

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
SENTENCING

FILED
DISTRICT COURT OF GUAM

OCT - 7 2005

MARY L.M. MORAN
CLERK OF COURT

CASE NO. CR-05-00028-002

DATE: 10/06/2005

HON. LLOYD D. GEORGE, Designated Judge, Presiding
Court Reporter: Wanda Miles
Hearing Electronically Recorded: 9:58:00 - 10:13:42

Law Clerk: None Present
Courtroom Deputy: Virginia T. Kilgore
CSO: N. Edrosa

***** APPEARANCES *****

DEFT: MAI LY WONG

ATTY: DAVID HIGHSMITH

(X) PRESENT () CUSTODY (X) BOND () P.R.

(X) PRESENT (X) RETAINED () FPD () CJA APPOINTED

U.S. ATTORNEY: KARON JOHNSON

AGENT:

U.S. PROBATION: STEVE GUILLIOT

U.S. MARSHAL: G. PEREZ

(X) COURT STATES THE APPROPRIATE BASE OFFENSE LEVELS

Base offense level: 6 Total offense level: 10 Criminal History Category: I

NO OBJECTIONS BY THE GOVERNMENT AND DEFENSE

(X) ATTORNEY FOR DEFENDANT ADDRESSES THE COURT:

Requested the Court to impose a sentence of 1 year probation and home confinement.

(X) DEFENDANT ADDRESSES THE COURT AND APOLOGIZES

(X) GOVERNMENT ADDRESSES THE COURT AND MAKES ITS RECOMMENDATION:

Government recommended probation with home detention. Government moved to dismiss the indictment in criminal case number CR-05-00013. No objection. GRANTED.

() LETTER(S) OF RECOMMENDATION RECEIVED BY THE COURT

NOTES/OTHER MATTERS:

The Court and the parties adopted the presentence investigation report.

(X) DEFENDANT SENTENCED TO PROBATION FOR A TERM OF THREE YEARS.

THE TERM OF PROBATION WILL INCLUDE THE FOLLOWING CONDITIONS:

1. DEFENDANT SHALL PARTICIPATE IN THE HOME DETENTION COMPONENT OF THE HOME CONFINEMENT PROGRAM FOR A PERIOD OF SIX MONTHS, AND ABIDE BY ALL THE REQUIREMENTS OF THE PROGRAM WHICH WILL INCLUDE ELECTRONIC MONITORING. THE DEFENDANT IS TO PAY ALL OR PART OF THE COSTS OF THE PROGRAM BASED ON HER ABILITY TO PAY AS DETERMINED BY THE PROBATION OFFICER. THE DEFENDANT IS TO BE RESTRICTED TO HER RESIDENCE AT ALL TIMES EXCEPT FOR EMPLOYMENT, EDUCATION, RELIGIOUS SERVICE, MEDICAL, SUBSTANCE ABUSE OR MENTAL HEALTH TREATMENT, ATTORNEY VISITS, COURT APPEARANCES, COURT-ORDERED OBLIGATIONS, OR OTHER ACTIVITIES AS PRE-APPROVED BY THE PROBATION OFFICER.
2. DEFENDANT SHALL NOT COMMIT ANY FEDERAL, STATE, AND LOCAL CRIMES.
3. DEFENDANT SHALL COMPLY WITH THE STANDARD CONDITIONS OF PROBATION AS SET FORTH BY THE U.S. SENTENCING COMMISSION.
4. DEFENDANT SHALL SUBMIT TO THE COLLECTION OF A DNA SAMPLE AT THE DIRECTION OF THE U.S. PROBATION OFFICE.
5. DEFENDANT SHALL NOT POSSESS A FIREARM OR OTHER DANGEROUS WEAPON.
6. DEFENDANT SHALL NOT USE OR POSSESS ILLEGAL CONTROLLED SUBSTANCES.
7. DEFENDANT SHALL REFRAIN FROM THE USE OF ANY AND ALL ALCOHOLIC BEVERAGES.
8. DEFENDANT SHALL SUBMIT TO ONE (1) URINALYSIS WITHIN 15 DAYS OF SENTENCING AND, TO TWO MORE URINALYSIS WITHIN SIXTY (60) DAYS THEREAFTER OR ANY AMOUNT OF TESTING AS DETERMINED BY THE COURT OR THE PROBATION OFFICER.
9. DEFENDANT SHALL PROVIDE THE PROBATION OFFICER ACCESS TO ANY AND ALL REQUESTED FINANCIAL INFORMATION.

IT IS FURTHER ORDERED THAT THE DEFENDANT PAY A FINE IN THE AMOUNT OF \$2,000.00 AND A SPECIAL ASSESSMENT FEE OF \$100.00 TO BE PAID IMMEDIATELY AFTER SENTENCING.

COURT STATES THE JUSTIFICATION OF SENTENCE IMPOSED. DEFENDANT ADVISED OF HER APPEAL RIGHTS.