

FILED

MAY 23 2008

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

CR No. 08-134

Ever Antonio Padilla  
Defendant

CONSENT TO PROCEED BEFORE MAGISTRATE JUDGE FOR INQUIRY  
PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 11

The United States Magistrate Judge has explained to me that I am charged with a felony and that the Magistrate Judge, with my consent, may report and recommend that my plea of guilty to a felony be accepted. I hereby consent to the Magistrate Judge exercising this authority in my case.

WAIVER OF RIGHT TO TRIAL BY JURY

The Magistrate Judge has advised me of my right to trial by jury.

I HEREBY Waive (give up) my right to trial by jury: EVER PADILLA  
Defendant's signature

Consented to by the United States: Ellen Chubin Epstein  
Signature of Government Counsel

Ellen Chubin Epstein, AUSA  
Print Name and Title

REPORT AND RECOMMENDATION

On MAY 23, 2008 (date) the defendant appeared before me and expressed his/her desire to plead guilty. Having made the inquires required by Fed. R. Crim. P. 11, I am convinced that the defendant is pleading guilty voluntarily with a full awareness of the consequences and of the rights he/she is surrendering by plead of guilty. I am also certain, based on the government's proffer, that there is sufficient evidence to convince a reasonable person that the defendant is guilty beyond a reasonable doubt. I therefore recommend the acceptance of his plea of guilty.

[Signature]  
United States Magistrate Judge