

Prob 12  
(Rev. 3/88)

**FILED**

**UNITED STATES DISTRICT COURT  
For The  
WESTERN DISTRICT OF PENNSYLVANIA**

**JUL - 9 2008**

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

**U.S.A. vs. CHARMAINE LEANICE SIMS**

**Docket No. 01-00005-001 ERIE**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Charmaine Leanice Sims, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 15th day of May 2002, who fixed the period of supervision at four years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm or destructive device.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic tests thereafter.
- The defendant shall pay to the United States a special assessment of \$100.

05-15-02: Possess With Intent to Distribute 5 Grams or More of Cocaine Base; 37 months' custody of the Bureau of Prisons, to be followed by 4 years' supervised release

05-10-05: Released to supervision; Currently supervised by Senior U. S. Probation Officer David J. Conde.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

Your Petitioner reports that the supervised releasee has violated the following conditions:

**The defendant shall not commit another federal, state, or local crime.**

**The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.**

Ms. Sims was charged on July 31, 2007, by the Pennsylvania State Police with Violation of the Controlled Substance, Drug, Device, and Cosmetic Act and Possessing Instruments of Crime. According to the police complaint, Ms. Sims was arrested after she delivered approximately 3/10 gram of crack cocaine. The defendant had been contacted by the female occupant of the home prior to the arrival of the police and was asked to deliver crack cocaine to her home. The police arrived at the residence in an attempt to arrest a jail escapee, at which time they were made aware of the impending delivery. Ms. Sims pled guilty on May 5, 2008, to Count 1: Violation of the Controlled Substance, Drug, Device, and Cosmetic Act (Possession) and Count 2: Possessing Instruments of Crime, at Erie County Court of Common Pleas, Criminal No. 2334 of 2007. On June 26, 2008, Ms. Sims was sentenced to five years' probation, consisting of one year at Count 1 and five years at Count 2, to be served concurrent to Count 1. Ms. Sims did have legal representation.

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PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom C, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on \_\_\_\_\_ at \_\_\_\_\_, to show cause why supervision should not be revoked.

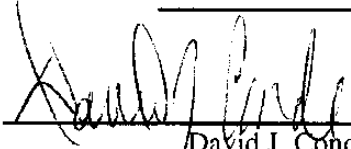
ORDER OF COURT

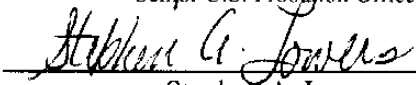
Considered and ordered this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ and ordered filed and made a part of the records in the above case.

\_\_\_\_\_  
U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed \_\_\_\_\_  
on July 9, 2008

  
\_\_\_\_\_  
David J. Conde  
Senior U.S. Probation Officer

  
\_\_\_\_\_  
Stephen A. Lowers  
Supervising U.S. Probation Officer

Place: \_\_\_\_\_  
Erie, PA.