

**U.S. District Court
Eastern District of Michigan (Detroit)
CRIMINAL DOCKET FOR CASE #: 2:16-cr-20641-GAD-APP All Defendants**

Case title: United States of America v. Higashida et al

Date Filed: 09/21/2016

Assigned to: District Judge Gershwin A. Drain
Referred to: Magistrate Judge Anthony P. Patti

Defendant (1)**Futoshi Higashida***TERMINATED: 02/28/2017*

represented by **Niall Edmund Lynch**
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Pending Counts

DESTRUCTION,ALTERNATION,FALSIFICATION
RCDS FED INVESTIGATION
(1)

INTIMIDATION OR FORCE AGAINST WITNESS
(2)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

IMPRISONMENT: 14 MONTHS EACH COUNT
CONCURRENT; SPECIAL ASSESSMENT:
\$200.00; FINE: \$7,500.00; AMENDED
JUDGMENT: IMPRISONMENT: 14 Months each
count, concurrent; FINE: \$7,500.00; SPECIAL
ASSESSMENT: \$200.00

Disposition**Disposition**

Assigned to: District Judge Gershwin A. Drain
Referred to: Magistrate Judge Anthony P. Patti

Defendant (2)**Mikio Katsumaru**

Pending Counts

DESTRUCTION,ALTERNATION,FALSIFICATION
RCDS FED INVESTIGATION
(1)

Disposition**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff**

United States of America

represented by **Andre M. Geverola**

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Date Filed	#	Docket Text
09/21/2016	1	INDICTMENT as to Futoshi Higashida (1) count(s) 1, 2, Mikio Katsumaru (2) count(s) 1. (DPer) (Entered: 09/21/2016)
09/23/2016	4	ATTORNEY APPEARANCE: Niall Edmund Lynch appearing for Futoshi Higashida. (LHos) (Entered: 09/23/2016)
09/23/2016	5	ATTORNEY APPEARANCE: Heidi Manschreck appearing on behalf of United States of America as to Futoshi Higashida, Mikio Katsumaru . (Manschreck, Heidi) (Entered: 09/23/2016)
09/23/2016		Minute Entry for proceedings before Magistrate Judge R. Steven Whalen: Initial Appearance as to Futoshi Higashida held on 9/23/2016. Disposition: Defendant released on bond. Bond Information: \$50,000 unsecured (to be superseded on 09/26/2016 with amended appearance bond of a \$50,000 secured cash bond). (Court Reporter: Digitally Recorded) (Defendant Attorney: Niall Lynch) (AUSA: Andre Geverola)(Court Interpreter: Asami Isomichi) (CCie) (Entered: 09/23/2016)
09/23/2016		Minute Entry for proceedings before Magistrate Judge R. Steven Whalen: Arraignment as to Futoshi Higashida (1) Count 1,2 held on 9/23/2016 - Disposition: Not Guilty plea entered/Bond Continued. (Court Reporter: Digitally Recorded) (Defendant Attorney: Niall Lynch) (AUSA: Andre Geverola)(Court Interpreter: Asami Isomichi) (CCie) (Entered: 09/23/2016)
09/23/2016	6	 Public Audio File of Arraignment as to Futoshi Higashida held on 09/23/2016 before Magistrate Judge R. Steven Whalen. AUDIO FILE SIZE (7.1 MB) (LHos) (Entered: 09/23/2016)
09/23/2016	7	ACKNOWLEDGMENT of Indictment by Futoshi Higashida. (LHos) (Entered: 09/23/2016)
09/23/2016	8	ORDER Setting Conditions of Release as to Futoshi Higashida. Signed by Magistrate Judge R. Steven Whalen. (LHos) (Entered: 09/23/2016)
09/23/2016	9	BOND as to Futoshi Higashida in the amount of \$50,000 unsecured entered. (LHos) (Entered: 09/23/2016)
09/26/2016	10	STIPULATION <i>Regarding Extension of Time for In Person Signature of Appearance Bond</i> by Futoshi Higashida. (Attachments: # 1 Exhibit 1 - Appearance Bond) (Lynch, Niall) (Entered: 09/26/2016)
09/27/2016	11	SCHEDULING ORDER as to Futoshi Higashida Motions due by 10/13/2016, Plea Hearing set for 11/10/2016 at 11:00 AM before District Judge Gershwin A. Drain, Plea due by 11/10/2016, Final Pretrial Conference set for 11/17/2016 at 3:00 PM before District Judge Gershwin A. Drain, and Jury Trial set for 11/29/2016 at 9:00 AM before District Judge Gershwin A. Drain Signed by District Judge Gershwin A. Drain. (TMcg) (Entered: 09/27/2016)
09/28/2016	12	ATTORNEY APPEARANCE: Jesse Reising appearing on behalf of United States of America as to Futoshi Higashida, Mikio Katsumaru . (Reising, Jesse) (Entered: 09/28/2016)

10/03/2016	13	DISCOVERY NOTICE by United States of America as to Futoshi Higashida, Mikio Katsumaru (Geverola, Andre) (Entered: 10/03/2016)
10/04/2016	14	AMENDED APPEARANCE BOND as to Futoshi Higashida in the amount of \$50,000 SECURED entered. (LHos) (Entered: 10/04/2016)
10/04/2016	16	MOTION for Protective Order <i>Governing Discovery</i> by United States of America as to Futoshi Higashida, Mikio Katsumaru. (Attachments: # 1 Exhibit Proposed Protective Order Governing Discovery) (Geverola, Andre) (Entered: 10/04/2016)
10/06/2016	17	PROTECTIVE ORDER GOVERNING DISCOVERY as to Futoshi Higashida (1), Mikio Katsumaru (2). Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 10/06/2016)
10/06/2016	18	ATTORNEY APPEARANCE: Chester C. Choi appearing on behalf of United States of America as to Futoshi Higashida, Mikio Katsumaru . (Choi, Chester) (Entered: 10/06/2016)
10/06/2016	19	Warrant for Arrest Returned Executed on 09/23/16 as to Futoshi Higashida. (DPer) (Entered: 10/07/2016)
10/12/2016	20	ORDER TO CONTINUE - Ends of Justice as to Futoshi Higashida Plea Hearing reset for 1/5/2017 02:00 PM before District Judge Gershwin A. Drain; Final Pretrial Conference reset for 1/5/2017 02:00 PM before District Judge Gershwin A. Drain; Jury Trial reset for 1/17/2017 09:00 AM before District Judge Gershwin A. Drain Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 10/12/2016)
10/12/2016	21	ATTORNEY APPEARANCE: Matthew J. McCrobie appearing on behalf of United States of America as to Futoshi Higashida, Mikio Katsumaru . (McCrobie, Matthew) (Entered: 10/12/2016)
10/13/2016	22	ORDER as to Futoshi Higashida re 10 Stipulation Regarding Extension of Time for In Person Signature of Appearance Bond filed by Futoshi Higashida - Signed by Magistrate Judge R. Steven Whalen. (CCie) (Entered: 10/13/2016)
11/01/2016	23	ORDER TO CONTINUE - Ends of Justice as to Futoshi Higashida Jury Trial reset for 3/21/2017 09:00 AM before District Judge Gershwin A. Drain Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 11/01/2016)
12/20/2016	24	Joint MOTION to Consolidate the Plea and Sentencing Hearings and Waive a Presentence Investigation and Report by United States of America as to Futoshi Higashida. (Choi, Chester) (Entered: 12/20/2016)
01/04/2017	25	ORDER GRANTING JOINT MOTION TO CONSOLIDATE THE PLEA AND SENTENCING HEARINGS AND WAIVE A PRESENTENCE INVESTIGATION AND REPORT 24 as to Futoshi Higashida (1). Signed by District Judge Gershwin A. Drain. (TBan) (Entered: 01/04/2017)
01/23/2017	26	SENTENCING MEMORANDUM by United States of America as to Futoshi Higashida (Choi, Chester) (Entered: 01/23/2017)
02/02/2017	27	NOTICE TO APPEAR as to Futoshi Higashida, Plea Hearing set for 2/2/2017 03:00 PM before District Judge Gershwin A. Drain; Sentencing set for 2/2/2017 03:00 PM before District Judge Gershwin A. Drain (TBan) (Entered: 02/02/2017)
02/02/2017		Minute Entry for proceedings before District Judge Gershwin A. Drain: Plea Hearing as to Futoshi Higashida held on 2/2/2017 Disposition: Guilty plea entered. (Court Reporter: Leann Lizza) (Defendant Attorney: Niall Lynch, Tyler Young) (AUSA: Chester Choi, Andrea Geverola, Jesse Reising)(Court Interpreter: Daiske Yoshida) (TBan) (Entered: 02/02/2017)
02/02/2017		Minute Entry for proceedings before District Judge Gershwin A. Drain: Sentencing held as to Futoshi Higashida. Disposition: Rule 11 Plea Agreement accepted by the Court. (Court Reporter: Leann Lizza) (Defendant Attorney: Niall Lynch, Tyler Young) (AUSA: Chester Choi, Andrea Geverola, Jesse Reising)(Court Interpreter: Daiske Yoshida) (TBan) (Entered: 02/02/2017)
02/02/2017	28	PLEA AGREEMENT as to Futoshi Higashida. (TBan) (Entered: 02/07/2017)
02/28/2017	29	JUDGMENT as to Futoshi Higashida. Signed by District Judge Gershwin A. Drain. (LHos) (Entered: 02/28/2017)
05/02/2017	30	AMENDED JUDGMENT as to Futoshi Higashida. Signed by District Judge Gershwin A. Drain. (DWor) (Entered: 05/02/2017)
06/30/2017	31	TRANSCRIPT of Plea Hearing/Sentencing held on 02/02/2017 as to Futoshi Higashida. (Court Reporter: Leann S. Lizza) (Number of Pages: 23) The parties have 21 days to file with the court and Court Reporter a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the

		public without redaction after 90 days. Redaction Request due 7/21/2017. Redacted Transcript Deadline set for 7/31/2017. Release of Transcript Restriction set for 9/28/2017. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Lizza, L.) (Entered: 06/30/2017)
07/20/2017	32	Corrected Version of 31 TRANSCRIPT of Plea Hearing/Sentencing - Corrected Transcript held on 02/02/2017 as to Futoshi Higashida. Release of Transcript Restriction set for 9/28/2017. (Lizza, L.) (Entered: 07/20/2017)
