

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

***In Re:* United States of America**

FILED

JUN 27 2005

Plaintiff,

U.S. DISTRICT COURT
ELKINS, WV 26241

vs.

Central Violations Bureau No. F2819826, *et seq.*

Matthew G. Kahn, et al.,

Defendants.

ORDER

It appearing to the Court that a number of citations have been issued by law enforcement officer of the National Forest Service to individuals currently located in one or more of the National Forest lands within the Northern District of West Virginia alleging various violations with respect to the use of said lands, to wit:

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| Matthew G. Kahn | F2819826 |
| Edward E. Kiebler, Jr. | F2819827 |
| Andrew R. Cook | F2819828 |
| Alan J. Boyanowski | F2819829 |
| Robert D. Larson | F2819830 |
| Richard E. Smith | F2574652 |
| Jacob R. Brownsell | F2574653 |
| Ian M. Jones | F2574654 |
| Sarah E. Marton | F2574656 |
| Nancy B. Basham | F2574655 |
| Leonard P. Looney | F2741976 |
| Jenna R. Joyner | F2828683 |
| Andrew J. Weaver | F2828684 |

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| Jessica N. Healy | F148127 |
| Jim L. Webb | F148126 |
| Julia C. Cavaliere | F148128 |
| Brian R. Walker | F2819926 |
| Donald J. Lopez, Jr. | F2819927 |
| Korina L. Koper | F2819928 |
| Donald E. Kofroth | F2819929 |
| Walter J. Smith | F2819930 |
| David w. McCray | F2819931 |
| Madison D. Baumstimler | F2819932 |
| Joseph M. Stevens | F2819933 |
| Eamest Lee Gunnoe | F2819876 |
| Mark D. Coughran | F2819877 |
| Katherine M. Truax | F2819878 |
| Jeffrey J. Chipps | F2819879 |
| Michael C. Kalmbach | F2819880 |
| Nicholas T. Rockwood | F2819883 |
| Brian M. Dobias | F2819884 |
| Brooke N. Kelsey | F2819885 |
| James C. Keith, Jr. | F2592292 |
| Gregory A. Smith | F2592293 |
| Sara J. Lamb | F2592294 |
| Matthew J. Mixon | F2592295 |
| Samuel W. Christie | F2592296 |
| Kenneth J. Gilliam | F2592297 |
| Pamela J. Truax | F2592298 |

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| Wilson D. Armstrong | F2592299 |
| Rozena S. Keith | F2592300 |
| Eric J. Daniels | F148201 |
| Joshua P. Ellsworth | F148202 |
| Dylan T. Marshall | F148203 |
| Steven D. Dykes | F148204 |
| Noah C. Shull | F2828676 |
| Kenneth G. Lamb | F2828677 |
| John C. Vaughn | F2828678 |
| Teresa J. Vaughn | F2828679 |
| Jeremy S. Mintz | F2828680 |
| Sean D. Gilsworth | F2828682 |
| Betsy D. James | F2828681 |
| Amber L. Bain | F2828685 |
| Lee J. Bopp | F2828686 |
| Adam N. Chesman | F2828687 |
| John D. Maser | F2828688 |
| Thomas B. Kerins | F2828689 |
| Katherine J. Howard | F2828690 |
| Russell R. Forsyth | F2087034 |
| James G. Foster | F2087035 |
| Rachel Robletto | F2087036 |
| Glenn D. Williams | F2087037 |
| Timothy B. Cannon | F2087038 |
| John Desilva | F2087039 |
| Derek D. Benedict | F2087040 |

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| Steven E. O'Neal | F2087041 |
| Daniel J. Gou1 | F2087042 |
| Tristan M. Stevens | F2087043 |
| Christina M. Torres | F2087044 |
| Paul D. Wulff | F2087045 |
| Thomas C. Kilman | F2087046 |
| Tori M. Olsen | F2087047 |
| Eric J. Floess | F2828726 |
| Melinda S. Bartruff | F2828727 |
| Shawn T. Currier | F2828728 |
| Raquel R. Kirby | F2828729 |
| Virginia L. Gardner | F2828730 |
| Wilken D. Jones | F2828731 |
| j Michael P. Nelson | F2828732 |
| Samuel C. Hicks | F2828733 |
| .Marie H. Van Vleet | F2828734 |
| Christopher Jenkins | F2865901 |
| Amanda J. Nichols | F2865902 |
| Josh S. Davis | F2865903 |
| Tim Frasure | F2865904 |
| JessicaN. Healy | F2865905 |
| James G. Foster | F2925676 |
| Jeremy S. Mintz | F2925677 |
| Samuel W. Christie | F090576 |
| Christina M. Torres | F2865801 |
| Andrew R. Cook | F2865802 |

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| Korina L. Koper | F2865803 |
| Jeffrey C. Gross | F2713678 |
| Alex C. Curtis | F2713679 |
| Jason L. Aasted | F2713681 |
| Walter J. Smith | F2664976 |
| Derek A. Loyd | F2664977 |
| Marie H. Van Vleet | F2664978 |
| Donald E. Kofroth | F2664979 |
| Daniel J. Gould | F2664980 |
| Randall K. Gobble | F148129 |
| Ryan DePonno | F2870414 |
| Tristan M. Stevens | F2870415 |
| Robert Allen Selfidge | F2865906 |
| Joshua Patrick Kelly | F2865907 |
| Jeff O. Kiesch | F2865908 |
| Noah C. Shull | F2271663 |
| Amber M. Nonnan | F2135576 |
| Michael A. Say | F2925679 |
| Sahar A. Feldman | F2865804 |
| Mike Greer | F2865805 |
| Shawn D. Gulseth | F2865806 |
| Bobby Joe Gabbart | F2713680 |
| Levi E. Clark | F2713683 |
| ShawnP. Poirter | F2135577 |
| John A. Braham | F2925678 |
| Steven W. Bills | F2664982 |

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|-------------------------|----------|
| Jennifer L. Thigpen | F2664983 |
| Lyndsey N. Reynolds | F2664985 |
| Jason S. Foster | F3041669 |
| Kyle R. Brooks | F2828576 |
| Lynn R. Birchfield, Jr. | F2828577 |
| Daniel C. Detillier | F2828578 |
| Steven K. Hogg | F2828579 |
| Gary P. Green | F2865807 |
| Joshua M. Zier | F2865808 |
| Steven A. Michael | F2865809 |
| Susan J. Anderson | F148151 |
| Geoffrey M. Sebesta | F148152 |
| Thomas G. Feldman | F148153 |
| Agnieszka Biernat | F148154 |
| Adam P. Scaringi | F148155 |
| Anthony T. Fulton | F148156 |
| John T. Orr | F2925680 |
| Grace G. Stetts | F2664984 |
| Amanda N. Sharp | F2664986 |
| Sonia B. Flake | F2664987 |
| William M. Keating | F2664988 |
| Timothy A. Cannon | F2828527 |
| Andrew J. Weaver | F 148162 |
| Matthew J. Gresl | F2870416 |
| Mark D. Coughran | F148215 |
| Lynne M. Miesse | F148176 |

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|------------------------|----------|
| Douglas E. Miller | F2828596 |
| John T. Orr | F2866276 |
| Christine L. Baines | F2828526 |
| Steve N. Brougham, Jr. | F2866277 |

The Court has received additional information that there may be citations that have been issued in addition to those listed herein. The Court has been further advised and has personally observed in a proceeding that occurred before United States Magistrate Judge John S. Kaull on Friday, June 24, 2005, that many of the individuals who have been cited have limited means of transportation and have been located in a National Forest site for camping purposes approximately forty (40) minutes travel time from the Elkins, West Virginia, point of holding court. The Court has further been advised that Magistrate Judge John S. Kaull has located a facility, the Cranberry Mountain Nature Center, within Pocahontas County, West Virginia, and within the Northern District of West Virginia, which is relatively close to the site where most, if not all, of the named defendants are located within the National Forest, which appears to be an appropriate facility for purposes of conducting hearings on June 28, 2005, and, if necessary, July 5, 2005, between the hours of 9:00 a.m. and 5:00 p.m.

Upon consideration of all which, it is accordingly ORDERED that John S. Kaull, United States Magistrate Judge, be, and he is, hereby, authorized to utilize the Cranberry Mountain Nature Center as an off-site court for the sole purpose of conducting proceedings relative to citations issued to persons on National Forest lands which were otherwise returnable to the Elkins, West Virginia, point of holding court on June 28, 2005, and July 5, 2005. It is further ordered that said proceedings shall be conducted on the record and that all such proceedings conducted at the Cranberry Mountain Nature Center off-site court be conducted in accord with the applicable

Rules of Criminal Procedure and the Local Rules of Criminal Procedure and that the same be subject to all standing orders and local rules relating to cameras, recording devices, telephones, and other electronic communication recording devices as the same apply to proceedings in court. It is further ordered that the proceedings will be open to the press and the public subject to the Court's existing rules and subject further to such verbal and written orders as may be entered by the Magistrate Judge.

The Clerk of the United States District Court for the Northern District of West Virginia is directed to have copies of this order available for dissemination to those present and shall supply a copy of the same to the United States Attorney.

Dated: June 27th 2005

(s) _____

Robert E. Maxwell
United States District Judge