

U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE # 3:03-cr-00506-BR-1

Case title: USA v. Botelho Shipping, et al

Date Filed: 11/06/2003

Date Terminated: 12/03/2003

Assigned to: Judge Anna J. Brown

Defendant (1)

Botelho Shipping Corporation

TERMINATED: 12/03/2003

represented by **Kenneth Lerner**

Attorney at Law

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TERMINATED: 11/25/2003

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

18:371 = CONSPIRACY TO DEFRAUD
THE UNITED STATES

(1)

18:2 and 1512(c)(2) = OBSTRUCT,
INFLUENCE AND IMPEDE AN
OFFICIAL PROCEEDING

(2)

18:2 and 1512(c)(1) = OBSTRUCTION
OF OFFICIAL PROCEEDING

(3)

33:1908(a) and 33 CFR 151.25(a), (d) and

Disposition

12/3/03 = Indictment and charges filed
11/6/03 against Defendant Betheloho
Shipping Corporation are dismissed

12/3/03 = Indictment and charges filed
11/6/03 against Defendant Betheloho
Shipping Corporation are dismissed

12/3/03 = Indictment and charges filed
11/6/03 against Defendant Betheloho
Shipping Corporation are dismissed

12/3/03 = Indictment and charges filed

(h) = VIOLATION OF OIL POLLUTION
PREVENTION REGULATIONS

(4)

18:2 and 1001 = FALSE STATEMENTS
TO GOVERNMENT

(5)

11/6/03 against Defendant Betheloho
Shipping Corporation are dismissed

12/3/03 = Indictment and charges filed
11/6/03 against Defendant Betheloho
Shipping Corporation are dismissed

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Robert B. Ross**
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TERMINATED: 01/09/2008
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Date Filed	#	Docket Text
11/06/2003	1	5-COUNT INDICTMENT by AUSAs Robert B Ross and Scott M. Kerin. Counts filed against Defendant Botelho Shipping (1) (in Count(s) 1, 2, 3, 4, 5), Defendant Fairmont Shipping (2) (in Count(s) 1, 2, 3, 4, 5), Defendant Virgio G Perillo (3) (in Count(s) 1, 2, 4, 5) and Defendant Felix S Sicapero (4) (in Count(s) 1, 2, 3, 4, 5); COUNT 1: 18 USC 371 = CONSPIRACY; COUNT 2: 18 USC 2 AND 1512(c)(2) = OBSTRUCTION OF OFFICIAL PROCEEDING; COUNT 3: 18 USC 2 AND 1512(c)(1) = OBSTRUCTION OF OFFICIAL PROCEEDING; COUNT 4: 33 USC 1908(a) AND

		33 CFR 151.25(a), (d) AND (h) = VIOLATION OF OIL POLLUTION PREVENTION REGULATIONS; COUNT 5: 18 USC 2 AND 1001 = FALSE STATEMENTS TO GOVERNMENT (kw) (Entered: 11/07/2003)
11/06/2003		PURSUANT to this Court's Case Assignment Plan, this case to be assigned to JUDGE ANNA J. BROWN for all further proceedings. (kw) (Entered: 11/07/2003)
11/12/2003	6	CRIMINAL TRIAL MANAGEMENT ORDER re: Defendant Felix S. Sicapero by Honorable Anna J. Brown; (See formal 4-page Order for full text); s/ 11/12/03 (cc: Counsel notified) (kw) (Entered: 11/12/2003)
11/12/2003	7	MINUTES OF ORDER by Honorable Anna J. Brown regarding Defendant Fairmont Shipping (Canada), Ltd - Arraignment and Change of Plea SET for 2:30 pm on 11/14/03 for Defendant Fairmont Shipping (Canada), Ltd before Honorable Anna J. Brown (cc: Counsel notified) (kw) Modified on 11/17/2003 (Entered: 11/12/2003)
11/13/2003	9	MEMORANDUM IN SUPPORT OF PLEA AGREEMENT by Plaintiff USA re: Defendant Fairmont Shipping (Canada) Ltd [8-1] (kw) (Entered: 11/13/2003)
11/21/2003	14	MOTION TO AWARD PORTION OF FINE by USA (kw) (Entered: 11/21/2003)
11/21/2003	15	ORDER by Honorable Anna J. Brown GRANTING MOTION TO AWARD PORTION OF FINE by USA [14-1] IT IS HEREBY ORDERED that a payment of the amount of \$225,000 be awarded to Ferdinand Simpao payable from the fine imposed on Fairmont Shipping (Canada) Ltd, to be paid in installments of one half of each installment payment of the fine made by Fairmont Shipping (Canada) Ltd.(cc: Counsel notified) (schman) (Entered: 12/02/2003)
11/21/2003	16	MINUTES OF PROCEEDINGS before Honorable Anna J. Brown regarding Defendant Botelho Shipping - sentencing hearing held before Honorable Anna J. Brown. ORDER: All material witnessess shall be immediately RELEASED with the conditions as indicated. (cc: Counsel notified) Court Rptr Amanda LeGore (schman) (Entered: 12/02/2003)
11/25/2003	18	MOTION FOR AMENDED ORDER OF AWARD by USA (Kirk) (Entered: 12/03/2003)
11/25/2003	19	MEMORANDUM IN SUPPORT OF PLEA AGREEMENT, MOTION FOR SUBSTANTIAL ASSISTANCE REDUCTION & SENTENCING MEMORANDUM by Plaintiff USA (Kirk) (Entered: 12/03/2003)
11/26/2003	20	MOTION TO DISMISS Indictment as to Botelho Shipping Corporation (Kirk) (Entered: 12/03/2003)
12/01/2003	23	ORDER by Honorable Anna J. Brown GRANTING MOTION FOR AMENDED ORDER OF AWARD by USA [18-1] - court's order of 11/21/03 awarding \$225,000 from the criminal fine imposed in the case to the person who provided information leading to the conviction under 33 USC 1908(a) shall be amended to read that the award shall be paid by the Clerk of the Court to Ferdinand Martin Simpao s/ 11/26/03 (cc: Counsel notified) (rr) (Entered: 12/04/2003)
12/03/2003	24	ORDER by Honorable Anna J. Brown GRANTING MOTION TO DISMISS Indictment as to Botelho Shipping Corporation [20-1] dismissing counts Botelho Shipping (1) count(s) 1, 2 , 3 , 4 , 5 . Indictment and charges filed 11/6/03 against Defendant Betheloho Shipping Corporation are dismissed s/ 12/2/03 (cc: Counsel

		notified) (rr) (Entered: 12/04/2003)
01/09/2008	32	Notice of Attorney Withdrawal: Attorney Robert B. Ross withdraws as counsel of record for Felix S Sicapero, Virgio G Perillo, Botelho Shipping Corporation, Fairmont Shipping (Canada) Ltd (Kerin, Scott) (Entered: 01/09/2008)
02/25/2008	33	Administrative Correction of the Record: A clerical error pursuant to Fed. R. Crim. P 36 has been discovered in the case record and the Clerk is directed to make the following administrative corrections to the record and to notify all parties accordingly: This case file has not been sent to the Federal Records Center. The Clerk shall modify the record to strike the FRC entry. by Judge Anna J. Brown signed on 2/25/08. (tomg) (Entered: 02/25/2008)

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