

HONORABLE REGGIE B. WALTON, UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

UNITED STATES OF AMERICA : Docket No.: 07-CR-247

FEB 01 2008

vs. : SSN:

Clerk, U.S. District and
Bankruptcy Courts

MARSHALL, Dana E. : Disclosure Date: December 31, 2007

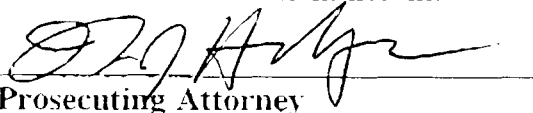
**RECEIPT AND ACKNOWLEDGMENT OF
PRESENTENCE INVESTIGATION REPORT**

This is to acknowledge that each of the undersigned has received and reviewed the Presentence Investigation Report (PSR) in the above-entitled case. The undersigned further acknowledges that:

For the Government

(CHECK APPROPRIATE BOX)

- There are no material/factual inaccuracies therein.
- There are material/factual inaccuracies in the PSI report as set forth in the attachment herein.


Prosecuting Attorney

1-7-08
Date

For the Defendant

(CHECK APPROPRIATE BOX)

- There are no material/factual inaccuracies therein.
- There are material/factual inaccuracies in the PSI report as set forth in the attachment.

Defendant	Date	Defense Counsel	Date
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NOTICE OF OBLIGATION OF THOSE EXECUTING THIS FORM

Pursuant to Local Rule 32(f)(2), those executing this form shall first submit any material inaccuracies or disputes in writing by January 14, 2008, to U.S. Probation Officer Kelly Kraemer-Soares, telephone number (202) 565-1353, fax number (202) 273-0242.

Pursuant to Rule 32(b)(6)(B), effective December 1, 1994, it shall be the responsibility of the Attorney for the Government and the Defense Counsel to provide each other with a copy of the objections at the same time the objections are filed with the probation office.

FOR THE COURT

By: Gennine A. Hagar, Chief
United States Probation Officer

Receipt and Acknowledgment

The government notes the following material/factual inaccuracies in the PSI report:

1. Cover page (Offense) and paragraphs 7 and 27 state that the charge is Conspiracy to Defraud the United States. The correct charge is Conspiracy to Commit Bribery of a Public Official.
2. Paragraph 18 contains a typo in the second to last sentence of the paragraph. It should read "The bribe was in return for Adams and Marshall delivering \$100 in cash and a carton of cigarettes to an inmate in the CDF."
3. Paragraph 23. The PSI report states that "the government advised the amount of bribes involved in this conspiracy resulted in less than \$5,000." Because this was an early plea, the government did not undertake to complete its investigation into the total dollar amount of bribes received during the course of the conspiracy and, therefore, is unable to definitively state whether the amount is more or less than \$5,000. Rather than an affirmative statement that the amount of bribes was in fact less than \$5,000, it would be more accurate to state that while there is some evidence to suggest that the total amount of the bribes may be more than \$5,000, because this was an early guilty plea, the government did not expend the resources to complete its investigation into the total dollar amount and is not alleging more than \$5,000.
4. Paragraph 46. The PSI report states that "[a]t the time of his arrest in the instant offense, the defendant lived with his wife and two daughters at 12822 Tumbling Brook Lane in Woodbridge, Virginia, a rental home." The government believes this is inaccurate. At the time of the execution of the search warrant in this case at 18070 Old Port Lane, Triangle, VA, in the early morning hours of August 28, 2007. Mr. Marshall, his wife and two daughters were all present at that address and all indications were that they were living at that address. Mr. Marshall was arrested at the time of the execution of the search warrant at 18070 Old Port Lane, Triangle, VA.

Signed by:



Thomas J. Hibarger
Assistant United States Attorney

Date: January 7, 2008