

# United States v. Espinosa-Pena (5:18-cr-00298)

## District Court, E.D. North Carolina

Last Updated: Nov. 10, 2021, 10:35 p.m. EST

Assigned To: Louise W. Flanagan (/person/1074/louise-w-flanagan/)

Date Filed: Aug. 1, 2018

Date Terminated: April 9, 2019

Date of Last Known Filing: May 16, 2019

[Docket Entries \(/docket/7719581/united-states-v-espinosa-pena/\)](/docket/7719581/united-states-v-espinosa-pena/)

[Parties and Attorneys \(/docket/7719581/parties/united-states-v-espinosa-pena/\)](/docket/7719581/parties/united-states-v-espinosa-pena/)

**Filed**

to

**Documents** ↓<sub>9</sub> ↓<sub>1</sub>

to

	Date Filed	Description
1	Aug 1, 2018	SEALED INDICTMENT as to Guadalupe Espinosa-Pena (1) counts 1, 2, Denslo Allen Paige (2) count 1. The foreperson's signature has been redacted pursuant to the E-Government Act. The unredacted version of this document has been filed under seal. (Bullock, N.) (Entered: 08/02/2018)
		Main Doc                      Indictment (Sealed) (/docket /7719581 /1/united- states- v-espinosa- pena/)
2	Aug 1, 2018	MOTION to Seal 1 Indictment (Sealed), filed by USA as to Guadalupe Espinosa-Pena, Denslo Allen Paige. (Bullock, N.) (Entered: 08/02/2018)

Main Doc	Motion to Seal	
3	Aug 1, 2018	ORDER granting 2 Motion to Seal as to Guadalupe Espinosa-Pena (1), Denslo Allen Paige (2). Signed by Magistrate Judge Robert B. Jones, Jr on 8/1/2018. (Bullock, N.) (Entered: 08/02/2018)  Main Doc                      Order on Motion to Seal
4	Aug 1, 2018	Unredacted Document 1 Indictment (Sealed). (Bullock, N.) (Entered: 08/02/2018)  Main Doc                      Unredacted Document
5	Aug 1, 2018	Warrant Requested by USA as to Guadalupe Espinosa-Pena, Denslo Allen Paige. (Bullock, N.) (Entered: 08/02/2018)  Main Doc                      Warrant Requested (/docket /7719581 /5/united- states- v-espinosa- pena/)
6	Aug 1, 2018	Arrest Warrant Issued by Peter A. Moore, Jr., Clerk of Court in case as to Guadalupe Espinosa-Pena. Original to US Marshal's Office for service. (Bullock, N.) (Entered: 08/02/2018)  Main Doc                      Warrant Issued
8	Aug 1, 2018	Penalty Sheet (Selected Participants Only) as to Guadalupe Espinosa-Pena. (Bullock, N.) (Entered: 08/02/2018)  Main Doc                      Penalty Sheet
	Aug 22, 2018	Set/Reset Hearings
	Aug 22, 2018	Set Hearing as to Guadalupe Espinosa-Pena: Initial Appearance set for 8/22/2018 at 02:00 PM in Raleigh - 6th Floor Courtroom before Magistrate Judge James E. Gates. (Horton, B.)
	Aug 22, 2018	Arrest
	Aug 22, 2018	Arrest of Guadalupe Espinosa-Pena and Denslo Allen Paige. (Horton, B.)
	Aug 22, 2018	ORAL MOTION to Unseal Case filed by USA as to Guadalupe Espinosa-Pena and Denslo Allen Paige. (Horton, B.)
	Aug 22, 2018	Motion to Unseal Case
	Aug 22, 2018	Order on Motion to Unseal Case
	Aug 22, 2018	ORAL ORDER granting Oral Motion to Unseal Case as to Guadalupe Espinosa-Pena (1)and Denslo Allen Paige (2). Entered by Magistrate Judge James E. Gates on 8/22/2018. (Horton, B.)
10	Aug 22, 2018	CJA 23 Financial Affidavit by Guadalupe Espinosa-Pena. (Horton, B.) (Entered: 08/22/2018)  Main Doc                      Financial Affidavit - CJA23
11	Aug 22, 2018	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Guadalupe Espinosa-Pena. Signed by Magistrate Judge James E. Gates on 8/22/2018. (Horton, B.) (Entered: 08/22/2018)  Main Doc                      Order Appointing Public Defender

- |    |              |   |
|----|--------------|---|
| 14 | Aug 22, 2018 | Minute Entry for proceedings held before Magistrate Judge James E. Gates in Raleigh. Initial Appearance as to Guadalupe Espinosa-Pena and Denslo Allen Paige held on 8/22/2018. Interpreter (Spanish) sworn. Assistant U.S. Attorney present for government. Government moves to unseal this matter. The court allows governments motion to unseal. Defendants request counsel. Federal Public Defender appointed. Defendants advised of rights, charges, and maximum punishments. Government does not move for detention. Defendant's released on conditions. (Court Reporter - FTR) (Horton, B.) Modified on 8/22/2018 to reflect that the government moved to unseal this matter (Horton, B.). (Entered: 08/22/2018) |
|    |              | Main Doc                      Initial Appearance  |
| 15 | Aug 22, 2018 | ORDER Setting Conditions of Release. Signed by Magistrate Judge James E. Gates on 8/22/2018. (Horton, B.) (Entered: 08/22/2018)   |
|    |              | Main Doc                      Order Setting Conditions of Release<br>(/docket<br>/7719581<br>/15/united-<br>states-<br>v-espinosa-<br>pena/)  |
| 17 | Aug 23, 2018 | SCHEDULING ORDER as to Guadalupe Espinosa-Pena: Arraignment set for 10/16/2018 term of court in New Bern. The attorneys are ORDERED to conduct a pre-trial conference on or before 9/12/2018. Motions due by 9/26/2018. Response to Motion due by 10/10/2018. Counsel should read attached order in its entirety for critical information and deadlines. Signed by District Judge Louise Wood Flanagan on 8/23/2018. (Tripp, S.) (Entered: 08/23/2018)  |
|    |              | Main Doc                      Scheduling Order  |
| 19 | Aug 23, 2018 | Arrest Warrant Returned Executed on 8/22/2018 as to Guadalupe Espinosa-Pena. (Tripp, S.) (Entered: 08/23/2018)  |
|    |              | Main Doc                      Warrant Returned Executed<br>(/docket<br>/7719581<br>/19/united-<br>states-<br>v-espinosa-<br>pena/)  |
| 23 | Aug 27, 2018 | Notice of Attorney Appearance: R. Andrew McCoppin appearing for Guadalupe Espinosa-Pena . (McCoppin, R.) (Entered: 08/27/2018)  |
|    |              | Main Doc                      Notice of Attorney Appearance -<br>(/docket                      Defendant<br>/7719581<br>/23/united-<br>states-<br>v-espinosa-<br>pena/)   |
| 24 | Aug 27, 2018 | Request for discovery filed by Guadalupe Espinosa-Pena NO COURT ACTION REQUIRED. (McCoppin, R.) (Entered: 08/27/2018)   |
|    |              | Main Doc                      Request for Discovery   |
|    | Sep 27, 2018 | Notice of Hearing   |

	Sep 27, 2018	Notice of Hearing as to Guadalupe Espinosa-Pena: Arraignment set for 10/16/2018 at 1:30 PM in New Bern - Hearing Room before Magistrate Judge Robert B. Jones Jr. Internet Calendar Here (Castania, M)
30	Oct 8, 2018	First MOTION to Continue ARRAIGNMENT filed by Guadalupe Espinosa-Pena. (Attachments: # 1 Text of Proposed Order) (McCoppin, R.) (Entered: 10/08/2018)
		Main Doc                      Motion to Continue (/docket /7719581 /30/united- states- v-espinosa- pena/)
		Att 1                              Text of Proposed Order
	Oct 8, 2018	Set/Reset Hearings
31	Oct 8, 2018	ORDER granting 30 First Motion to Continue ARRAIGNMENT as to Guadalupe Espinosa-Pena - Signed by District Judge Louise Wood Flanagan on 10/8/2018. (Tripp, S.) (Entered: 10/08/2018)
		Main Doc                      Order on Motion to Continue
	Oct 8, 2018	Reset Hearing as to Guadalupe Espinosa-Pena: Arraignment reset for 12/11/2018 term of court in New Bern - Hearing Room before Magistrate Judge Robert B. Jones Jr. (Tripp, S.)
	Nov 6, 2018	Notice of Hearing
	Nov 6, 2018	Notice of Hearing as to Guadalupe Espinosa-Pena: Arraignment set for 12/12/2018 at 1:30 PM in New Bern - Hearing Room before Magistrate Judge Robert B. Jones Jr. The court's calendar will be available on the court's website approximately three weeks prior to arraignment. Internet Calendar Here (Tripp, S.)
37	Dec 12, 2018	Minute Entry for proceedings held before Magistrate Judge Robert B. Jones, Jr. - Arraignment as to Guadalupe Espinosa-Pena on Count 2 held on 12/12/2018 in the New Bern hearing room - Defendant present with counsel - Assistant US Attorney present on behalf of the government - Spanish interpreter present and affirmed - Consent to Proceed before US Magistrate Judge executed - Defendant advised of rights, charges and maximum penalties - Memorandum of Plea Agreement executed - Plea entered by Guadalupe Espinosa-Pena: Guilty as to Count 2 - Count 1 to be dismissed at sentencing - The court conditionally approves the Memorandum of Plea Agreement - Sentencing Hearing to be set for the April 2019 term before District Judge Louise Wood Flanagan in New Bern, NC - Defendant released to remain under previously imposed conditions. (Court Reporter Harry Hagopian) (Castania, M) (Entered: 12/12/2018)
		Main Doc                      Arraignment
	Dec 12, 2018	Dismiss
	Dec 12, 2018	Motion to Dismiss
38	Dec 12, 2018	Consent to proceed before Magistrate Judge for felony arraignment by defendant Guadalupe Espinosa-Pena. (Castania, M) (Entered: 12/12/2018)
		Main Doc                      Consent to Magistrate Arraignment
39	Dec 12, 2018	MEMORANDUM OF PLEA AGREEMENT as to Guadalupe Espinosa-Pena.

(Castania, M) (Entered: 12/12/2018)

Main Doc	Plea Agreement																
	Dec 12, 2018	Oral MOTION to Dismiss Count 1 of the Indictment at sentencing pursuant to Memorandum of Plea Agreement by USA as to Guadalupe Espinosa-Pena. (Castania, M)															
40	Dec 12, 2018	SENTENCING SCHEDULING ORDER as to Guadalupe Espinosa-Pena: Sentencing set for that term of court commencing on 4/9/2019 in New Bern - Courtroom before District Judge Louise Wood Flanagan. Absent a continuance, this order will constitute the only notice of hearing provided by the court. The court's calendar, which will include more specific date and time of sentencing within the sentencing term, will be available on the court's website approximately three weeks prior to sentencing. Absent extenuating circumstance, any motion, including one for departure or variance, and/or sentencing memorandum shall be filed not later than seven days before the sentencing hearing. Counsel should read order in its entirety for critical information and deadlines. Signed by District Judge Louise Wood Flanagan on 12/12/2018. (Tripp, S.) (Entered: 12/12/2018)															
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54	Feb 27, 2019	DRAFT PRESENTENCE INVESTIGATION REPORT (Sealed) as to Guadalupe Espinosa-Pena. (Attachments: # 1 Supplement Cover Memo Objections Due 3/13/19) (Bartlett, L.) (Entered: 02/27/2019)															
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55	Mar 13, 2019	OBJECTIONS TO PRESENTENCE REPORT as to Guadalupe Espinosa-Pena (Kielmanovich, Sebastian) (Entered: 03/13/2019)															
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Espinosa-Pena. (Bartlett, L.) (Entered: 03/26/2019)

Main Doc            Presentence Investigation Report -  
Final

59        Apr 9, 2019            Minute Entry for proceedings held before District Judge Louise Wood Flanagan in New Bern Courtroom: Sentencing held on 4/9/2019 for Guadalupe Espinosa-Pena - Defendant present with counsel - Interpreter present and sworn - Assistant U.S. Attorney present for USA - Count 2 - Bureau of Prisons - 1 month - Supervised Release - 1 year - Special Conditions imposed - Special Assessment \$25.00 (due immediately) - No fine - Count 1 dismissed - Defendant advised of appeal rights and remanded to custody. (Court Reporter - Tracy McGurk) (Tripp, S.) (Entered: 04/09/2019)

Main Doc            Sentencing

Apr 9, 2019            Order on Motion to Dismiss

Apr 9, 2019            ORAL ORDER granting Oral Motion to Dismiss Count 1 of the Indictment at sentencing pursuant to Memorandum of Plea Agreement as to Guadalupe Espinosa-Pena - Entered in open court by District Judge Louise Wood Flanagan on 4/9/2019. (Tripp, S.)

60        Apr 9, 2019            Memorandum of Plea Agreement Accepted as to Guadalupe Espinosa-Pena (Tripp, S.) (Entered: 04/09/2019)

Main Doc            Plea Agreement Accepted

62        Apr 9, 2019            JUDGMENT as to Guadalupe Espinosa-Pena - Count 2 - Bureau of Prisons - 1 months - Supervised Release - 1 year - Special Conditions imposed - Special Assessment \$25.00 (due immediately) - No fine - Count 1 dismissed. Signed by District Judge Louise Wood Flanagan on 4/9/2019. (Tripp, S.) (Entered: 04/17/2019)

Main Doc            Judgment

64        May 16, 2019            AMENDED JUDGMENT as to Guadalupe Espinosa-Pena - Count 2 - Bureau of Prisons - 1 month - Supervised Release - 1 year - Special Conditions imposed - Special Assessment \$25.00 (due immediately) - No fine - Count 1 dismissed. Signed by District Judge Louise Wood Flanagan on 5/16/2019.\*Amended to correct special assessment amount\* (Tripp, S.)

Main Doc            Amended Judgment

(/docket  
/7719581  
/64/united-  
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pena/)

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