

General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 16-7056 Nature of Suit: 2510 Prisoner Petition-Vacate Sentence US v. Thilo Brown Appeal From: United States District Court for the District of South Carolina at Charleston Fee Status: in forma pauperis	Docketed: 08/08/2016
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Case Type Information:

- 1) 28 USC Section 2255
- 2) federal
- 3) null

Originating Court Information:

District: 0420-2 : [2:02-cr-00519-PMD-1](#)

Presiding Judge: Patrick Michael Duffy, Senior U. S. District Court Judge

Date Filed: 05/16/2002

Date Order/Judgment:
06/17/2016

Date Order/Judgment EOD:
06/17/2016

Date NOA Filed:
08/05/2016

Date Rec'd COA:
08/05/2016

District: 0420-2 : [2:16-cv-00268-PMD](#)

Date Filed: 01/28/2016

Date Rec'd COA:
08/08/2016

Prior Cases:

None

Current Cases:

None

UNITED STATES OF AMERICA
Plaintiff - Appellee

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v.

THILO BROWN
Defendant - Appellant

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UNITED STATES OF AMERICA


Plaintiff - Appellee


v.

THILO BROWN

Defendant - Appellant

08/08/2016	<input type="checkbox"/> 1 1 pg, 11.8 KB	2255 case docketed. Originating case number: 2:02-cr-00519-PMD-1,2:16-cv-00268-PMD. Date notice of appeal filed: 08/05/2016. Case manager: JMoore. Did district court rule on COA? Yes. [16-7056] (JHM)
08/08/2016	<input type="checkbox"/> 2 33 pg, 2.12 MB	MOTION by Appellant Thilo Brown for certificate of appealability. Date and method of service: 08/08/2016 ecf. [999905848] [16-7056] (JHM)
08/08/2016	<input type="checkbox"/> 3 2 pg, 106.39 KB	MOTION by Appellant Thilo Brown to appoint/assign counsel.. Date and method of service: 08/08/2016 ecf. [999905876] [16-7056] (JHM)
08/08/2016	<input type="checkbox"/> 4 1 pg, 96.58 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Alicia V. Penn for Thilo Brown.[999905878] [16-7056] (JHM)
08/08/2016	<input type="checkbox"/> 5 12 pg, 63.78 KB	INFORMAL PRELIMINARY BRIEFING ORDER filed.. Informal Opening Brief due 09/01/2016 [16-7056] (JHM)
08/08/2016	<input type="checkbox"/> 6 1 pg, 10.48 KB	RECORD requested from Clerk of Court. Due: 08/22/2016 [16-7056] (JHM)
08/10/2016	<input type="checkbox"/> 7 1 pg, 7.91 KB	ORDER filed [999908099] suspending informal preliminary briefing Copies to all parties.. [16-7056] (JHM)
08/12/2016	<input type="checkbox"/> 8	DISTRICT COURT UPDATE. ASSEMBLED INITIAL ELECTRONIC RECORD TRANSMITTED TO FOURTH CIRCUIT COURT OF APPEALS as to Thilo Brown re [57] Notice of Appeal - Final Judgment, Electronic record successfully transmitted for 2:02-cr-00519-PMD-1. [16-7056] (AC)
08/15/2016	<input type="checkbox"/> 9	ASSEMBLED ELECTRONIC RECORD docketed. Originating case number: 2:02-cr-00519-PMD-1,2:16-cv-00268-PMD. Record in folder? Yes. Record reviewed? Yes. PSR included? Yes. [16-7056] (JHM)
09/14/2016	<input type="checkbox"/> 10 17 pg, 103.9 KB	Letter re: Rule 28 Letter by Appellant Thilo Brown. [999929462] [16-7056] Alicia Penn
10/27/2016	<input type="checkbox"/> 11 1 pg, 15.18 KB	DOCKETING FORMS FOLLOW-UP NOTICE ISSUED to Attorney Marshall Austin for Appellee US re: filing of appearance form (Loc.R. 46(g)). Appearance form due on 10/31/2016 from Marshall Austin.. [16-7056] (JHM)
10/28/2016	<input type="checkbox"/> 12 1 pg, 55.77 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Nick Bianchi for US.[999957396] [16-7056] Robert Bianchi
10/31/2016	<input type="checkbox"/> 13 1 pg, 54.91 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Marshall Austin for US.[999958899] [16-7056] Marshall Austin
12/07/2016	<input type="checkbox"/> 14 1 pg, 13.79 KB	COURT ORDER filed [999982184] granting Motion to appoint/assign counsel 3 Alicia Vachira Penn for Thilo Brown in 16-7056. Nunc pro Tunc Date: 08/08/2016. Representation Type: FPD..; granting Motion certificate of appealability (Local Rule 22(a)) 2 Copies to all parties.. [16-7056] (JHM)
12/07/2016	<input type="checkbox"/> 15 2 pg, 16.78 KB	BRIEFING ORDER filed.. Opening Brief and Appendix due 01/17/2017. Response Brief due 02/15/2017 [16-7056] (JHM)
12/16/2016	<input type="checkbox"/> 16 2 pg, 16.88 KB	CASE TENTATIVELY CALENDARED for oral argument during the 3/21/17 - 3/24/17 argument session. Additional copies due: 12/21/2016. Notify Clerk's Office of any scheduling conflict by: 12/26/2016. [16-7056] (JLC)
01/12/2017	<input type="checkbox"/> 17  0 pg, 0 KB	(ENTRY RESTRICTED) BRIEF by Appellant Thilo Brown in electronic and paper format. Type of Brief: OPENING. Method of Filing Paper Copies: mail. [1000003017] [16-7056]--[Edited 01/12/2017 by JHM] Alicia Penn
01/12/2017	<input type="checkbox"/> 18 28 pg, 104.81 KB	Corrected BRIEF by Appellant Thilo Brown in electronic and paper format. Type of Brief: OPENING. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 01/12/2017. [1000003099] [16-7056] Alicia Penn
01/12/2017	<input type="checkbox"/> 19 83 pg, 16.75 MB	FULL ELECTRONIC APPENDIX and full paper appendix by Appellant Thilo Brown. Method of Filing Paper Copies: mail. Date paper copies mailed dispatched or delivered to court: 01/12/2017. [1000003118] [16-7056] Alicia Penn
01/12/2017	<input type="checkbox"/> 20	SEALED APPENDIX VOLUME(S) (court access only) by Appellant Thilo Brown in electronic and paper format. Method of Filing Paper Copies: mail. Date Copies Mailed, Dispatched, or Delivered to court: 01/12/2017.. Filed Ex parte: N. [16-7056] Alicia Penn
01/12/2017	<input type="checkbox"/> 21 1 pg, 13.34 KB	CASE CONTINUED FROM TENTATIVE CALENDAR TO AWAITING CALENDAR. [1000003170] [16-7056] (JLC)
01/12/2017	<input type="checkbox"/> 22	OPENING BRIEF (PAPER) file-stamped, on behalf of Thilo Brown. Number of pages: [28]. Sufficient: YES. Number of Copies: [4]. Entered on Docket Date: 01/20/2017. Received by clerk date: 01/18/2017. [1000007528] [16-7056] (JHM)

01/12/2017	<input type="checkbox"/> 23	APPENDIX (PAPER) file-stamped, on behalf of Thilo Brown. Total number of volumes (including any sealed): 2. Total number of pages in all volumes: 116. Total number of sealed volumes: 1. Sufficient? Yes. CD/DVD/Other exhibit? No. Number of Copies: 4. Entered on Docket Date: 01/20/2017. Received by clerk date: 01/18/2017. [1000007536] [16-7056] (JHM)
01/20/2017	<input type="checkbox"/> 24 1 pg, 8 KB	ORDER filed [1000007537] sealing. volume two of joint appendix. Copies to all parties.. [16-7056] (JHM)
02/07/2017	<input type="checkbox"/> 25 2 pg, 46.4 KB	MOTION by Appellee US Marshall Austin to extend filing time for response brief. Date and method of service: 02/07/2017 ecf. [1000019116] [16-7056] Marshall Austin
02/07/2017	<input type="checkbox"/> 26 1 pg, 8.22 KB	ORDER filed [1000019487] granting Motion to extend filing time 25 , updating/ resuming briefing order deadlines. Response brief due 03/08/2017 Copies to all parties.. [16-7056] (JHM)
02/10/2017	<input type="checkbox"/> 27 2 pg, 16.88 KB	CASE TENTATIVELY CALENDARED for oral argument during the 5/9/17 - 5/11/17 argument session. Additional copies due: 02/15/2017. Notify Clerk's Office of any scheduling conflict by: 02/20/2017. [16-7056] (JLC)
03/06/2017	<input type="checkbox"/> 28 2 pg, 30.76 KB	CASE CALENDARED for oral argument. Date: 05/11/2017. Registration Time: 7:45 - 8:00. Daily Arguments Begin: 8:30. Oral argument acknowledgment form due within 5 days. [16-7056] (JLC)
03/06/2017	<input type="checkbox"/> 29 1 pg, 90.38 KB	ORAL ARGUMENT ACKNOWLEDGMENT by Appellant Thilo Brown. Counsel arguing: Alicia Vachira Penn Opening argument time: 15 Rebuttal argument time: 5 [1000036346] [16-7056] Alicia Penn
03/07/2017	<input type="checkbox"/> 30 2 pg, 14.83 KB	MOTION by Appellee US Marshall Austin to extend filing time for response brief. Date and method of service: 03/07/2017 ecf. [1000037733] [16-7056] Marshall Austin
03/08/2017	<input type="checkbox"/> 31 1 pg, 4.83 KB	COURT ORDER filed [1000038527] granting Motion to extend filing time 30 Copies to all parties., updating/ resuming briefing order deadlines. Response brief due 03/28/2017 Copies to all parties.. [16-7056] (JHM)
03/24/2017	<input type="checkbox"/> 32 2 pg, 14.69 KB	MOTION by Appellee US Matt Austin to extend filing time for response brief. Date and method of service: 03/24/2017 ecf. [1000048844] [16-7056] Marshall Austin
03/28/2017	<input type="checkbox"/> 33 1 pg, 8.02 KB	COURT ORDER filed [1000050752] granting Motion to extend filing time 32 Copies to all parties., updating/ resuming briefing order deadlines. Response brief due 04/03/2017 Copies to all parties.. [16-7056] (JHM)
04/03/2017	<input type="checkbox"/> 34 53 pg, 237.65 KB	BRIEF by Appellee US in electronic and paper format. Type of Brief: RESPONSE. Method of Filing Paper Copies: courier. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 04/03/2017. [1000055074] [16-7056] Marshall Austin
04/03/2017	<input type="checkbox"/> 35	RESPONSE BRIEF (PAPER) file-stamped, on behalf of US. Number of pages: [53]. Sufficient: YES. Number of Copies: [1]. Entered on Docket Date: 04/05/2017. Received by clerk date: 04/05/2017. [1000056533] [16-7056] (JHM)
04/05/2017	<input type="checkbox"/> 36 1 pg, 15.56 KB	COPY FOLLOW-UP NOTICE issued to US requesting additional copies of brief(s).. Additional copies due 04/10/2017 [16-7056] (JHM)
04/07/2017	<input type="checkbox"/> 37	Additional copies of the RESPONSE BRIEF received from US. [16-7056] (JR)
04/12/2017	<input type="checkbox"/> 38 2 pg, 31.11 KB	MOTION by Appellant Thilo Brown to extend filing time for reply brief until May 17, 2017. Date and method of service: 04/12/2017 ecf. [1000060496] [16-7056] Alicia Penn
04/12/2017	<input type="checkbox"/> 39 1 pg, 11.35 KB	CERTIFICATE OF SERVICE by Appellant Thilo Brown. Related documents: 38 Motion to extend filing time [16-7056] Alicia Penn
04/13/2017	<input type="checkbox"/> 40 1 pg, 7.99 KB	COURT ORDER filed [1000061614] granting Motion to extend filing time 38 Copies to all parties., updating/resuming reply brief deadlines Reply brief due 05/01/2017 Copies to all parties.. [16-7056] (JHM)
04/20/2017	<input type="checkbox"/> 41 1 pg, 51.8 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by William C. Lewis for US.[1000065684] [16-7056] William Lewis
05/01/2017	<input type="checkbox"/> 42  0 pg, 0 KB	(ENTRY RESTRICTED) BRIEF by Appellant Thilo Brown in electronic and paper format. Type of Brief: REPLY. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/01/2017. [1000073376] [16-7056]--[Edited 05/08/2017 by JHM] Alicia Penn
05/01/2017	<input type="checkbox"/> 43 1 pg, 11.27 KB	CERTIFICATE OF SERVICE by Appellant Thilo Brown. Related documents: 42 Brief [16-7056]--[Edited 05/05/2017 by ALC to correct party filer] Alicia Penn
05/01/2017	<input type="checkbox"/> 45	(ENTRY RESTRICTED) REPLY BRIEF (PAPER) file-stamped, on behalf of Thilo Brown. Number of pages: [78]. Sufficient: NO. Number of Copies: [4]. Entered on Docket Date: 05/05/2017. Received by clerk date: 05/05/2017. [1000076706] [16-7056]--[Edited 05/08/2017 by JHM] (ALC)

05/03/2017	<input type="checkbox"/> 44	ORAL ARGUMENT ACKNOWLEDGMENT by Appellee US. Counsel arguing: William Camden Lewis
	1 pg, 89.4 KB	Answering argument time: 20 Minutes [1000075110] [16-7056] William Lewis
05/05/2017	<input type="checkbox"/> 46	Docket correction requested from Mrs. Alicia Vachira Penn for Thilo Brown Re: [42] Brief, [45] reply Brief.
	3 pg, 47.89 KB	Corrected brief due by 05/08/2017. [16-7056] (ALC)
05/08/2017	<input type="checkbox"/> 47 	(ENTRY RESTRICTED) Corrected BRIEF by Appellant Thilo Brown in electronic and paper format. Type of Brief: REPLY. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/08/2017. [1000077301] [16-7056]--[Edited 05/09/2017 by JHM] Alicia Penn
	0 pg, 0 KB	
05/08/2017	<input type="checkbox"/> 48	CERTIFICATE OF SERVICE by Appellant Thilo Brown. [16-7056] Alicia Penn
	1 pg, 11.33 KB	
05/08/2017	<input type="checkbox"/> 49	Letter re: [34] Brief by Appellee US. [1000077848] [16-7056] William Lewis
	2 pg, 65.6 KB	
05/08/2017	<input type="checkbox"/> 50	Corrected BRIEF by Appellant Thilo Brown in electronic and paper format. Type of Brief: REPLY. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/09/2017. [1000077966] [16-7056] Alicia Penn
	38 pg, 206.2 KB	
05/08/2017	<input type="checkbox"/> 53	CORRECTED REPLY BRIEF (PAPER) file-stamped on behalf of Thilo Brown correcting and superseding. Number of pages [38] . Number of Copies: [4] . Entered on Docket Date: 05/15/2017. Received by clerk date: 05/09/2017. [1000081215] [16-7056] (JHM)
05/09/2017	<input type="checkbox"/> 51	CERTIFICATE OF SERVICE by Appellant Thilo Brown. Related documents: [50] Brief [16-7056] Alicia Penn
	1 pg, 11.3 KB	
05/11/2017	<input type="checkbox"/> 52	ORAL ARGUMENT heard before the Honorable Roger L. Gregory, Allyson K. Duncan and Albert Diaz. Attorneys arguing case: Mrs. Alicia Vachira Penn for Appellant Thilo Brown and William Camden Lewis for Appellee US. Courtroom Deputy: Lisa Robertson. [1000080071] [16-7056] (LER)