

CLOSED

**U.S. District Court
Eastern District of TEXAS [LIVE] (Beaumont)
CRIMINAL DOCKET FOR CASE #: 1:18-cr-00118-MAC-KFG-1**

Case title: USA v. Avin International Ltd et al

Date Filed: 11/16/2018

Date Terminated: 05/09/2019

Assigned to: District Judge
Marcia A. Crone
Referred to: Magistrate Judge
Keith F. Giblin

Defendant (1)

Avin International Ltd
TERMINATED: 05/09/2019

represented by **Dimitri P Georgantas**
Royston Rayzor Vickery & Williams LLP – Houston
1600 Smith Street
Suite 5000
Houston, TX 77002
713/224-8380
Fax: 713/225-9945
Email: dimitri.georgantas@roystonlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

OBSTRUCTION OF AN
AGENCY PROCEEDING
(1)

Disposition

\$800,000.00 fine, 4 yrs probation CC, \$400 special
assessment

FAILURE TO REPORT
DISCHARGE OF OIL
(2)

\$800,000.00 fine, 4 yrs probation CC, \$400 special
assessment

CLEAN WATER ACT
NEGLIGENT DISCHARGE OF
OILS
(3)

\$800,000.00 fine, 4 yrs probation CC, \$125 special
assessment

CLEAN WATER ACT
NEGLIGENT DISCHARGE OF
OILS
(4)

\$800,000.00 fine, 4 yrs probation CC, \$125 special
assessment

CLEAN WATER ACT
NEGLIGENT DISCHARGE OF
OILS
(5)

\$800,000.00 fine, 4 yrs probation CC, \$125 special
assessment

**Highest Offense Level
(Opening)**

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints**Disposition**

None

Plaintiff

USA

represented by **Joseph Robert Batte**
 US Attorney – Beaumont
 550 Fannin Street
 Suite 1250
 Beaumont, TX 77701
 Jefferson
 409/839-2538
 Fax: 14098392550
 Email: joe.batte@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
11/16/2018	<u>1</u>	INFORMATION as to Avin International Ltd (1) count(s) 1, 2, 3-5, Nicos I. V. Special Maritime Enterprises (2) count(s) 1, 2, 3-5. Initial Appearance is set for 11/26/2018 at 11:00 AM in Ctrm 4 (Beaumont) before Magistrate Judge Zack Hawthorn. (mrp,) (Entered: 11/19/2018)
11/16/2018	<u>2</u>	E-GOV SEALED Form AO 257 filed as to Avin International Ltd. (mrp,) (Entered: 11/19/2018)
11/19/2018		Set Hearing as to Avin International Ltd: Initial Appearance is set for 11/26/2018 at 11:00 AM in Ctrm 4 (Beaumont) before Magistrate Judge Zack Hawthorn. (mrp,) (Entered: 11/19/2018)
11/26/2018	<u>6</u>	Minute Entry for proceedings held before Magistrate Judge Zack Hawthorn:Initial Appearance/Arrestment/Change of Plea Hearing as to Avin International Ltd (1) on Counts 1,2,3-5 and Nicos I. V. Special Maritime Enterprises (2) on Counts 1,2,3-5 held on 11/26/2018. Counsel waived Indictment on behalf of defendants. Arraignment waived. Counsel consented to plea before magistrate. Counsel entered a plea of guilty to Count 1-2,3-5 of the Information. Sealed plea agreement entered. (Court Reporter ECRO T Piper.) (mrp,) Modified on 5/13/2019 (bjc,). (Entered: 11/27/2018)
11/26/2018	<u>7</u>	CONSENT to Administration of Guilty Plea and Fed.R.Crim.P.11 Allocution by U.S. Magistrate Judge by Avin International Ltd, Nicos I. V. Special Maritime Enterprises. (mrp,) (Entered: 11/27/2018)
11/26/2018	<u>8</u>	Factual Basis by USA as to Avin International Ltd, Nicos I. V. Special Maritime Enterprises. (mrp,) (Entered: 11/27/2018)
11/26/2018	<u>9</u>	Board Agreement by Avin International Ltd. (mrp,) (Entered: 11/27/2018)
11/26/2018	<u>11</u>	PLEA AGREEMENT as to Avin International Ltd, Nicos I. V. Special Maritime Enterprises. (Attachments: # <u>1</u> Attachment to Plea Agreement)(mrp,) Modified on 5/7/2019 (mrp,). (Entered: 11/27/2018)
11/26/2018		Plea entered by Avin International Ltd (1) Guilty Count 1,2,3,4,5. (bjc,) (Entered: 05/10/2019)
11/26/2018	<u>33</u>	REPLACEMENT MINUTES OF PLEA HEARING TO CORRECT CLERICAL ERROR: Minute Entry for proceedings held before Magistrate Judge Zack Hawthorn:Initial Appearance/Arrestment/Change of Plea Hearing as to Avin International Ltd (1) on Counts 1,2,3-5 and Nicos I. V. Special Maritime Enterprises (2) on Counts 1,2,3-5 held on 11/26/2018. Counsel waived Indictment on behalf of defendants. Arraignment waived. Counsel consented to plea before magistrate. Counsel entered a plea of guilty to Count 1-2,3-5 of the Information. Sealed plea

		agreement entered. (Court Reporter ECRO T Piper.) (ttp,) (Entered: 05/13/2019)
11/27/2018	<u>13</u>	REPORT AND RECOMMENDATION on Plea of Guilty before the U. S. Magistrate Judge as to Avin International Ltd. It is recommended that the District Court accept the Guilty Plea of the Defendant as to Counts One through Five of the Information. Signed by Magistrate Judge Zack Hawthorn on 11/27/18. (mrp,) (Entered: 11/27/2018)
11/27/2018		FINDINGS OF FACT AND RECOMMENDATION on Plea of Guilty as to Avin International Ltd. Redocketed for statistical purposes only. Signed by Magistrate Judge Zack Hawthorn on 11/27/18. (mrp,) (Entered: 11/28/2018)
12/04/2018	<u>16</u>	E-GOV SEALED Summons Returned Executed on 11/26/18 as to Avin International Ltd. (mrp,) (Entered: 12/06/2018)
12/14/2018	<u>17</u>	ORDER adopting <u>13</u> Findings of Fact and Recommendation on Guilty Plea as to Avin International Ltd. Deft is adjudged guilty on Counts One through Five of the Information. Signed by District Judge Marcia A. Crone on 12/14/18. (tkd,) (Entered: 12/17/2018)
04/11/2019	<u>21</u>	FINAL PRESENTENCE INVESTIGATION REPORT (SEALED) (including addendum) as to Avin International Ltd (Attachments: # <u>1</u> Cover Letter)(jleiferman,) (Entered: 04/11/2019)
04/11/2019	<u>22</u>	SEALED PSI – SENTENCING RECOMMENDATION as to Avin International Ltd (jleiferman,) (Entered: 04/11/2019)
04/15/2019		NOTICE OF HEARINGS as to Avin International Ltd and Nicos I. V. Special Maritime Enterprises Sentencings set for 5/3/2019 at 3:00 PM in Ctrm 3 (Beaumont) before District Judge Marcia A. Crone. All departure and variance motions, sentencing memoranda, character letters and any other documents relating to the sentencing hearing must be filed within 5 business days of the date of this notice in order to be considered. Character Letters should be submitted by email as one PDF document to Julia_Colyer@txed.uscourts.gov.(jc,) (Entered: 04/15/2019)
04/30/2019	<u>25</u>	Unopposed MOTION Waive the Financial Information of Investigative Presentence Reports by Avin International Ltd, Nicos I. V. Special Maritime Enterprises. (Attachments: # <u>1</u> Text of Proposed Order)(Georgantas, Dimitri) (Additional attachment(s) added on 5/2/2019: # <u>2</u> Revised Proposed Order) (bjc,). (Entered: 04/30/2019)
05/01/2019	<u>26</u>	ORDER granting <u>25</u> Motion to Waive the Financial Information of Investigation Presentence Reports as to Avin International Ltd (1), and Nicos I. V. Special Maritime Enterprises (2). Signed by District Judge Marcia A. Crone on 5/1/19. (mrp,) (Entered: 05/02/2019)
05/03/2019	<u>27</u>	NOTICE of Filing Amended Attachment by USA as to Avin International Ltd, Nicos I. V. Special Maritime Enterprises re <u>11</u> Sealed Plea Agreement (Attachments: # <u>1</u> Supplement Rev. Attachment to Plea Agreement)(Batte, Joseph) (Entered: 05/03/2019)
05/03/2019	<u>28</u>	REVISED SEALED PSI – SENTENCING RECOMMENDATION as to Avin International Ltd (jleiferman,) (Entered: 05/03/2019)
05/03/2019	<u>30</u>	Minute Entry for proceedings held before District Judge Marcia A. Crone: Court adopted and unsealed the plea agreement. Sentencing held on 5/3/2019 for Avin International Ltd (1), Counts 1, 2: \$800,000.00 fine, 4 yrs probation cc, \$400 special assessment; Counts 3–5: \$800,000.00 fine, 4 yrs probation cc, \$125 special assessment. (Court Reporter Tonya Jackson.) (mrp,) (Entered: 05/07/2019)
05/09/2019	<u>32</u>	JUDGMENT as to Avin International Ltd (1), Count(s) 1, 2, \$800,000.00 fine, 4 yrs probation CC, \$400 special assessment each count; Count(s) 3, 4, \$800,000.00 fine, 4 yrs probation CC, \$125 special assessment each count; Count(s) 5, \$800, 000.00 fine, 4 yrs probation CC, \$125 special assessment. Signed by District Judge Marcia A. Crone on 5/19/219. (bjc,) (Entered: 05/10/2019)