

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 13-10242	Docketed: 05/07/2013		
USA v. Shiu Leung			
Appeal From: U.S. District Court for Northern California, San Francisco			
Fee Status: Paid			
Case Type Information:			
<ul style="list-style-type: none"> 1) criminal 2) Direct Criminal 3) null 			
Originating Court Information:			
District: 0971-3 : 3:09-cr-00110-SI-6			
Court Reporter: Margo Gurule, Pro Tem Court Reporter			
Court Reporter: Lydia Radovich Zinn, Official Court Reporter			
Trial Judge: Susan Illston, Senior District Judge			
Date Filed: 02/04/2009			
Date Order/Judgment: 04/30/2013	Date Order/Judgment EOD: 04/30/2013	Date NOA Filed: 05/02/2013	Date Rec'd COA: 05/06/2013
Prior Cases: None			
Current Cases: None			

UNITED STATES OF AMERICA
 Plaintiff - Appellee,

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v.

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHIU LUNG LEUNG, Steve Leung, Chao-Lung Liang,

Defendant - Appellant.

05/07/2013	<input type="checkbox"/> 1 12 pg, 204.98 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Reporters Transcript required: Yes. Sentence imposed: 24 months. Transcript ordered by 05/23/2013. Transcript due 06/24/2013. Appellant briefs and excerpts due by 08/01/2013 for Shiu Lung Leung. Appellee brief due 09/03/2013 for United States of America. Appellant's optional reply brief is due 14 days after service of the answering brief. [8620393] (BJB)
05/07/2013	<input type="checkbox"/> 2	Added attorney Dennis Ross Cashman for Shiu Lung Leung, in case 13-10242. [8620443] (HC)
05/20/2013	<input type="checkbox"/> 3	Entered appearance of Court Reporter Lydia Radovich Zinn in this case. [8635234] (HC)
06/04/2013	<input type="checkbox"/> 4 2 pg, 824.24 KB	Filed (ECF) notice of appearance of Dennis P. Riordan for Appellant Shiu Lung Leung. Date of service: 06/04/2013. [8654219]--[COURT UPDATE: Attached scanned version of form to correct viewing error. Resent NDA. 06/04/2013 by RY] (DPR)
06/04/2013	<input type="checkbox"/> 5	Added attorney Dennis P. Riordan for Shiu Lung Leung. [8654351] (JFF)
06/04/2013	<input type="checkbox"/> 6 2 pg, 821.21 KB	Filed (ECF) notice of appearance of Donald M. Horgan for Appellant Shiu Lung Leung. Date of service: 06/04/2013. [8654555] (DMH)
06/04/2013	<input type="checkbox"/> 7	Added attorney Donald M. Horgan for Shiu Lung Leung [8654637] (JFF)
07/02/2013	<input type="checkbox"/> 8 2 pg, 23.48 KB	Filed (ECF) notice of appearance of Adam D. Chandler for Appellee USA. Date of service: 07/02/2013. [8688424] (ADC)
07/02/2013	<input type="checkbox"/> 9 2 pg, 23.33 KB	Filed (ECF) notice of appearance of John J. Powers III for Appellee USA. Date of service: 07/02/2013. [8688426] (JJP)
07/02/2013	<input type="checkbox"/> 10	Added attorney Adam D. Chandler for USA, in case 13-10242. [8688430] (CW)
07/02/2013	<input type="checkbox"/> 11	Added attorney John James Powers III for USA, in case 13-10242. [8688434] (CW)
07/25/2013	<input type="checkbox"/> 12 7 pg, 84.73 KB	Filed (ECF) Appellant Shiu Lung Leung Motion to extend time to file Opening brief until 09/03/2013. Date of service: 07/25/2013. [8718314] (DPR)
07/26/2013	<input type="checkbox"/> 13 1 pg, 83.31 KB	Filed clerk order (Deputy Clerk: LKK): Granting Motion (ECF Filing) filed by Appellant Shiu Lung Leung; Granting Motion (ECF Filing) motion to extend time to file brief filed by Appellant Shiu Lung Leung Appellant briefs and excerpts due by 09/03/2013 for Shiu Lung Leung. Appellee brief due 10/03/2013 for United States of America. The optional reply brief is due 14 days after service of the answering brief. [8719458] (LKK)
08/27/2013	<input type="checkbox"/> 14 6 pg, 17.39 KB	Filed (ECF) Appellant Shiu Lung Leung Motion to extend time to file Opening brief until 10/04/2013. Date of service: 08/27/2013. [8758506] (DPR)
08/28/2013	<input type="checkbox"/> 15 4 pg, 19.85 KB	Filed (ECF) Appellee USA response non-opposing motion (,motion to extend time to file brief). Date of service: 08/28/2013. [8760082] (ADC)
08/29/2013	<input type="checkbox"/> 16 1 pg, 32.05 KB	Filed order (Appellate Commissioner): Appellant's motion for a second extension of time to file the opening brief is granted. The opening brief is due October 4, 2013. Appellee's response to the motion for an extension of time to file the opening brief is construed as a motion for an extension of time to file the answering brief. So construed, the motion is granted. The answering brief is due December 3, 2013. The optional reply brief is due within 14 days after service of the answering brief. In view of the relative brevity of appellant's sentence, this appeal shall be calendared as soon as is practicable. (Pro Mo) [8762880] (MS)
09/06/2013	<input type="checkbox"/> 17 53 pg, 1005.03 KB	Filed (ECF) Appellant Shiu Lung Leung Motion for bail pending Appeal. Date of service: 09/06/2013. [8772094] (DPR)
09/13/2013	<input type="checkbox"/> 18 16 pg, 83.23 KB	Filed (ECF) Appellee USA response opposing motion (,motion for bail pending appeal or trial). Date of service: 09/13/2013. [8780879] (ADC)
09/20/2013	<input type="checkbox"/> 19 16 pg, 164.56 KB	Filed (ECF) Appellant Shiu Lung Leung reply to response (, ,motion for bail pending appeal or trial). Date of service: 09/20/2013. [8791451] (DPR)
09/27/2013	<input type="checkbox"/> 20 8 pg, 84.94 KB	Filed (ECF) Appellant Shiu Lung Leung Motion to extend time to file Opening brief. Date of service: 09/27/2013. [8800852] (DPR)
10/02/2013	<input type="checkbox"/> 21 5 pg, 35.25 KB	Filed (ECF) Appellee USA response opposing motion (,motion to extend time to file brief). Date of service: 10/02/2013. [8805758] (ADC)
10/23/2013	<input type="checkbox"/> 22 2 pg, 45.67 KB	Filed order (M. MARGARET MCKEOWN and JOHNNIE B. RAWLINSON) Appellant's motion for bail pending appeal is granted. Appellant has shown, by clear and convincing evidence, that appellant is not likely to flee or to pose a danger to the safety of any other person or the community if released. Appellant also has shown that the appeal raises a "substantial question" of law or fact that is "fairly debatable," and that "if that substantial question is determined favorably to defendant on appeal, that decision is likely to result in reversal or an order for a new trial of all counts on which imprisonment has been imposed." United States v. Handy, 761 F.2d 1279, 1283 (9th Cir. 1985); see also 18 U.S.C. § 3143(b). Appellant's

September 27, 2013 "motion for extension of time to file appellant's opening brief" is granted in part. The court grants appellant an extension of time to file the opening brief. The opening brief is now due November 29, 2013; the answering brief is now due December 30, 2013; and the optional reply brief is due within 14 days after service of the answering brief. To the extent the September 27, 2013 motion requests a stay of briefing pending resolution of appeal Nos. 12-10492, 12-10493, 12-10500, and 12-10514, the motion is denied. This matter is remanded to the district court for the limited purpose of establishing appropriate conditions of release. [8833556] (BJB)

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| 11/22/2013 | <input type="checkbox"/> 23
7 pg, 84.36 KB | Filed (ECF) Appellant Shiu Lung Leung Motion to extend time to file Opening brief until 12/06/2013. Date of service: 11/22/2013. [8875399] (DPR) |
| 11/26/2013 | <input type="checkbox"/> 24
1 pg, 38.81 KB | Filed order (Appellate Commissioner)Appellant's unopposed motion for a further extension of time to file the opening brief is granted. The opening brief is due December 6, 2013. Appellant is reminded that a motion for an extension of time should include a statement that the court reporter is not in default with regard to any designated transcripts. See 9th Cir. R. 31-2.2(b)(7) The answering brief is due January 6, 2014. The optional reply brief is due within 14 days after service of the answering brief. This appeal shall be calendared as soon as practicable. (Pro Mo) [8879417] (MS) |
| 12/06/2013 | <input type="checkbox"/> 25
4 pg, 73.55 KB | Filed (ECF) Appellant Shiu Lung Leung Motion to extend time to file Opening brief until 12/09/2013. Date of service: 12/06/2013. [8893054] (DPR) |
| 12/09/2013 | <input type="checkbox"/> 26
969 pg, 10.73 MB | Submitted (ECF) Opening brief and Excerpts of Record for review and filed Motion to file oversized brief. Submitted by Appellant Shiu Lung Leung. Date of service: 12/09/2013. [8894754]--[COURT UPDATE: Attached corrected excerpts (Volume 2). Resent NDA. 12/10/2013 by RY]--[Edited: Attached printed to PDF version of Volume 2 to correct viewing error (out of memory). Resent NDA. 12/10/2013 by RY] (DPR) |
| 12/18/2013 | <input type="checkbox"/> 27 | Filed (ECF) Streamlined request for extension of time to file Answering Brief by Appellee USA. New requested due date is 02/05/2014 at 11:59 pm. [8907426] (ADC) |
| 12/19/2013 | <input type="checkbox"/> 28 | ENTRY UPDATED. Streamlined request [27] by Appellee USA to extend time to file the brief is not approved - court will re-set briefing upon resolution of motion to file oversize brief [8908183] --[Edited 12/22/2013 by CB] (CG) |
| 12/20/2013 | <input type="checkbox"/> 29
2 pg, 29.52 KB | Filed (ECF) notice of appearance of Kristen C. Limarzi for Appellee USA. Date of service: 12/20/2013. [8910295] (KCL) |
| 12/20/2013 | <input type="checkbox"/> 30 | Attorney John James Powers III substituted by Attorney Kristen Ceara Limarzi [8910825] (JFF) |
| 01/09/2014 | <input type="checkbox"/> 31
1 pg, 31.89 KB | Filed order (Appellate Commissioner): Appellant's motion to file an oversized opening brief is granted. The Clerk shall file the opening brief submitted by electronic filing on December 9, 2013. The answering brief is due February 12, 2014. The optional reply brief is due within 14 days after service of the answering brief. (Pro Mo) [8931913] (MS) |
| 01/09/2014 | <input type="checkbox"/> 32
2 pg, 85.6 KB | Filed clerk order: The opening brief [26] submitted by Shiu Lung Leung is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: blue. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The Court has reviewed the supplemental excerpts of record [26] submitted by Shiu Lung Leung. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. [8931979] (WP) |
| 01/15/2014 | <input type="checkbox"/> 33 | Filed Appellant Shiu Lung Leung paper copies of excerpts of record [26] in 4 volume(s). [8940355] (CT) |
| 01/15/2014 | <input type="checkbox"/> 34 | Received 7 paper copies of Opening brief [26] filed by Shiu Lung Leung. [8940901] (SD) |
| 02/12/2014 | <input type="checkbox"/> 35
599 pg, 43.47 MB | Submitted (ECF) Answering brief and Supplemental Excerpts of Record for review and filed Motion to file oversized brief. Submitted by Appellee USA. Date of service: 02/12/2014. [8976956] (ADC) |

Documents and Docket Summary

Documents Only

Include Page Numbers

Selected Pages:

Selected Size:
