

**United States District Court  
for  
Southern District of Ohio  
Report on Offender Under Supervision**

Name of Offender: **Mark L. Rutledge**

Case Number: **3:10CR013**

Name of Sentencing Judicial Officer:

**The Honorable Walter Herbert Rice  
United States District Judge**

Date of Original Sentence:

**January 31, 2012**

Original Offense:

**Ct.1: Possession with Intent to Distribute Heroin, a Schedule I Controlled Substance, a Class C felony, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C)**

**Ct. 2: Distribution of Heroin, a Schedule I Controlled Substance, a Class C felony, in violation of 21 U.S.C. § 841 (a)(1) and (b)(1)(C)**

**Ct. 3: Possession with Intent to Distribute Cocaine, a Schedule II Controlled Substance, a Class C felony, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C)**

**Ct. 4: Unlawful Use of a Communication Facility, a Class E felony, in violation of 21 U.S.C. § 843 (b)**

Original Sentence:

**Time served on all four counts to be served concurrently; 10 years supervised release on Cts. 1-3; 1 year supervised release on Ct. 4, to be served concurrently with Cts. 1-3; Court may consider early termination of supervised release after three years based upon the defendant's compliance with conditions; serve a period of 100 hours of community service with an agency and on a schedule agreed upon by the defendant and the probation officer over the first two years of supervision; seek and maintain employment and/or be involved in a certified, verified, course of job training throughout the period of supervision; support children with a valid court ordered child support order and the United States Probation Office is to assist the defendant in entering into such an order; and pay a \$400 special assessment**

**9-19-12: Supervised release violation; continued on supervised release**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **January 31, 2012**

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## NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u>   |
|-------------------------|--|
| #1                      | <b>Mark L. Rutledge allegedly violated the mandatory condition requiring him to not commit another federal, state, or local crime. On October 29, 2012, Mark L. Rutledge was arrested for DUS 12 Point Suspension and Speeding Over 76 on Expressway. The arrest was made by the Montgomery County, Ohio Sheriff's Office.</b> |

According to the Montgomery County Sheriff's Office dispatch log, on October 29, 2012 at 7:58 p.m., Mark L. Rutledge was stopped by a deputy for speeding, 85 miles per hour in a 50 mile per hour zone. At the time of the traffic stop, it was determined Mr. Rutledge was under a 12 point suspension. The deputy arrested Mr. Rutledge and he was transported to the Montgomery County Jail. It is noted at the time of his arrest, the deputy advised this officer Mr. Rutledge possessed \$2,300 in cash. Within a couple hours of being booked into the Montgomery County Jail on October 29, 2012, Mr. Rutledge posted bail in the amount of \$1,500, 10%.

On October 30, 2012, Mr. Rutledge was charged with Speeding Over 76 on Expressway and DUS 12 Point Suspension in the Dayton Municipal Court, Case No. 2012TRD014625. On November 26, 2012, the charge of Speeding was dismissed. The charge of DUS was withdrawn due to the fact Mr. Rutledge was able to produce a valid driver's license and insurance. Mr. Rutledge also satisfied \$161 in court costs.

To Mr. Rutledge's credit, on October 30, 2012, he promptly notified this officer of his contact with law enforcement. On November 15, 2012, Mr. Rutledge advised this officer that when he was stopped, he was driving his nephew's 2003 Cadillac Deville to a repair shop. Mr. Rutledge stated he was not aware his license was under suspension. Mr. Rutledge reported the \$2,300 he possessed at the time of his arrest was grant money he received for college, and money he earned from throwing a Halloween party at a local club. This officer verified Mr. Rutledge received a \$2,775 Pell Grant for school. After tuition was paid, he was left with an overage of about \$1,500. Mr. Rutledge was instructed by this officer to obtain documentation of how he earned the remaining money. As of the date of this report, no such documentation has been received. This officer will continue to work with Mr. Rutledge in obtaining this documentation.

### **U.S. Probation Officer Action:**

Mr. Rutledge continues to be enrolled in college at Sinclair Community College. Mr. Rutledge has completed 122 community service hours with The Adam Project.

On November 15, 2012, this officer verbally admonished Mr. Rutledge for speeding and driving under suspension. Based on the above information, it is respectfully recommended that no further action be taken against Mr. Rutledge. If the Court has any questions or needs further information, this officer may be reached at 512-1473.

Respectfully submitted,  
by

*Jana A. Schulsky*

U. S. Probation Officer

Date: 12-12-12

Approved,  
by

*John J. Meek*

Supervising U. S. Probation Officer

Date: 12/12/2012

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I concur with the recommendation of the Probation Officer

Submit a Request for Modifying the Condition or Term of Supervision

Submit a Request for Warrant or Summons

*Walter J. ...*  
\_\_\_\_\_  
Signature of Judicial Officer

12-12-12  
\_\_\_\_\_  
Date