

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 99-30210		Docketed: 07/06/1999		
USA v. Bell		Termed: 05/25/2001		
Appeal From: U.S. District Court for Western Washington, Tacoma				
Fee Status: IFP				
Case Type Information:				
<ul style="list-style-type: none"> 1) criminal 2) sentence and conviction 3) null 				
Originating Court Information:				
District: 0981-3 : CR-97-05270-FDB				
Court Reporter: Teri Hendrix				
Court Reporter: Catherine Maria Vernon				
Trial Judge: Franklin D. Burgess, Senior District Judge				
Date Filed: 07/18/1997				
Date Order/Judgment: 06/22/1999	Date NOA Filed: 06/22/1999			
Prior Cases: None				
Current Cases:				
	Lead	Member	Start	End
Companion	01-30143	01-30162	04/25/2001	
Related	99-30210	01-30143	04/05/2001	
	99-30210	01-30162	04/25/2001	

UNITED STATES OF AMERICA Plaintiff - Appellee,	Robert London, Esquire, Attorney Direct: 206/553-7970 [COR LD NTC Assist US Attorney] DOJ-Office of the U.S. Attorney 700 Stewart Street Seattle, WA 98101
v.	
JAMES DALTON BELL (Federal Prisoner: 26906-086) Defendant - Appellant,	James Dalton Bell [COR LD NTC Pro Se] FCI - FEDERAL CORRECTIONAL INSTITUTION - SHERIDAN P.O. Box 5000 Sheridan, OR 97378-5000
	Jonathan S. Solovy, Esquire, Attorney [COR LD NTC Assist Fed Pub Def] Law Office of Jonathan S. Solovy, PLLC 705 Second Avenue Seattle, WA 98104-1705

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES DALTON BELL,

Defendant - Appellant.

- 07/06/1999 1 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Filed in D.C. on 6/23/99; setting schedule as follows: transcript shall be ordered by 7/14/99 for James Dalton Bell; transcript shall be filed by 8/13/99; appellants' briefs, excerpts due by 9/22/99 for James Dalton Bell; appellees' brief due 10/22/99 for USA; appellants' reply brief due by 11/5/99 for James Dalton Bell. (RT required: y) (Sentence imp 2 years) [99-30210] (XX) [Entered: 07/06/1999 03:12 PM]
- 07/16/1999 2 Received copy of District Court order filed on 6/22/99 withdraw as counsel Judith Mandel. (CASEFILE) [99-30210] (SW) [Entered: 10/15/1999 12:09 PM]
- 11/10/1999 4 Received Appellant James Dalton Bell letter dated 8/5/99 re: requesting an extension of time on his filing. (MOATT PER PROMO) [99-30210] (SW) [Entered: 11/10/1999 11:12 AM]
- 11/24/1999 5 Filed order MoAtt (Appellate Commissioner) In this criminal appeal, appellant appears on the court's docket as proceeding pro se, although appellant may be entitled to appointment of counsel at government expense. Within 28 days of this order, appellant shall: (1) retain counsel who shall file a notice of appearance; or (2) file a motion for appointment of counsel at government expense; or (3) inform the court in writing of his clear and unequivocal intention to represent himself. Appellant's motion for an extension of time to file the opening brief is denied as moot. A new briefing schedule shall be established upon compliance with this order. Failure to comply with this order may result in the dismissal of this appeal for failure to prosecute. The Clerk shall serve this order on appellant individually at Reg. No. 26906-086, FCE (Phoenix), 37900 N. 45th Avenue, Department 1680, Phoenix, AZ 85029. [99-30210] (CP) [Entered: 11/24/1999 10:29 AM]
- 01/26/2000 9 Filed order (Appellate Commissioner) On Nov. 24, 1999, the court ordered aplt, within 28 days, to: (1) retain counsel who shall file a notice of appearance; or (2) file a motion for appointment of counsel at gov expense; or (3) inform the court in writing of his clear and unequivocal intention to represent himself. To date, the court has not rec'd a response from aplt. Aplt shall have one final opportunity to comply with the court's Nov. 24, 1999 order. Within 28 days of this order, aplt shall comply with the court's Nov. 24, 1999 order. etc. The Clerk shall serve this order by certified mail on aplt. etc. (MOTIONS) [99-30210] (VT) [Entered: 01/26/2000 07:24 AM]
- 01/26/2000 10 Sent document order dated 1/26/00 certified # P196-169-679 [99-30210] (VT) [Entered: 01/26/2000 07:31 AM]
- 02/01/2000 11 Return receipt received P196-169-679 Cert. no. (VT) [Entered: 02/02/2000 06:21 AM]
- 03/02/2000 15 Received Appellant James Dalton Bell's motion for appointment of counsel. served on 3/2/00 nan/SEE ORDER OF 3/13/00 case file [99-30210] (VT) [Entered: 03/14/2000 07:25 AM]
- 03/13/2000 13 Filed order (Appellate Commissioner) The court, on its own motion, appoints counsel to represent aplt for this appeal. Counsel will be appointed by separate order. The Clerk shall serve a copy of this order on Thomas W. Hillier, II, FPD, 1111 Third Ave., Suite 1100, Seattle, WA 98101, who will be locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel for in this appeal, aplt shall file a written objection within 21 days after the date of this order. New counsel shall designate the reporter's rt's by April 17, 2000. The tr's is due May 17, 2000. Aplt's opening brief and excerpts of record and due June 26, 2000; aple's answering brief is due July 26, 2000; the optional reply brief is due within 14 days after service of the answering brief. The Clerk shall serve this order by certified mail. etc. (MOTIONS) [99-30210] (VT) [Entered: 03/13/2000 06:49 AM]
- 03/13/2000 14 Sent Thomas W. Hillier, II, FPD copy of order and aplt certified #P196-169-683 [99-30210] (VT) [Entered: 03/13/2000 07:00 AM]
- 03/29/2000 16 Return receipt received P196-169-683 Cert. no. (VT) [Entered: 03/30/2000 06:43 AM]
- 04/10/2000 18 Received James Dalton Bell notice of designation of reporter's transcript. [99-30210] (VT) [Entered: 05/02/2000 10:14 AM]
- 04/26/2000 17 Filed notice of appearance of Catherin L. Floit (Withdrew as counsel: attorney Judith M. Mandel for James Dalton Bell [99-30210] (VT) [Entered: 05/02/2000 08:29 AM]
- 05/08/2000 19 Received Catherine L. Floit for Appellant James Dalton Bell's motion to withdraw as counsel and appoint new counsel of record for aplt. (no proof of serve) MOATT (VT) [Entered: 05/09/2000 08:51 AM]
- 05/11/2000 20 Filed certificate of record on appeal RT filed in DC 5/1/00 [99-30210] (VT) [Entered: 05/15/2000 10:38 AM]
- 05/26/2000 22 Filed order (Appellate Commissioner) The motion of Catherine L. Floit to be relieved as csl of record is granted. Aplt's motion for appointment of csl is granted. David Bukey 1111 Third Ave, Suite 2220 Seattle WA 98101 (206) 9391 will be appointed by separate order. The briefing schd established previously shall remain in the reporter's transcript are due 5/17/00, aplt's brief is due 6/26/00, aple's brief is due 7/26/00, the reply brief is due is due withkn 14 days after service of the answering brief. The clerk shall serve this order on former csl Catherine L. Floit. (MOATT) [99-30210] (WP) [Entered: 05/26/2000 10:15 AM]
- 06/16/2000 25 Filed David B. Bukey's motion to withdraw as counsel [99-30210] ; served on 6/14/00 (MOATT) (FT) [Entered: 06/20/2000 12:20 PM]

- 06/26/2000 31 Received letter from pro se re: status of counsel. (sent public docket) (rec'd w/ no CA number) (LP) [Entered: 07/06/2000 01:17 PM]
- 06/27/2000 30 Filed order (Appellate Commissioner) The motion of David B. Bukey, Esq., 1111 Third Ave., Suite 2220, Seattle, etc., to be relieved as counsel is granted. Jonathan S. Solovy, Esq., 119 First Avenue South, Suite 500, Seattle, WA 98104, etc., will be appointed by separate order. Aplt's opening brief and excerpts of record are due Aug. 14, 2000; aple's brief is due Sept. 13, 200; aplt's optional reply brief is due within 14 days after service of aple's brief. The Clerk shall serve this order on former counsel, David B. Bukey, Esq. (MOTIONS) [99-30210] (VT) [Entered: 06/27/2000 08:22 AM]
- 07/17/2000 33 Filed motion & order :(Appellate Commissioner) This court has rec'd aplt's pro se letter dated June 19, 2000 requesting appointment of new counsel. Because aplt is represented by counsel, only counsel may file motions, and this court therefore declines to entertain the request. The Clerk shall serve a copy of the pro se letter on aplt's counsel of record, Jonathan S. Wolovy, Esq., at 119 First Ave., 5th Floor, Seattle, WA 98104. The Clerk shall also serve this order on aplt individually 7214 Coreegidor, Vancouver, WA 98664. (Motion recvd 6/26/00) (MOTIONS) [99-30210] (VT) [Entered: 07/17/2000 06:40 AM]
- 07/17/2000 34 Sent the attorney copy of prose letter and aplt copy of order. [99-30210] (VT) [Entered: 07/17/2000 06:45 AM]
- 08/16/2000 36 Filed Motion of Appellant and Order (Deputy Clerk: CAG) Aplt's motion for an extension of time in which to file the opening brief is GRANTED. The opening brief is due Oct 13, 2000. The answering brief is due Nov 13, 2000. The optional reply brief is due 14 days from service of the answering brief. In view of the lengthy extension of time granted by way of this order, any further request for an extension of time to file this brief is strongly disfavored. (Motion recvd 8/7/00) [99-30210] (AF) [Entered: 08/16/2000 08:44 AM]
- 10/11/2000 39 Filed motion & order :(Deputy Clerk: cag/PROMO) Aplt's second motion for an ext of time in which to file opening brief is granted. The opening brief is due Nov. 6, 2000. The answering brief is due Dec. 6, 2000. The optional reply brief is due 14 days from service of the answering brief. (Motion recvd 10/5/00) [99-30210] (VT) [Entered: 10/11/2000 06:55 AM]
- 11/09/2000 40 Filed original and 15 copies Appellant James Dalton Bell opening brief (Informal: no) 66 pages and five excerpts of record in 1volumes; served on 11/6/00 [99-30210] (VT) [Entered: 11/27/2000 11:21 AM]
- 12/01/2000 41 14 day oral extension by phone of time to file Appellee USA's brief. [99-30210] appellees' brief due 12/20/00; appellants' reply brief due 14 days . . . (JC) [Entered: 12/01/2000 01:29 PM]
- 12/27/2000 43 Received orig. 15 copies USA's brief of 10 pages; served on 12/21/00 deficient: late, motion pending in promo [99-30210] (CP) [Entered: 12/29/2000 02:32 PM]
- 01/02/2001 45 Filed motion & order (Deputy Clerk: cag/PROMO) granting aplt motion for an ext of time to file the reply brief to and including Feb. 14, 2001. (Motion recvd 12/27/00) [99-30210] (VT) [Entered: 01/02/2001 07:17 AM]
- 01/04/2001 47 Filed motion & order :(Deputy Clerk: cag/PROMO) Aple's motion for permission to extend the time for filing the answering brief is granted. The prev'd rec'd brief is ordered filed. The reply brief is remains due Feb. 4, 2001. (Motion recvd 12/27/00) [99-30210] (VT) [Entered: 01/04/2001 05:43 AM]
- 01/04/2001 48 Filed original and 15 copies appellee USA's 10 pages brief, served on 12/21/00 [99-30210] (VT) [Entered: 01/04/2001 05:51 AM]
- 02/16/2001 51 Filed original and 15 copies James Dalton Bell reply brief, (Informal: no) 22 pages; served on 2/14/01 [99-30210] (VT) [Entered: 02/22/2001 06:52 AM]
- 03/02/2001 52 Calendar check performed [99-30210] (TH) [Entered: 03/02/2001 01:50 PM]
- 03/23/2001 53 CALENDARED: Seattle May 10 2001 9:00 a.m. Courtroom at Park Place, 21st Floor [99-30210] (TH) [Entered: 03/23/2001 10:34 AM]
- 05/10/2001 55 ARGUED AND SUBMITTED TO Donald P. Lay, Stephen S. TROTT, Marsha S. BERZON [99-30210] (KM) [Entered: 05/10/2001 11:33 AM]
- 05/25/2001 59 FILED MEMORANDUM DISPOSITION: AFFIRMED (Terminated on the Merits after Oral Hearing; Affirmed; Written, Unsigned, Unpublished. Donald P. Lay, Stephen S. TROTT, Marsha S. BERZON) FILED AND ENTERED JUDGMENT. [99-30210] (VT) [Entered: 05/25/2001 11:08 AM]
- 06/07/2001 60 Filed Appellant James Dalton Bell in 99-30210's motion to extend time to file petition for rehearing until 7/23/01 served on 6/6/01 PANEL [99-30210] (VT) [Entered: 06/07/2001 12:25 PM]
- 06/14/2001 62 Filed order (Donald P. Lay, Marsha S. BERZON): Appellant's motion for enlargement of time to file a petition for rehearing with suggestion for rehearing en banc is granted. The appellant is given an extension of 45 days up to and including 7/23/01, in which to make the filings. [99-30210] (TM) [Entered: 06/14/2001 09:40 AM]
- 07/23/2001 63 [4215446] Filed original and 50 copies of Appellant James Dalton Bell petition for rehearing with suggestion for rehearing en banc 19 p.pages, served on 7/21/01 (PANEL AND ALL ACTIVE JUDGES) [99-30210] (BY)

[Entered: 07/24/2001 04:14 PM]

- 08/15/2001 64 Filed order (Donald P. Lay, Stephen S. TROTT, Marsha S. BERZON,): The petition for panel rehearing and the petition for rehearing en banc are denied. [99-30210] (VT) [Entered: 08/15/2001 05:50 AM]
- 09/06/2001 66 MANDATE ISSUED [99-30210] (VT) [Entered: 09/06/2001 07:49 AM]
- 01/03/2002 69 Received notice from Supreme Court: The application for an ext of time to file a petition for certiorari is granted to and including Jan. 11, 2002. Supreme Court No. 01A464 filed on 12/28/01. [99-30210] (VT) [Entered: 01/07/2002 10:30 AM]
- 02/05/2002 70 Received notice from Supreme Court: petition for certiorari filed Supreme Court No. 01-8050 filed on 1/11/02. [99-30210] (VT) [Entered: 02/06/2002 08:32 AM]
- 03/11/2002 71 Filed Supreme Court order, certiorari denied on 3/4/02. Supreme Court No. 01-8050 [99-30210] (VT) [Entered: 03/14/2002 11:42 AM]
- 07/11/2002 72 RECORD RETURNED. (See control card for details.) (JAS) [Entered: 07/11/2002 02:36 PM]
- 06/18/2003 73 Received letter from pro se dated 6/15/03 re: request for information regarding docket(sent public docket) and request for copyof NOA. (sent request to casefiles mgr who will retriive file) (CP) [Entered: 06/18/2003 01:18 PM]
- 09/12/2005 75 Received Appellant James Dalton Bell in 99-30210 letter dated 9/8/05 re: registering a complaint because he had no lawyer to represent him. nan/case file [99-30210] (VT) [Entered: 09/16/2005 09:52 AM]
- 03/06/2006 76 Received Appellant James Dalton Bell in 99-30210 letter dated 3/1/06 re: a complaint concerning this appeal. NAN/CASE FILE* [99-30210] (VT) [Entered: 03/23/2006 10:28 AM]
- 06/29/2006 77 Received Appellant James Dalton Bell in 99-30210 letter dated 6/5/06 re: forgery, fraud and obstruction of justice. nan/case file [99-30210] (VT) [Entered: 07/03/2006 07:07 AM]
- 07/21/2006 78 Received letter from pro se dated 7/17/06 re: The denial of certiorari in No Way obstructs my right to file under FRCP 60(b).....In other words, the cs isn't over.....(NAN; Case Closed) (CASEFILES) (AF) [Entered: 07/21/2006 05:04 PM]
- 08/28/2006 79 Received letter dated 08/14/06, from pro se re: request for full investigation to detect and correct dkt forgery and manipulations... [NAN case closed/CASEFILE] (JC) [Entered: 08/31/2006 11:40 AM]
- 09/05/2006 80 Rec'd notice of change of address from James Dalton Bell individually in 99-30210 dated 8/29/06. (Aplt's new address: Reg. No. 26906-086, P.O. Box 33, Terre Haute, IN 47808) [99-30210] (AF) [Entered: 09/07/2006 09:11 AM]
- 11/13/2006 81 Received letter from pro se undated re: requested copy of public docket. (sent by af) (AF) [Entered: 11/14/2006 04:52 PM]
- 12/15/2006 83 Received letter from pro se undated re: ved 11/29/06 letter.....(no action nec per moatt) (CP) [Entered: 12/18/2006 05:03 PM]
- 03/05/2007 84 Received letter dated 2/28/07 from pro se re: req for public dkt (sent on this date to pro se aplt) (GN) [Entered: 03/09/2007 04:04 PM]
- 04/05/2007 86 Received letter from pro se re: FRCP 60(b) mtn (CASEFILE) (GN) [Entered: 04/06/2007 01:45 PM]
- 06/05/2007 87 Received letter from pro se re: renewed complaint of fraud (NAN; to CASEFILE) (GN) [Entered: 06/10/2007 02:29 PM]
- 03/17/2010 [88](#)
3 pg, 246.06 KB Received Appellant James Dalton Bell letter dated 03/10/2010 re: asking for copy of early docket sheet, sent him current copy of docket sheet. [7268785] (RR) [Entered: 03/17/2010 10:14 AM]
- 02/25/2011 [89](#)
2 pg, 165.3 KB Received Appellant (PROSE) James Dalton Bell letter dated 02/20/2011 re: want documents unsealed, did not request document to be sealed. Also request evidence and records of last attorney including ip and why he was allowed to withdraw. [7673408] (RR) [Entered: 03/08/2011 04:48 PM]

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