

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF  
CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:09-cr-00617-CAS-1**

Case title: USA v. Nakoula  
Magistrate judge case number: 2:09-mj-01256-DUTY

Date Filed: 06/30/2009  
Date Terminated: 06/24/2010

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Assigned to: Judge Christina A. Snyder

**Defendant (1)**

**Nakoula Basseley Nakoula**

*TERMINATED: 06/24/2010*

*also known as*

**Mark Basseley Youssef**

*TERMINATED: 06/24/2010*

*also known as*

**Yousseff M Basseley**

*TERMINATED: 06/24/2010*

*also known as*

**Nicola Bacily**

*TERMINATED: 06/24/2010*

*also known as*

**Malid Ahlawi**

*TERMINATED: 06/24/2010*

represented by **Jack N Whitaker**

Jack N Whitaker Law Offices

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*TERMINATED: 08/25/2009*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Retained*

**James D Henderson**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

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**Nadine Hettle**

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*TERMINATED: 06/23/2009*

**Pending Counts**

18:1344; 2(b)BANK FRAUD; CAUSING  
AN ACT TO BE DONE  
(1)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:1344; 2(b)BANK FRAUD; CAUSING  
AN ACT TO BE DONE  
(2-3)

18:1029(a)(3)POSSESSION OF 15 OR  
MORE UNAUTHORIZED ACCESS  
DEVICES  
(4)

**Disposition**

the defendant is hereby committed on count 1 of the Indictment to the custody of the Bureau of Prisons to be imprisoned for a term of TWENTY-ONE (21) MONTHS. It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, which is due immediately. It is ordered that the defendant shall pay restitution in the total amount of \$794,700.57, pursuant to 18 U.S.C. 3663A. The amount of restitution ordered shall be paid to the victim as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution. The defendant shall comply with General Order No. 01-05. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of five (5) years. Defendant is informed of his right to appeal. The Court grants the Governments request to dismiss the remaining counts of the Indictment. The Court hereby recommends that defendant be designated to Lompoc, or as close thereto as possible

**Disposition**

18:1028(a)(3),(c)(1) POSSESSION WITH UNLAWFUL INTENT OF 5 OR MORE IDENTIFICATION DOCUMENTS  
(5)

42:408(a)(7)(B) FALSE REPRESENTATION OF SOCIAL SECURITY NUMBER  
(6)

**Highest Offense Level (Terminated)**

Felony

**Complaints**

Defendant in violation of : 18:1344(1)

**Disposition**

**Plaintiff**

USA

represented by **Jennifer Leigh Williams**  
 AUSA - Office of US Attorney  
 Criminal Division - US Courthouse  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Margaret L Carter**  
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*TERMINATED: 07/14/2009*

Date Filed	#	Docket Text
06/24/2010	<a href="#">58</a>	JUDGMENT AND COMMITMENT by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula aka Mark Basseley Youssef aka Yousseff M. Basseley aka Nicola Bacily aka Malid Ahlawi(1) the defendant is hereby committed on count 1 of the Indictment to the custody of the Bureau of Prisons to be imprisoned for a term of

		TWENTY-ONE (21) MONTHS. It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, which is due immediately. It is ordered that the defendant shall pay restitution in the total amount of \$794,700.57, pursuant to 18 U.S.C. 3663A. The amount of restitution ordered shall be paid to the victim as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution. The defendant shall comply with General Order No. 01-05. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of five (5) years. Defendant is informed of his right to appeal. The Court grants the Governments request to dismiss the remaining counts of the Indictment. The Court hereby recommends that defendant be designated to Lompoc, or as close thereto as possible. (yl) (Entered: 06/25/2010)
06/24/2010	<a href="#">57</a>	MINUTES OF SENTENCING Hearing held before Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. Defendant Nakoula Basseley Nakoula (1), is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons to be imprisoned for a term of TWENTY-ONE (21) MONTHS. It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, which is due immediately. It is ordered that the defendant shall pay restitution in the total amount of \$794,700.57, pursuant to 18 U.S.C. § 3663A. The amount of restitution ordered shall be paid to the victim as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution. The defendant shall comply with General Order No. 01-05. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of five (5) years. Defendant is informed of his right to appeal. The Court grants the Governments request to dismiss the remaining counts of the Indictment. The Court hereby recommends that defendant be designated to Lompoc, or as close thereto as possible Defendant advised of right of appeal. Court Reporter: Laura Elias. (yl) (Entered: 06/25/2010)
06/17/2010	<a href="#">54</a>	SEALED DOCUMENT- Document(mat) (Entered: 06/18/2010)
06/17/2010	<a href="#">53</a>	SEALED DOCUMENT- Order Sealing Documents. (mat) (Entered: 06/18/2010)
06/17/2010	<a href="#">52</a>	SEALED DOCUMENT- Exparte Application to File Document Under Seal.(mat) (Entered: 06/18/2010)
06/16/2010	<a href="#">51</a>	NOTICE of Manual Filing of EX PARTE APPLICATION, PROPOSED ORDER, AND UNDERSEAL DOCUMENT filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Williams, Jennifer) (Entered: 06/16/2010)
06/04/2010	<a href="#">50</a>	ORDER CONTINUING SENTENCING by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. Sentencing will take place on 6/24/2010 12:00 PM before Judge Christina A. Snyder. The United States Marshals Service shall produce defendant for the sentencing hearing on that date and at that time. (gk) (Entered: 06/04/2010)

06/02/2010	<a href="#">49</a>	STIPULATION to Continue SENTENCING DATE from JUNE 7, 2010 to JUNE 24, 2010 filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Attachments: # <a href="#">1</a> Proposed Order)(Williams, Jennifer) (Entered: 06/02/2010)
05/25/2010	<a href="#">48</a>	SEALED DOCUMENT- Defendant's Sentencing Memorandum. (mat) (Entered: 05/27/2010)
05/25/2010	<a href="#">47</a>	SEALED DOCUMENT- Order Sealing Documents. (mat) (Entered: 05/27/2010)
05/25/2010	<a href="#">46</a>	SEALED DOCUMENT- Defendant's Exparte Application for Order Sealing Documents; Declaration of James D. Henderson.(mat) (Entered: 05/27/2010)
05/24/2010	<a href="#">45</a>	NOTICE of Manual Filing of Ex Parte Application for Order Sealing Documents & Declaration of James Henderson; Proposed Order; Sentencing Memorandum filed by Defendant Nakoula Basseley Nakoula (Henderson, James) (Entered: 05/24/2010)
02/09/2010	<a href="#">42</a>	SEALED DOCUMENT- MINUTES OF Change of Plea (mat) (Entered: 02/12/2010)
02/01/2010	<a href="#">41</a>	MINUTES IN CHAMBERS ORDER SETTING STATUS CONFERENCE by Judge Christina A. Snyder: The court orders counsel and Defendant to appear on, Tuesday, February 9, 2010 at 1:00 PM., concerning the above-referenced proceeding. (jp) (Entered: 02/01/2010)
01/28/2010	<a href="#">40</a>	SEALED DOCUMENT- Document(mat) (Entered: 01/28/2010)
01/28/2010	<a href="#">39</a>	SEALED DOCUMENT- Order Sealing Documents. (mat) (Entered: 01/28/2010)
01/28/2010	<a href="#">38</a>	SEALED DOCUMENT- Government's Exparte Application for Order Sealing Documents; Declaration of AUSA Jennifer L. Williams. (mat) (Entered: 01/28/2010)
01/27/2010	<a href="#">37</a>	NOTICE of Manual Filing of GOVERNMENT'S DOCUMENT; GOVERNMENT'S EX PARTE APPLICATION FOR ORDER SEALING DOCUMENTS; DECLARATION OF AUSA JENNIFER L. WILLIAMS AND PROPOSED ORDER SEALING DOCUMENTS filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Williams, Jennifer) (Entered: 01/27/2010)
01/20/2010	<a href="#">36</a>	ORDER CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. Jury Trial is continued to 3/16/2010 09:30 AM before Judge Christina A. Snyder. Status Conference is continued to 2/19/2010 12:00 PM before Judge Christina A. Snyder. (gk) (Entered: 01/21/2010)
01/15/2010	<a href="#">35</a>	STIPULATION to Continue TRIAL DATE from FEBRUARY 9, 2010 to MARCH 16, 2010 filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Attachments: # <a href="#">1</a> Proposed Order)(Williams, Jennifer) (Entered: 01/15/2010)
01/11/2010	<a href="#">34</a>	MINUTES OF Status Conference held before Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. The Court inquires of counsel concerning status and is advised that pleanegotiations are on-going. Counsel are directed to contact the courtroom deputy clerk if a disposition has been achievedand to schedule a change of

		plea hearing for Friday, January 15, 2010. The Court orders the trial date to remain as set Court Reporter: Gary George. (cbr) (Entered: 01/11/2010)
10/15/2009	<a href="#">33</a>	ORDER CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. Jury Trial is continued to 2/9/2010 09:30 AM before Judge Christina A. Snyder. The motions hearing and Status Conference is continued to 1/11/2010 01:30 PM before Judge Christina A. Snyder. (gk) (Entered: 10/15/2009)
10/15/2009	<a href="#">32</a>	STIPULATION to Continue Trial Date from November 3, 2009 to February 9, 2010 <i>and Conference from October 19, 2009 to January 25, 2010</i> filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Attachments: # <a href="#">1</a> Proposed Order)(Williams, Jennifer) (Entered: 10/15/2009)
08/27/2009	<a href="#">31</a>	MINUTES OF IN CHAMBERS ORDER by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. On 8/25/2009, the Court approved the Substitution of Attorney. Pursuant to the granting of the substitution of attorney and confirmation by the Government, the Court hereby VACATES the Status Conference re: Government's Request on 8/31/2009 at 2:30 PM. Therefore, the parties are not to appear before this Court on 8/31/2009 at 2:30 PM. (gk) (Entered: 08/27/2009)
08/26/2009	<a href="#">29</a>	MINUTES OF IN CHAMBERS ORDER by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. On the Court's own motion, the Court continues the Status Conference re Government's Request to 8/31/2009 02:30 PM before Judge Christina A. Snyder. (gk) (Entered: 08/26/2009)
08/25/2009	<a href="#">30</a>	ORDER by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula (1), granting Request for Approval of Substitution of Attorney James D. Henderson for Defendant Nakoula Basseley Nakoula in place of Jack N. Whitaker <a href="#">28</a> . (gk) (Entered: 08/27/2009)
08/24/2009	<a href="#">28</a>	REQUEST FOR APPROVAL OF SUBSTITUTION OF attorney James D. Henderson in place of attorney Jack N. Whitaker Filed by Defendant Nakoula Basseley Nakoula (Attachments: # <a href="#">1</a> Proposed Order on Request for Approval of Substitution of Attorney) (Henderson, James) (Entered: 08/24/2009)
08/11/2009	<a href="#">25</a>	SEALED DOCUMENT- Government's Exparte Application for Order Sealing Documents; Declaration of AUSA Jennifer L. Williams. (mat) (Entered: 08/11/2009)
08/10/2009	<a href="#">27</a>	SEALED DOCUMENT- Government's Exparte Application for a Status Conference Re: Conflict of Interest; Memorandum of Points and Authorities. (mat) (Entered: 08/11/2009)
08/10/2009	<a href="#">26</a>	SEALED DOCUMENT- Order Sealing Documents (mat) (Entered: 08/11/2009)
08/10/2009	<a href="#">24</a>	ORDER by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula <a href="#">23</a> . Parties shall appear before the Court for a Status Conference on 8/31/2009 at 1:00 pm. (kpa) (Entered: 08/11/2009)

08/06/2009	<a href="#">23</a>	NOTICE of Manual Filing of GOVERNMENT'S EX PARTE APPLICATION FOR ORDER SEALING DOCUMENTS; DECLARATION OF AUSA JENNIFER L. WILLIAMS; PROPOSED ORDER SEALING DOCUMENTS (UNDER SEAL); GOVERNMENT'S EX PARTE APPLICATION FOR A STATUS CONFERENCE RE: CONFLICT OF INTEREST; MEMORANDUM OF POINTS AND AUTHORITIES; PROPOSED ORDER SETTING STATUS CONFERENCE filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Williams, Jennifer) (Entered: 08/06/2009)
07/29/2009	<a href="#">22</a>	ORDER CONTINUING Trial Date and Findings Regarding Excludable Time Periods Pursuant to the Speedy Trial Act by Judge Christina A. Snyder as to Defendant Nakoula Basseley Nakoula. The Jury Trial is continued from 8/25/09 to 11/3/2009 at 09:30 AM before Judge Christina A. Snyder. The motions hearing and Status Conference date is continued to 10/19/2009 at 01:30 PM before Judge Christina A. Snyder. The time period of August 25, 2009 to November 3, 2009, inclusive, is excluded in computing the time within which the trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv). (mg) (Entered: 07/30/2009)
07/28/2009	<a href="#">21</a>	STIPULATION to Continue TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT from 8/25/09 to 11/3/09 filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (Attachments: # <a href="#">1</a> Proposed Order CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT)(Williams, Jennifer) (Entered: 07/28/2009)
07/14/2009	<a href="#">20</a>	NOTICE OF APPEARANCE OR REASSIGNMENT of AUSA Jennifer Leigh Williams on behalf of Plaintiff USA. Filed by Plaintiff USA. (Williams, Jennifer) (Entered: 07/14/2009)
07/06/2009	<a href="#">19</a>	MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge Paul L. Abrams as to Nakoula Basseley Nakoula (1) Count 1-3,4,5,6. Defendant arraigned, states true name: as charged. Defendant entered not guilty plea to all counts as charged. Attorney: Jack N. Whitaker, retained present. Case assigned to Judge Christina A. Snyder.( Hearing on Pending Motions set for 8/3/2009 01:30 PM before Judge Christina A. Snyder., Jury Trial set for 8/25/2009 09:30 AM before Judge Christina A. Snyder., Status Conference set for 8/3/2009 01:30 PM before Judge Christina A. Snyder.), (Arabic) INTERPRETER Required Court Smart: CS07/06/2009. (tba) (Entered: 07/07/2009)
07/06/2009	<a href="#">18</a>	DESIGNATION AND APPEARANCE OF COUNSEL; filed by Jack N Whitaker appearing for Nakoula Basseley Nakoula (tba) (Entered: 07/07/2009)
07/06/2009	<a href="#">17</a>	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Nakoula Basseley Nakoula (tba) (Entered: 07/06/2009)
06/30/2009	<a href="#">16</a>	MEMORANDUM filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula.



		This criminal action, being filed on 6/30/09, was not pending in the U. S. Attorneys Office before the date on which Judge Stephen G. Larson began receiving criminal matters. (ja) (Entered: 07/01/2009)
06/30/2009	<a href="#">15</a>	MEMORANDUM filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula in regards to the following Magistrate Judges: Jacqueline Chooljian, Patrick J. Walsh, Jennifer T. Lum, Jeffrey W. Johnson (ja) (Entered: 07/01/2009)
06/30/2009	<a href="#">14</a>	CASE SUMMARY filed by AUSA Margaret L. Carter as to Defendant Nakoula Basseley Nakoula; defendant's Year of Birth: 1957 (ja) (Entered: 07/01/2009)
06/30/2009	<a href="#">13</a>	INDICTMENT Filed as to Nakoula Basseley Nakoula (1) count(s) 1-3, 4, 5, 6. Offense occurred in LA, OC, RV. (ja) (Entered: 07/01/2009)
06/23/2009	<a href="#">11</a>	ORDER by Magistrate Judge Andrew J. Wistrich: granting <a href="#">10</a> Request for Approval of Substitution of Attorney Attorney Jack N Whitaker for Nakoula Basseley Nakoula added. Attorney Nadine Hettle terminated. as to Nakoula Basseley Nakoula (1) (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/23/2009	<a href="#">10</a>	REQUEST FOR APPROVAL OF SUBSTITUTION OF attorney Jack N Whitaker in place of attorney Nadine Hettle Filed by Defendant Nakoula Basseley Nakoula (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/23/2009	<a href="#">9</a>	ORDER OF DETENTION by Magistrate Judge Andrew J. Wistrich as to Defendant Nakoula Basseley Nakoula, (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/23/2009	<a href="#">8</a>	MINUTES OF Detention Hearing held before Magistrate Judge Andrew J. Wistrich as to Defendant Nakoula Basseley Nakoula, Defendant submits to detention. Court Smart: CS 6/23/09. (mhe) (mhe). [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/18/2009	<a href="#">12</a>	FINANCIAL AFFIDAVIT filed as to Defendant Nakoula Basseley Nakoula. (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/18/2009	<a href="#">7</a>	NOTICE DIRECTING DEFENDANT TO APPEAR for Preliminary Hearing and Arraignment on Indictment/Information. Defendant Nakoula Basseley Nakoula is directed to appear for Preliminary Hearing on 7/2/09 at 4:30 PM and for Post Indictment Arraignment on 7/6/09 at 8:30 AM before the Duty Magistrate Judge. (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/18/2009	<a href="#">6</a>	MINUTES OF INITIAL APPEARANCE ON LOCAL COMPLAINT held before Magistrate Judge Andrew J. Wistrich Defendant arraigned and advised of the charges. Defendant states true name as charged. Attorney: Nadine Hettle for Nakoula Basseley Nakoula, DFPD, present. Court orders defendant permanently detained. Defendant remanded to the custody of the USM.( Preliminary Hearing set for 7/2/2009 04:30 PM before Duty Magistrate Judge., Post-Indictment Arraignment set for 7/6/2009 08:30 AM before Duty Magistrate Judge., Detention Hearing set for 6/23/2009 11:00 AM before Duty Magistrate Judge.), (Arabic) INTERPRETER Required Court Smart: CS 6/18/09. (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/18/2009	<a href="#">5</a>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Nakoula Basseley



		Nakoula; defendants Year of Birth: 1957; date of arrest: 6/18/2009 (mhe) [2:09-mj-01256-DUTY] (Entered: 06/24/2009)
06/16/2009	<a href="#">4</a>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula (sj) [2:09-mj-01256-DUTY] (Entered: 06/18/2009)
06/16/2009	<a href="#">3</a>	ORDER by Magistrate Judge Rosalyn M. Chapman: granting <a href="#">2</a> Ex Parte Application to Seal Case as to Nakoula Basseley Nakoula (1) (sj) [2:09-mj-01256-DUTY] (Entered: 06/18/2009)
06/16/2009	<a href="#">2</a>	EX PARTE APPLICATION FOR ORDER SEALING COMPLAINT, ARREST WARRANT, AND SUPPORTING AFFIDAVIT; Filed by Plaintiff USA as to Defendant Nakoula Basseley Nakoula(sj) [2:09-mj-01256-DUTY] (Entered: 06/18/2009)
06/16/2009	<a href="#">1</a>	COMPLAINT filed as to Defendant Nakoula Basseley Nakoula in violation of 18:1344(1). Approved by Magistrate Judge Rosalyn M. Chapman as to Nakoula Basseley Nakoula (1). (sj) [2:09-mj-01256-DUTY] (Entered: 06/18/2009)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
09/13/2012 06:01:46			
<b>PACER Login:</b>	ir4868	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:09-cr-00617-CAS End date: 9/13/2012
<b>Billable Pages:</b>	8	<b>Cost:</b>	0.80