO PEREZ-VITAL

05:00 PM FINAL PRETRIAL HEARING

MO:08-CV-00163

28:1345 COMPLAINT FOR FORFEITURE

UNITED STATES OF AMERICA

Plaintiff

ATTY: MARY NELDA VALADEZ

VS

Versus

**ONE 2007 HONDA MOTORCYCLE, VIN:
JH2S570X7M306586**

Defendant

CARLOS RENE MACHUCA

Claimant

ATTY: DAVID G. ROGERS

MO:09-CV-00042

28:1332 DIVERSITY-INSURANCE CONTRACT

SAN MIGUEL SQUARE

Plaintiff

ATTY: JEFFREY F. THOMASON

VS

Versus

COLONY INSURANCE COMPANY

Defendant

ATTY: ROBERT L. CRAIG JR.

Wednesday, December 02, 2009

08:00 AM FINAL REVOCATION HEARING

MO:07-CR-00094

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

AUSA: JOHN S. KLASSEN

(4)MICHELLE BYLER

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00188

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

I (1)FIDEL VALENCIA SOTELO

ATTY: ALVARO MARTINEZ JR. (CJA)

PROBATION: DOUGLAS BRAMLEY

03:00 PM SENTENCING IN MIDLAND

MO:09-CR-00074

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

(1)RICKY LYNN CURRIER

ATTY: DAVID CLYNE GREENHAW (CJA)

Thursday, December 03, 2009

08:00 AM SHOW CAUSE HEARING-IN RE: JURORS

08:15 AM FINAL REVOCATION HEARING

MO:04-CR-00069

UNITED STATES OF AMERICA

AUSA: JOSEPH H. GAY JR.

AUSA: JOHN S. KLASSEN

AUSA: JEFFREY PARRAS

VS

(1)DOUGLAS CHRISTOPHER JONES

PROBATION: JAVIER CENICEROS

Thursday, December 03, 2009

08:30 AM FINAL REVOCATION HEARING

MO:06-CR-00182

UNITED STATES OF AMERICA
VS
(3)MARTIN DOMINGUEZ

AUSA: JOHN S. KLASSEN

PROBATION: LAURA ROSA

09:00 AM PRETRIAL CONFERENCE

MO:09-CR-00173

UNITED STATES OF AMERICA
VS
(1)KENNETH WAYNE MARION

AUSA: KERRY A. FLECK

ATTY: TRACEY BRIGHT SCOWN (CJA)

03:00 PM FINAL REVOCATION HEARING

MO:03-CR-00021

UNITED STATES OF AMERICA

VS
(2)MONA POSEY

AUSA: MARK T. ROOMBERG

AUSA: JOHN S. KLASSEN

ATTY: EVA-MARIE LEAHEY (CJA)

PROBATION: LAURA ROSA

MO:05-CR-00011

UNITED STATES OF AMERICA

VS
(2)ECHEA D. ROUNTREE

AUSA: JOHN S. KLASSEN

AUSA: JOSEPH H. GAY JR.

PROBATION: ADAM FLORES

03:15 PM FINAL REVOCATION HEARING

MO:02-CR-00075

UNITED STATES OF AMERICA
(1)FREDERICO DURAN

AUSA: G. GLENN ROQUE-JACKSON

ATTY: ROBERT VICTOR GARCIA JR. (CJA)

PROBATION: ADAM FLORES

03:15 PM FINAL REVOCATION HEARING

MO:07-CR-00066

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

I (1) RUBEN VILLA JR.

PROBATION: WALTER S. WOOTEN

03:30 PM FINAL REVOCATION HEARING

MO:04-CR-00158

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

(1) JASON LACOMAS SPRAGLIN

AUSA: JOHN S. KLASSEN

AUSA: JOSEPH H. GAY JR.

ATTY: ALAN B. HARRIS (CJA)

PROBATION: JAVIER CENICEROS

MO:05-CR-00135

UNITED STATES OF AMERICA

AUSA: G. GLENN ROQUE-JACKSON

VS

(1) GREGORY NATHANIEL JACKSON

ATTY: DUSTY GALLIVAN (CJA)

PROBATION: WILLIAM BESS

03:45 PM FINAL REVOCATION HEARING

MO:05-CR-00234

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(1) CLYDE RAY SMITH JR. (JAIL)

ATTY: LAURA ANN CARPENTER (CJA)

PROBATION: JAVIER CENICEROS

04:00 PM FINAL REVOCATION HEARING

MO:08-CR-00232

UNITED STATES OF AMERICA

AUSA: MARY NELDA VALADEZ

VS

(1) BRIAN THOMAS NIKOLAI

AUSA: JAMES J. MILLER JR.

PROBATION: ADAM FLORES

Monday, December 07, 2009

05:00 PM FINAL PRETRIAL HEARING

PE:09-CV-00010

28:1332 DIVERSITY-BREACH OF CONTRACT

MEDCO ENERGI US LLC

Plaintiff

ATTY: RICHARD EDWARD BOOTH

VS

Versus

CIBOLA ENERGY LTD

Defendant

ATTY: KENNETH A. HILL

DEANE C WATSON, JR

Defendant

ATTY: KENNETH A. HILL

WILLIAM C OVERSTREET

Defendant

ATTY: KENNETH A. HILL

Wednesday, December 09, 2009

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00185

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

I (1) OSCAR ROBLES-MATA

ATTY: DAMIAN CASTILLO (CJA)

MO:09-CR-00199

UNITED STATES OF AMERICA

AUSA: BRANDI MARIE YOUNG

VS

(2) TEENA JOHNSON

ATTY: DAMIAN CASTILLO (CJA)

PROBATION: LORENA TOSCANO

05:00 PM FINAL PRETRIAL HEARING

MO:09-CV-00032

28:1332 DIVERSITY-AUTO NEGLIGENCE

CLINTON K. THOMPSON

Plaintiff

ATTY: BRIAN MAURICE DELL

KATHLEEN THOMPSON

Plaintiff

ATTY: BRIAN MAURICE DELL

VS

Versus

DAVID B. RAGAN

Defendant

ATTY: MICHAEL B. MCKINNEY

Thursday, December 10, 2009

09:30 AM SENTENCING IN MIDLAND

MO:09-CR-00166

UNITED STATES OF AMERICA

AUSA: BRANDI MARIE YOUNG

VS

(1) DAVID VALENZUELA

ATTY: ADRIAN A. CHAVEZ (RET)

ATTY: BRIAN JOSE CHAVEZ (RET)

PROBATION: LORENA TOSCANO

Monday, December 14, 2009

08:00 AM JURY SELECTION/TRIAL (JUDGE HUDSPETH-MIDLAND)

MO:08-CV-00010

31:3729 FALSE CLAIMS ACT

KENNETH A. MCCREADY

Relator

ATTY: KENNETH A. MCCREADY (PSE)

VS

Versus

DANNY LYLE BECKER JR.

Defendant

ATTY: DANNY LYLE BECKER JR. (PSE)

PAMELA KAY BUSSELL BECKER

Defendant

ATTY: PAMELA KAY BUSSELL BECKER (PSE)

SHAWNA E. BECKER

Defendant

ATTY: SHAWNA E. BECKER (PSE)

BRITTANY J. BECKER

Defendant

ATTY: BRITTANY J. BECKER (PSE)

KYLE J. BECKER

Defendant

ATTY: KYLE J. BECKER (PSE)

CHELSEA A. BECKER

Defendant

ATTY: CHELSEA A. BECKER (PSE)

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00195

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(6)CLARA MARTINEZ

ATTY: J. MICHAEL CUNNINGHAM (CJA)

PROBATION: MICHELLE WADLEY

08:30 AM SENTENCING IN MIDLAND

MO:09-CR-00235

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

(1)OBED RAFAEL GUTIERREZ-MARTINEZ

ATTY: RICHARD ALVARADO (CJA)

08:45 AM SENTENCING IN MIDLAND

MO:09-CR-00217

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

(1)JAMES MATTHEW ROBBINS

ATTY: EVA-MARIE LEAHEY (CJA)

PROBATION: JASON CROUCH

05:00 PM JUDGE TO MEET WITH NEW SUPERVISED RELEASE PERSONS / EARLY TERMS

Tuesday, December 15, 2009

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00192

UNITED STATES OF AMERICA

VS

(2)WALTER RAY BURROW

AUSA: JOHN S. KLASSEN

ATTY: LAURA ANN CARPENTER (CJA)
PROBATION: DOUGLAS BRAMLEY

MO:09-CR-00195

UNITED STATES OF AMERICA

VS

(2)MELISSA BROOK HERNANDEZ

AUSA: JOHN S. KLASSEN

ATTY: LUIS A. CHAVEZ (CJA)
PROBATION: MICHELLE WADLEY

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00195

UNITED STATES OF AMERICA

VS

(1)LOURDES "LOU" SANCHEZ

AUSA: JOHN S. KLASSEN

ATTY: ROBERT VICTOR GARCIA JR. (CJA)
PROBATION: MICHELLE WADLEY

MO:09-CR-00221

UNITED STATES OF AMERICA

VS

I (1)MELITON MARTINEZ-VARGAS

AUSA: AUSTIN M. BERRY

ATTY: ROBERT VICTOR GARCIA JR. (RET)

09:00 AM HEARING ON DEFENDANT'S MOTION TO DISMISS

[MO:09-CV-00088](#)

42:1983 CIVIL RIGHTS ACT

ELADIO BUSTAMANTE

Plaintiff

ATTY: STEVE HERSHBERGER

VS

Versus

CITY OF MIDLAND, TEXAS

Defendant

ATTY: TERRY WAYNE RHOADS

ATTY: AARON DORFNER

JOHN CHANDLER

Defendant

ATTY: TERRY WAYNE RHOADS

ATTY: AARON DORFNER

CHAD SIMPSON

Defendant

ATTY: TERRY WAYNE RHOADS

ATTY: AARON DORFNER

JOHN MCKINNEY

Defendant

ATTY: TERRY WAYNE RHOADS

ATTY: AARON DORFNER

03:00 PM SENTENCING IN MIDLAND

[MO:09-CR-00161](#)

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

(2)NORMA OLMOS

ATTY: EDWARD T. GARZA (RET)

PROBATION: LORENA TOSCANO

REMARKS: DEFT #1 IS UNARRESTED

03:15 PM SENTENCING IN MIDLAND

[MO:09-CR-00187](#)

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

(2)PAMELA ANNE YOUNG

ATTY: TRACEY BRIGHT SCOWN (CJA)

[MO:09-CR-00193](#)

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(1)NORMA JEAN SPENCER

ATTY: DUSTY GALLIVAN (CJA)

PROBATION: JASON CROUCH

Tuesday, December 15, 2009

03:30 PM SENTENCING IN MIDLAND

MO:09-CR-00191

UNITED STATES OF AMERICA

VS

(1)JOHNNY REYES ORTEGA

AUSA: JEFFREY PARRAS

ATTY: DUSTY GALLIVAN (CJA)
PROBATION: JASON CROUCH

03:45 PM SENTENCING IN MIDLAND

MO:09-CR-00192

UNITED STATES OF AMERICA

VS

(1)LAWANA LORENE BURROW

AUSA: JOHN S. KLASSEN

ATTY: RICHARD ALVARADO (CJA)
PROBATION: DOUGLAS BRAMLEY

MO:09-CR-00194

UNITED STATES OF AMERICA

VS

(1)EMILY RENEE BYRUM

AUSA: JOHN S. KLASSEN

PROBATION: DOUGLAS BRAMLEY

04:00 PM SENTENCING IN MIDLAND

MO:09-CR-00195

UNITED STATES OF AMERICA

VS

(5)GILBERTO LUJAN MARTINEZ

AUSA: JOHN S. KLASSEN

ATTY: KEVIN D. ACKER (CJA)
PROBATION: MICHELLE WADLEY

04:15 PM SENTENCING IN MIDLAND

MO:09-CR-00059

UNITED STATES OF AMERICA

VS

(3)PATTY CHAMBERS MARMOLEJO

AUSA: JOHN S. KLASSEN

ATTY: NICK L. OLGUIN (RET)
PROBATION: DOUGLAS BRAMLEY

Tuesday, December 15, 2009

04:15 PM SENTENCING IN MIDLAND

MO:09-CR-00234

UNITED STATES OF AMERICA
VS
(1)JOSE GUADALUPE MORIN-PIZANO

AUSA: AUSTIN M. BERRY

ATTY: RICHARD ALVARADO (CJA)
PROBATION: MICHELLE WADLEY

04:30 PM SENTENCING IN MIDLAND

MO:09-CR-00195

UNITED STATES OF AMERICA
VS
(4)DAVID WAYNE HARRIS

AUSA: JOHN S. KLASSEN

ATTY: H. THOMAS HIRSCH (RET)
PROBATION: MICHELLE WADLEY

04:45 PM SENTENCING IN MIDLAND

MO:09-CR-00052

UNITED STATES OF AMERICA
VS
(1)DANA EDWARD MEANS

AUSA: JOHN S. KLASSEN

ATTY: ROBERT A. LEAHEY (CJA)
PROBATION: DOUGLAS BRAMLEY

05:00 PM SENTENCING IN MIDLAND

MO:09-CR-00224

UNITED STATES OF AMERICA
VS
I (1)ELEAZAR SALDANA-ARZATE

AUSA: AUSTIN M. BERRY

ATTY: BRIAN JOSE CHAVEZ (CJA)
PROBATION: LORENA TOSCANO

Wednesday, December 16, 2009

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00199

UNITED STATES OF AMERICA
VS
(1)MICHELLE HERRMAN

AUSA: BRANDI MARIE YOUNG

ATTY: JUSTIN EUGENE WEATHERLY (RET)
PROBATION: LORENA TOSCANO

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00223

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

I (1) NORMA LETICIA CHACON DE SALDANA

ATTY: RICHARD ALVARADO (CJA)
PROBATION: JASON CROUCH

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00139

UNITED STATES OF AMERICA

AUSA: BRANDI MARIE YOUNG

VS

(1) ERNIE RODRIGUEZ

ATTY: JUSTIN EUGENE WEATHERLY (CJA)
PROBATION: LORENA TOSCANO

08:30 AM SENTENCING IN MIDLAND

MO:09-CR-00190

UNITED STATES OF AMERICA

AUSA: JEFFREY PARRAS

VS

(1) JASON ALAN YBARRA

ATTY: STEVE HERSHBERGER (CJA)
PROBATION: LORENA TOSCANO

MO:09-CR-00195

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(3) ROY ARNETT CLAUDRICK

ATTY: STEVE HERSHBERGER (CJA)
PROBATION: MICHELLE WADLEY

09:00 AM SENTENCING IN MIDLAND

MO:09-CR-00164

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

(1) UBALDO SOTO RODRIGUEZ

ATTY: BRIAN JOSE CHAVEZ (RET)
ATTY: ADRIAN A. CHAVEZ (RET)

Thursday, December 17, 2009

08:00 AM SENTENCING IN MIDLAND

MO:09-CR-00187

UNITED STATES OF AMERICA

AUSA: KERRY A. FLECK

VS

(3)LUIS ALBERTO CHAVEZ

ATTY: GERALD R. LOPEZ (CJA)

08:15 AM SENTENCING IN MIDLAND

MO:09-CR-00233

UNITED STATES OF AMERICA

AUSA: AUSTIN M. BERRY

VS

**(1)HECTOR ABRAM
RODRIGUEZ-HERNANDEZ**

ATTY: GERALD R. LOPEZ (RET)

PROBATION: LORENA TOSCANO

08:30 AM SENTENCING IN MIDLAND

MO:09-CR-00169

UNITED STATES OF AMERICA

AUSA: JOHN S. KLASSEN

VS

(1)WILLIAM DAVID MUSAR

ATTY: C. H. BROCKETT JR. (RET)

PROBATION: JASON CROUCH