

FILED
DISTRICT COURT OF GUAM

DEC 29 2005 *9P*

MARY L.M. MORAN
CLERK OF COURT

United States District Court

for

District of Guam

**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Mai Ly Wong**

Case Number: **CR 05-00028-001**

Name of Sentencing Judicial Officer: Designated Judge Lloyd D. George

Date of Original Sentence: October 6, 2005

Original Offense: Causing the Failure to File a Currency Transaction Report, in violation of 18 U.S.C. §2, 31 U.S.C. §§5324(a)(2) and 5322(a), and 31 C.F.R. §§103.11 & 10.22

Original Sentence: 36 month term of probation with conditions: not commit another federal, state, or local crime; not unlawfully possess a controlled substance; refrain from any unlawful use of a controlled substance and to submit to one drug test within 15 days of placement of probation and at least two periodic drug tests thereafter, or any amount determined by the Court or the Probation Officer; not possess a firearm, ammunition, destructive device, or any other dangerous weapon; cooperate in the collection of DNA as directed by the Probation Officer; comply with the standard conditions of probation; refrain from the use of any and all alcoholic beverages; participate in the home detention component of the program for a period of six months and abide by all the requirements of the program which will include electronic monitoring, pay all or part of the costs of the program based on her ability to pay as determined by the probation officer, and she 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; provide the probation officer access to any and all requested financial information; pay a \$100 special assessment fee, and a pay a \$2,000 fine.

Type of Supervision: Probation

Date Supervision: October 6, 2005

PETITIONING THE COURT

- ☐ To extend the term of supervision _____ years, for a total term _____ years.
- ☒ To modify the conditions of supervision as follows:

1. That the defendant refrain from the excessive use of alcohol and submit to random alcohol testing upon the request of the U.S. Probation Office.

ORIGINAL

CAUSE

On December 5, 2005, Ms. Wong was administered the Texas Christian University Drug Screen II to determine her drug use and affects in the past 12 months. After completing the screen, Ms. Wong scored a "0" and it was determined that she was not dependent on alcohol or any controlled substances. It is noted that the information on her presentence report indicated that Ms. Wong drank alcohol three to four times a year, which she reported was mostly none. Ms. Wong has submitted to breathalyzers and has consistently tested negative for alcohol use.

Ms. Wong has complied with the conditions of supervision since being placed on probation. She paid her \$100 special assessment fee and \$2,000 fine on October 6, 2005. She is employed as an accountant for the House of Chin Fee, a family-owned business. Ms. Wong also submits her monthly supervision reports in a timely manner, and her home confinement term will be served in 2006.

The Probation Officer respectfully requests that the Court modify Ms. Wong's special conditions, pursuant to 18 U.S.C. § 3583, to refrain from any and all use of alcoholic beverages to refrain from the excessive use of alcohol. Attached is Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, with Ms. Wong's consent to the modification.

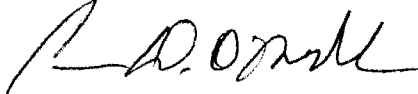
Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON

U.S. Probation Officer
Supervision Unit Leader

Date: 12/23/05

Respectfully submitted,


by: 
JUDY ANNE L. OCAMPO
U.S. Probation Officer

Date: 12/23/05

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above.
- ☒ The Modification of Conditions as Noted Above.
- ☐ Other

RECEIVED
DEC 27 2005
DISTRICT COURT OF GUAM
HAGATNA, GUAM


~~Signature of Judicial Officer~~
FRANCES TYDINGCO-GATEWOOD
Designated Judge
Date: 12/29/05

United States District Court

for

District of Guam

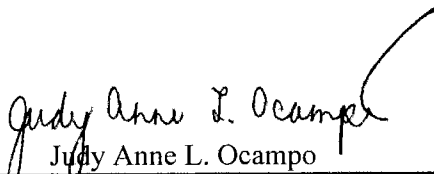
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. That the defendant's no alcohol condition be modified to reflect no excessive use of alcohol and submit to random alcohol testing upon the request of the U.S. Probation Office.

Witness:


Judy Anne L. Ocampo
U.S. Probation Officer

Signed:


Mai Ly Wong
Probationer or Supervised Releasee

12 - 19 - 05

Date