

07/13/2005

Minute Entry for proceedings held before Judge Leonie M. Brinkema: Sentencing held on 7/13/2005 for Ali Al-Timimi (1), Count(s) 1, 2, 3-4, 5-6, 7-10. Appearances by AUSA Gordon Kromberg/John Gibbs. Counsel for deft Edward MacMahon/Alan Yamamoto. USPO Kurt Bubenhofer. Def't's objection to obstruction of justice enhancement - granted; Def't's objection to leadership enhancement - denied. Gov't's request for terrorism enhancement - denied. Def't's motion for New Trial - denied. Def't's motion for Rule 29 Motion for Judgment of Acquittal - denied. Court adopts factual findings in PSIR, except the Court adjusts the offense level 2 points to a level 32. JUDGMENT: BOP for Life Imprisonment, consisting of 121 months concurrent as to each of Counts 1, 2, and 3; 120 months concurrent as to Counts 4 and 5, to be served concurrently with the terms of imprisonment imposed in Counts 1, 2, and 3; 60 months as to Count 6, to be served concurrently with the terms of imprisonment imposed in Counts 1, 2, 3, 4, and 5; 360 months as to Count 7, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, and 6; Life Imprisonment as to Count 8; 120 months as to Count 9, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, 6, 7, and 8; 240 months as to Count 10, to be served consecutively to the terms of imprisonment imposed in Counts 1, 2, 3, 4, 5, 6, 7, 8, and 9. 3 Years Supervised Release with conditions as to all counts to be served concurrently; Def't shall have no contact with co-defts. Drug testing waived. Fine/Costs waived. S/A \$1000.00 (\$100.00 per count). Def't to be designated to a facility as close to the Washington DC area as possible. Court recommends def't not be placed under Special Administrative Measures (SAM) while in custody. Def't advised of right to appeal conviction and sentence w/in 10 days. Def't's oral motion to continue bond pending appeal - denied. Def't remanded. (Court Reporter Thomson.) (karn,) (Entered: 07/18/2005)