

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MINUTES - RULE 5/20 HEARING / DETENTION HEARING

Case No. 5:12-MJ-00249-DUTY CourtSmart CS RS #4: 7-18-12 Date: July 18, 2012

Present: The Honorable DAVID T. BRISTOW, U.S. Magistrate Judge

Jim Holmes, Relief CRD Deputy Clerk Pryia Soporla Assistant U.S. Attorney None Interpreter / Language

USA v. WALTER MCGILL Attorney Present for Defendant: Kay K. Otani
Present Custody Bond Not present Present CJA Retd DFPD Not present

- I. PROCEEDINGS: IDENTITY HEARING REMOVAL HEARING PRELIMINARY HEARING
RE POSSIBLE RULE 20 ARRIVAL OF PROCESS
FURTHER PROCEEDINGS RE
Process received not received
Witness(es) CST Exhibits Marked See separate list.
Court orders that exhibits be returned to the respective counsel / party of record. See receipt for Release of Exhibits to Counsel.
Court finds defendant to be the person not to be the person charged in the Indictment Information Complaint.
Court finds probable cause no probable cause to believe that the offense so charged has been committed and that the defendant has committed it.
IT IS ORDERED that the defendant return to the originating district and proceedings be terminated in this district.
Defendant executed Waiver of Rights. Process received. Process not received.
Court ORDERS defendant Held to Answer to District of
Bond to transfer, if bail is posted. Defendant ordered to report on or before
Final commitment and warrant of removal to issue directing the U.S. Marshal to return the defendant to the district of origin. Date issued: By:
Final commitment and warrant of removal are ordered stayed until
Defendant executes Rule 20 consent form and is ordered HELD TO ANSWER to the U.S. District Court, Central District at Los Angeles Riverside Santa Ana.

- II. PROCEEDINGS: DETENTION HEARING
Government's request for detention is: GRANTED DENIED WITHDRAWN CONTINUED
Counsel stipulation to bail.
Court finds presumption under 18 USC 3142e has not been rebutted.
Court ORDERS DEFENDANT PERMANENTLY DETAINED. See separate Detention Order.
Court finds presumption under 18 USC 3142e has been rebutted.
Court sets bail at: \$ SEE ATTACHED COPY OF CR-01 BOND FORM FOR CONDITIONS OF RELEASE.
Court orders that defendant be detained for a period not to exceed ten (10) Court days. See separate order re temporary detention.
Witnesses CST Exhibits Marked See separate list.
Court orders that exhibits be returned to the respective counsel / party of record. See Receipt for Release of Exhibits to Counsel. Release Order Issued - Release No.:
Court orders case continued to at a.m. p.m. for before Judge in courtroom.

Other: Deft McGill is ORDERED remanded into custody of U.S.M., for incarceration in accordance with District Judge J. Daniel Breen's Order of May 2, 2012, and to serve such term of imprisonment imposed by such order with credit for time served.

See Order, attached
cc: USM; BOP

I. :
II. /30 :
Deputy Clerk Initials jh-relief

FILED

Case 1:12-mc-00005-JDB Document 2 *SEALED* Filed 05/03/12 Page 1 of 2 PageID 3

AO 442 (Rev. 11/11) Arrest Warrant

2012 JUL 16 AM 10:31
UNITED STATES DISTRICT COURT

for the CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
Western District of Tennessee RIVERSIDE
BY: *[Signature]*

United States of America
v.
Walter McGill

)
)
)
)
)
)

ED12-0249M
Case No. 12-mc-5-B

related case: 06-1207-B

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Walter McGill
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
- Superseding Indictment
- Information
- Superseding Information
- Complaint
- Probation Violation Petition
- Supervised Release Violation Petition
- Violation Notice
- Order of the Court

This offense is briefly described as follows:
see Order dated 5/2/12

Date: 05/02/2012

s/A. Jordan

Issuing officer's signature

City and state: Jackson, Tn

Anna Jordan, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: Walter McGill

Known aliases: _____

Last known residence: 1162 Old Hwy 45 Guys, TN 38339

Prior addresses to which defendant/offender may still have ties: Walter McGill Creation SDA Relief Projects of Uganda
PO Box 511 Kalangala - Uganda ;

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____

Case 1:12-mc-00005-JDB Document 1 Filed 05/02/12 Page 1 of 2 PageID 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

GENERAL CONFERENCE CORPORATION
OF SEVENTH-DAY ADVENTISTS and
GENERAL CONFERENCE OF SEVENTH-DAY
ADVENTISTS an Unincorporated Association,

Plaintiffs,

v.

No. 1:06-cv-01207-JDB-egb

WALTER MCGILL, d/b/a CREATION
SEVENTH DAY ADVENTIST CHURCH, et al.,

Defendant.

RELATED CASE:

IN RE LUCAN CHARTIER

No. 1:11-mc-00003-JDB-egb

ORDER TO ISSUE WARRANTS FOR THE ARREST
OF WALTER MCGILL AND LUCAN CHARTIER

On April 5, 2012, this Court found Defendant, Walter McGill, and his associate, Lucan Chartier, to be in willful contempt of an injunction and Court orders protecting the trademarks of Plaintiffs, General Conference Corporation of Seventh-Day Adventists and General Conference of Seventh-Day Adventists, an unincorporated association. (Docket Entry (“D.E.”) No. 183.) The Court imposed civil sanctions against McGill and Chartier, which included ordering McGill to pay the Defendants’ related attorney’s fees and imposing a \$500.00 fine on both McGill and Chartier. (*Id.* at 9–11.) Additionally, the Court directed McGill and Chartier “to file with the Clerk of this Court and serve on Plaintiffs, within fifteen (15) days after issuance of this Order, a report in writing, under oath, setting forth in detail the manner and form in which they have complied with the Court’s orders and injunction.” (*Id.* at 11–12.) It cautioned that failure to

Case 1:12-mc-00005-JDB Document 1 Filed 05/02/12 Page 2 of 2 PageID 2

comply with the Court's directive would result in their incarceration for a period not exceeding thirty days, with twenty days of Chartier's sentence suspended pending his good behavior.¹ (Id. at 10, 12.)

McGill and Chartier have failed to file a written report under oath detailing their compliance with the Court's orders and injunction, and the time for them to do so has expired. Accordingly, the Clerk of Court is DIRECTED to issue warrants for the arrest of Walter McGill and Lucan Chartier. The United States Marshals Service is DIRECTED to execute those warrants and incarcerate McGill and Chartier until such time as they have ceased all contemptible conduct, but not more than a period of thirty (30) days. Further, twenty (20) days of Chartier's sentence shall be suspended pending his good behavior while in the custody of the Marshals Service.

IT IS SO ORDERED this 2nd day of May, 2012.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

¹ A copy of the Court's order was mailed to the last known addresses for McGill and Chartier on April 5 and 10, 2012, respectively.