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Subject: Activity in Case 1:15-cv-00191-WES-LDA Securities and Exchange Commission v. Churchville et al Order on Motion for Miscellaneous Relief
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U.S. District Court

District of Rhode Island

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Case Name: Securities and Exchange Commission v. Churchville et al

Case Number: [1:15-cv-00191-WES-LDA](#)

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Docket Text:

TEXT ORDER granting in part and denying in part [137] MOTION to Withdraw Without Prejudice and Stay Release of Untainted Funds ("Churchville's Motion"). The Court grants Churchville's Motion (ECF No. 137) insofar as he requests the Court's consideration of his Motion to Modify the Restraining Order to Release Assets for the Defense of the Related Criminal Case (see ECF No. 46 in Cr. No. 16-068WES) in his criminal case. The Court will give him the benefit of the doubt with respect to the difficulties construing the caption. Going forward, the Court advises Churchville to draft his caption clearly with the case number of either his criminal case OR his civil case, so as to avoid this confusion. The Court DENIES Churchville's Motion insofar as it asks to stay the release of the funds identified in his motion (see ECF No. 46 in Cr. No. 16-068WES). The Court concludes that Churchville has no right under the Fifth and Sixth Amendments to the funds at issue for the reasons stated in the Receiver's Partial Objection (see generally ECF No. [139]), and thus, a stay on the release of those funds is not warranted. So Ordered by Chief Judge William E. Smith on 5/15/2019. (Jackson, Ryan)

1:15-cv-00191-WES-LDA Notice has been electronically mailed to: