

**United States District Court
Western District of Michigan (Southern Division (1))
CRIMINAL DOCKET FOR CASE #: 1:08-cr-00047-PLM-2**

Case title: USA v. Mason et al

Date Filed: 02/28/2008

Date Terminated: 02/20/2009

Assigned to: Chief Judge Paul L.
Maloney

Appeals court case number:
'08-2488' 'the Sixth Circuit'

defendant (2)

Frank Brian Ambrose
TERMINATED: 11/12/2008

represented by **Michael Joseph Brady**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18:844(n), 18:844(f)(1), 18:844(i)
CONSPIRACY TO COMMIT
ARSON
(1)

Disposition

Defendant sentenced to 108 months incarceration;
upon release shall be on supervised release for life;
pay restitution in the amount of \$3,714,536.00 and a
special assessment in the amount of \$100.00; SEE
AMENDED JUDGMENT [159]; SEE SECOND
AMENDED JUDGMENT [197]

Highest Offense Level (Opening)

Felony

Terminated Counts

18:844(f)(1), 18:844(f)(2) ARSON
(2)
18:844(i) ARSON
(3)
18:844(i), 18:2 ARSON
(4)

Disposition

dismissed
dismissed
dismissed

**Highest Offense Level
(Terminated)**

Felony

Complaints

None

Disposition**Plaintiff**

USA

represented by **Hagen W. Frank**
U.S. Attorney (Grand Rapids)

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/28/2008	<u>1</u>	INDICTMENT as to Marie Jeanette Mason, Frank Brian Ambrose, Aren Bernard Burthwick, Stephanie Lynne Fultz (elc) (Entered: 03/10/2008)
02/28/2008	<u>2</u>	MOTION and ORDER to seal case as to Marie Jeanette Mason, Frank Brian Ambrose, Aren Bernard Burthwick, Stephanie Lynne Fultz until defendant is arrested, the investigation is completed, or further order of this court; CASE UNSEALED pursuant to appearance of defendant Frank Brian Ambrose on 3/10/08 ; signed by Magistrate Judge Ellen S. Carmody (elc) (Entered: 03/10/2008)
03/10/2008		CASE UNSEALED as to Marie Jeanette Mason, Frank Brian Ambrose, Aren Bernard Burthwick, Stephanie Lynne Fultz pursuant to appearance of defendant Frank Brian Ambrose (elc) (Entered: 03/10/2008)
03/10/2008		ARREST of Frank Brian Ambrose (dmh) (Entered: 03/11/2008)
03/10/2008	<u>7</u>	ARREST WARRANT RETURNED EXECUTED; defendant Frank Brian Ambrose arrested on 3/10/08 (dmh) (Entered: 03/11/2008)
03/10/2008	<u>9</u>	MINUTES held before Magistrate Judge Joseph G. Scoville; FIRST APPEARANCE and ARRAIGNMENT of deft Frank Brian Ambrose on Counts 1-4; CASE UNSEALED; defendant stood mute, plea of not guilty entered by the court on behalf of deft; Counsel given 2 weeks to file their Pretrial Conference Summary Statements; deft to notify the court if an Initial Pretrial Conference is necessary; deft released on bond; (Proceedings Digitally Recorded) (Magistrate Judge Joseph G. Scoville, dmh) Modified text on 3/13/2008 (dmh). (Entered: 03/11/2008)
03/10/2008	<u>10</u>	DEFENDANT'S RIGHTS as to defendant Frank Brian Ambrose (dmh) (Entered: 03/11/2008)
03/10/2008	<u>11</u>	BOND and ORDER setting conditions of release as to defendant Frank Brian Ambrose (2) on \$50,000.00 Unsecured Appearance bond; signed by Magistrate Judge Joseph G. Scoville; copy mailed to deft (dmh) (Entered: 03/11/2008)
03/10/2008	<u>12</u>	ATTORNEY APPEARANCE of Michael Joseph Brady for defendant Frank Brian Ambrose (elc) (Entered: 03/11/2008)
03/11/2008	<u>8</u>	ORDER SCHEDULING PROGRESSION OF CASE as to defendant Frank Brian Ambrose; signed by Magistrate Judge Joseph G. Scoville (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 03/11/2008)
03/11/2008	<u>13</u>	CLERK'S LETTER to attorney Michael Joseph Brady regarding e-filing requirement and paper filing <u>12</u> as to defendant Frank Brian Ambrose (elc) (Entered: 03/11/2008)
03/17/2008	<u>24</u>	AMENDMENT TO ORDER Scheduling Progression of Case <u>8</u> as to defendant Frank Brian Ambrose: parties to e-file an Initial Pretrial Conference Summary Statement by March 25, 2008; by Magistrate Judge Joseph G. Scoville (TEXT ONLY ENTRY)(Magistrate Judge Joseph G. Scoville, mmh) (Entered: 03/17/2008)

03/20/2008	<u>35</u>	NOTICE as to Frank Brian Ambrose: change of plea hearing is set for 3/20/2008 at 01:45 PM at 584 Federal Building, Grand Rapids, MI before Magistrate Judge Hugh W. Brenneman Jr.:(Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 03/20/2008)
03/20/2008	<u>36</u>	PLEA AGREEMENT as to Frank Brian Ambrose (Frank, Hagen) (Entered: 03/20/2008)
03/20/2008	<u>38</u>	MINUTES held before Magistrate Judge Hugh W. Brenneman Jr. of CHANGE OF PLEA as to Deft Frank Brian Ambrose; GUILTY PLEA ENTERED by Deft to Count 1 of the Indictment; presentence report ordered; Report and Recommendation to issue by the Court; Counts 2, 3, 4 to be dismissed at sentencing; Deft's bond is continued by the Court (Proceedings Digitally Recorded) (Magistrate Judge Hugh W. Brenneman, Jr., sas) (Entered: 03/20/2008)
03/20/2008	<u>39</u>	CONSENT between defendant Frank Brian Ambrose and counsel allowing Magistrate Judge to preside over guilty plea hearing (sas) (Entered: 03/20/2008)
03/20/2008	<u>40</u>	REPORT AND RECOMMENDATION that the guilty plea of Frank Brian Ambrose as to Count 1 of the Indictment be accepted; transcript of plea proceedings to be ordered; objections to RRdue within 10 days ; signed by Magistrate Judge Hugh W. Brenneman, Jr (Magistrate Judge Hugh W. Brenneman, Jr., fhw) (Entered: 03/20/2008)
03/21/2008	<u>45</u>	NOTICE as to defendant Frank Brian Ambrose: sentencing set for 7/9/2008 at 10:00 AM at 174 Federal Building, Kalamazoo, MI before Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 03/21/2008)
03/28/2008	<u>55</u>	SEALED MOTION filed by USA (elc) (Entered: 03/31/2008)
04/03/2008	<u>57</u>	TRANSCRIPT of First Appearance/Arrestment held March 10, 2008 before Hon. Jos. G. Scoville, US Mag. Judge as to Frank Brian Ambrose (Transcriptionist: Pritchard, Pat) (Entered: 04/03/2008)
04/07/2008	<u>58</u>	ORDER ADOPTING REPORT AND RECOMMENDATION <u>40</u> as to Frank Brian Ambrose; signed by Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 04/07/2008)
04/14/2008	<u>61</u>	JOINT MOTION to adjourn <i>trial date and find excludable delay with brief in support and certificate of service</i> by Marie Jeanette Mason as to Marie Jeanette Mason, Frank Brian Ambrose, Aren Bernard Burthwick, Stephanie Lynne Fultz (Minock, John) Modified text on 4/15/2008 (rlw). (Entered: 04/14/2008)
04/23/2008	<u>63</u>	NOTICE rescheduling hearing as to Frank Brian Ambrose: sentencing set for 7/14/2008 at 03:30 PM at 174 Federal Building, Kalamazoo, MI before Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 04/23/2008)
04/23/2008	<u>64</u>	TRANSCRIPT of Change of Plea held March 20, 2008 before Honorable Hugh W. Brenneman, Jr., Magistrate Judge as to Frank Brian Ambrose (Transcriptionist: Gilmore, Sharon) (Entered: 04/23/2008)
05/15/2008	<u>67</u>	UNOPPOSED MOTION to modify conditions of release <i>to travel out of state</i> by Frank Brian Ambrose (Brady, Michael) (Entered: 05/15/2008)
05/15/2008	<u>68</u>	BRIEF in support by Frank Brian Ambrose re UNOPPOSED MOTION to modify conditions of release <i>to travel out of state</i> <u>67</u> (Brady, Michael) (Entered: 05/15/2008)

05/15/2008	<u>69</u>	PROPOSED ORDER re <u>67</u> to modify conditions of bond by Frank Brian Ambrose (Brady, Michael) (Entered: 05/15/2008)
05/15/2008	<u>70</u>	CERTIFICATE OF SERVICE by Frank Brian Ambrose re UNOPPOSED MOTION to modify conditions of release to travel out of state <u>67</u> and brief in support (Brady, Michael) (Entered: 05/15/2008)
05/15/2008		ORDER REFERRING PROPOSED ORDER re <u>67</u> to modify conditions of bond by Frank Brian Ambrose <u>69</u> filed by Frank Brian Ambrose, UNOPPOSED MOTION to modify conditions of release to travel out of state <u>67</u> filed by Frank Brian Ambrose to Magistrate Judge Hugh W. Brenneman, Jr pursuant to 28 U.S.C. 636(b)(1)(A)(Judge Paul L. Maloney, acr) (Entered: 05/15/2008)
05/19/2008	<u>71</u>	ORDER as to defendant Frank Brian Ambrose; Order Referring Motion to Magistrate Judge is VACATED; signed by Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 05/19/2008)
05/19/2008	<u>72</u>	ORDER granting motion to modify conditions of release <u>67</u> as to Frank Brian Ambrose (2); entered proposed order <u>69</u> as to Frank Brian Ambrose (2); signed by Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 05/19/2008)
05/22/2008	<u>73</u>	UNOPPOSED MOTION to adjourn <i>Sentencing</i> by Frank Brian Ambrose (Brady, Michael) (Entered: 05/22/2008)
05/22/2008	<u>74</u>	BRIEF in support by Frank Brian Ambrose re UNOPPOSED MOTION to adjourn <i>Sentencing</i> <u>73</u> (Brady, Michael) (Entered: 05/22/2008)
05/22/2008	<u>75</u>	PROPOSED ORDER To Adjourn <i>Sentencing</i> by Frank Brian Ambrose (Brady, Michael) (Entered: 05/22/2008)
05/22/2008	<u>76</u>	CERTIFICATE OF SERVICE by Frank Brian Ambrose re UNOPPOSED MOTION to adjourn <i>Sentencing</i> <u>73</u> (Brady, Michael) (Entered: 05/22/2008)
05/23/2008	<u>77</u>	ORDER granting motion to adjourn <u>73</u> as to Frank Brian Ambrose (2); entered proposed order <u>75</u> as to Frank Brian Ambrose (2); sentencing is rescheduled to 9/22/2008 at 1:30p.m.; signed by Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 05/23/2008)
06/02/2008	<u>78</u>	NOTICE rescheduling hearing as to Frank Brian Ambrose: sentencing set for 9/22/2008 at 10:00 AM at 174 Federal Building, Kalamazoo, MI before Judge Paul L. Maloney (Judge Paul L. Maloney, acr) (Entered: 06/02/2008)
07/31/2008	<u>93</u>	ORDER granting motion for ends of justice continuance 88 as to Marie Jeanette Mason (1), Aren Bernard Burthwick (3) and Stephanie Lynne Fultz 94); final pretrial conference set for 9/15/2008 at 10:00 AM at 174 Federal Building, Kalamazoo, MI before Chief Judge Paul L. Maloney; jury trial set for 9/30/2008 at 08:45 AM at 174 Federal Building, Kalamazoo, MI before Chief Judge Paul L. Maloney; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) Modified text on 8/4/2008 (rlw). (Entered: 07/31/2008)
08/14/2008	<u>94</u>	UNOPPOSED MOTION to modify conditions of release To Allow Vacation Travel by Frank Brian Ambrose (Brady, Michael) (Entered: 08/14/2008)
08/14/2008	<u>95</u>	BRIEF in support by Frank Brian Ambrose re UNOPPOSED MOTION to modify conditions of release To Allow Vacation Travel <u>94</u> (Brady, Michael) (Entered: 08/14/2008)

08/14/2008	<u>96</u>	CERTIFICATE OF SERVICE by Frank Brian Ambrose re Brief in Support of Motion <u>95</u> , UNOPPOSED MOTION to modify conditions of release <i>To Allow Vacation Travel</i> <u>94</u> (Brady, Michael) (Entered: 08/14/2008)
08/14/2008	<u>97</u>	PROPOSED ORDER re <u>94</u> by Frank Brian Ambrose (Brady, Michael) (Entered: 08/14/2008)
08/14/2008	<u>98</u>	ORDER granting motion to modify conditions of release <u>94</u> as to Frank Brian Ambrose (2); entered proposed order <u>97</u> as to Frank Brian Ambrose (2); signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 08/14/2008)
09/12/2008	<u>118</u>	NOTICE rescheduling hearing as to Frank Brian Ambrose: sentencing set for 10/20/2008 at 10:00 AM at 174 Federal Building, Kalamazoo, MI before Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 09/12/2008)
09/30/2008	<u>139</u>	MOTION for reconsideration re 137 Order on Motion for Warrant, 136 MOTION for arrest warrant filed by USA by Marie Jeanette Mason as to Marie Jeanette Mason (Minock, John) Modified text on 11/6/2008 (rlw). (Entered: 09/30/2008)
10/10/2008	<u>146</u>	MOTION for downward departure under 5K1.1 by USA as to Frank Brian Ambrose (Frank, Hagen) (Entered: 10/10/2008)
10/13/2008	<u>148</u>	SENTENCING MEMORANDUM by USA as to Frank Brian Ambrose (Frank, Hagen) (Entered: 10/13/2008)
10/13/2008	<u>149</u>	SENTENCING MEMORANDUM by Frank Brian Ambrose (Attachments: # <u>1</u> Attachment Character Letters for Sentencing)(Brady, Michael) (Entered: 10/13/2008)
10/20/2008	<u>152</u>	MINUTES of SENTENCING for Frank Brian Ambrose 2), Count(s) 1, defendant sentenced to 108 months in custody; upon release shall be on supervised release for life; pay \$3,021,536.00 restitution and \$100.00 special assessment; Count(s) 2, 3, 4, dismissed held before Chief Judge Paul L. Maloney (Court Reporter: Kathleen Thomas) (Chief Judge Paul L. Maloney, aeb) Modified text on 10/20/2008 (rlw). (Entered: 10/20/2008)
10/20/2008	<u>153</u>	AMENDED MINUTES of SENTENCING for Frank Brian Ambrose (2), Count(s) 1, Defendant sentenced to 108 months incarceration; upon release shall be on supervised release for life; pay restitution in the amount of \$3,714,536.00 and a special assessment in the amount of \$100.00; Count(s) 2, 3, 4, dismissed held before Chief Judge Paul L. Maloney (Court Reporter: Kathleen Thomas) (Chief Judge Paul L. Maloney, aeb) (Entered: 10/23/2008)
10/20/2008	<u>154</u>	ACKNOWLEDGMENT of receipt of appeal packet by Frank Brian Ambrose (dfw) (Entered: 10/28/2008)
10/24/2008	<u>160</u>	NOTICE OF APPEAL by Frank Brian Ambrose re Judgment <u>158</u> (dfw) (Entered: 11/12/2008)
10/29/2008	<u>155</u>	NOTICE TO PARTIES as to defendant Frank Brian Ambrose; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 10/29/2008)
10/29/2008		Copy of Order <u>155</u> as to defendant Frank Brian Ambrose mailed to Lawrence Bryant Shulman (dfw) (Entered: 10/30/2008)
11/12/2008	<u>158</u>	JUDGMENT as to defendant Frank Brian Ambrose; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 11/12/2008)
11/12/2008		Copy of Judgment <u>158</u> as to defendant Frank Brian Ambrose mailed to Michael Joseph Brady, Hagen W. Frank, Lawrence Bryant Shulman (dfw) Modified text on 11/12/2008 (dfw). (Entered: 11/12/2008)

		11/12/2008)
11/12/2008	<u>159</u>	AMENDED JUDGMENT as to defendant Frank Brian Ambrose; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 11/12/2008)
11/12/2008		Copy of Judgment – Amended <u>159</u> as to defendant Frank Brian Ambrose mailed to Hagen W. Frank, Michael Joseph Brady, Lawrence Bryant Shulman (dfw) (Entered: 11/12/2008)
11/14/2008		CASE NUMBER 08–2488 assigned by the Sixth Circuit to appeal <u>160</u> as to defendant Frank Brian Ambrose (elc) (Entered: 11/17/2008)
11/18/2008	<u>161</u>	APPEAL TRANSCRIPT of the Sentencing Hearing as to defendant Frank Brian Ambrose held October 20, 2008, before the Honorable Paul L. Maloney re appeal <u>160</u> ; NOTE: this transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the release of transcript restriction date; after that date it may be obtained through PACER; under the <u>Policy Regarding Transcripts</u> the parties have 10 days within which to file a Notice of Intent to Request Redaction, and 21 days within which to file a Redaction Request; if no Redaction Request is filed, the court will assume redaction of personal identifiers is not necessary and this transcript will be made available via PACER after the release of transcript restriction set for 2/17/2009 ; redaction request due 12/9/2008 (Court Reporter/Transcriptionist: K. Thomas, (269) 385–3050) (Entered: 11/18/2008)
11/24/2008	<u>162</u>	SEALED document (rlw) (Entered: 11/24/2008)
12/09/2008		RECEIPT: USCA appeal fee \$ 455.00, receipt number GR012275 as to Frank Brian Ambrose re Notice of Appeal – Final Judgment <u>160</u> : (rmw) (Entered: 12/09/2008)
12/16/2008	<u>163</u>	JUDGMENT RETURNED EXECUTED as to Frank Brian Ambrose on 12/1/08 (elc) (Entered: 12/16/2008)
02/04/2009	<u>179</u>	MOTION to seal by Marie Jeanette Mason as to Marie Jeanette Mason, (Attachments: # <u>1</u> Proposed Order)(Minock, John) Modified text on 2/5/2009 (dfw). (Entered: 02/04/2009)
02/06/2009	<u>187</u>	ORDER of USCA (certified copy) as to Frank Brian Ambrose re Notice of Appeal – Final Judgment <u>160</u> – <i>that the motion to voluntarily dismiss is granted and the appeal is dismissed; no mandate to issue</i> (mrs) (Entered: 02/06/2009)
02/24/2009	<u>197</u>	SECOND AMENDED JUDGMENT as to defendant Frank Brian Ambrose; signed by Chief Judge Paul L. Maloney (Chief Judge Paul L. Maloney, acr) (Entered: 02/24/2009)
02/24/2009		Copy of Judgment – Second Amended <u>197</u> as to defendant Frank Brian Ambrose mailed to Michael Joseph Brady, Hagen W. Frank (rlw) Modified text on 3/6/2009 (dfw). (Entered: 02/24/2009)
03/06/2009		APPEAL FEE PAID re 199 by defendant Marie Jeanette Mason in the amount of \$455, receipt number 0646000000001416331 (Minock, John) Modified text on 3/12/2009 (rlw). (Entered: 03/06/2009)