

USDC UT Approved 06/06/00 Revised 01/20/04

**United States District Court** U.S. DISTRICT COURT  
**District of Utah**

2006 JUN -1 A 10:13

**UNITED STATES OF AMERICA**

**vs.**

**Blaine Dee Barnett**

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

BY: \_\_\_\_\_  
DEPUTY CLERK

Case Number: DUTX **105CR000102-001**

Plaintiff Attorney: **Jonathan Boyd**

Defendant Attorney: **Robert Steele**

Atty: CJA \_\_\_ Ret \_\_\_ FPD **#**

Defendant's Soc. Sec. No.: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

**05/23/2006**

Date of Imposition of Sentence

Defendant's USM No.: \_\_\_\_\_

Defendant's Residence Address: \_\_\_\_\_

Defendant's Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Country \_\_\_\_\_

Country \_\_\_\_\_

THE DEFENDANT:

pleaded guilty to count(s)

**1 and 2**

pleaded nolo contendere to count(s)  
which was accepted by the court.

was found guilty on count(s)

COP **12/13/2005** Verdict \_\_\_\_\_

**Title & Section**

**Nature of Offense**

**Count**

**Number(s)**

29 U.S.C. § 501(c)

Embezzlement of Labor Union Assets

1

29 U.S.C. § 501(c)

Embezzlement of Labor Union Assets

2

The defendant has been found not guilty on count(s) \_\_\_\_\_

Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.

**SENTENCE**

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of

**21 months**

Upon release from confinement, the defendant shall be placed on supervised release for a term of

**36 months**

The defendant is placed on Probation for a period of \_\_\_\_\_  
The defendant shall not illegally possess a controlled substance.

Defendant: Blaine Dee Barnett  
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*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

**SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION**

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant shall maintain full-time, verifiable employment or participate in academic or vocational development throughout the term of supervision, as deemed appropriate by the probation office.
2. The defendant shall provide the probation office access to all requested financial information.
3. The defendant shall participate in a mental-health treatment program under a copayment plan, or if such treatment is available through the VA, as directed by the probation office, take any mental-health medications as prescribed, and not possess or consume alcohol, nor frequent businesses where alcohol is the chief item of order, during the course of treatment or medication.
4. The defendant shall submit to the collection of a DNA sample at the direction of BOP or USPO.

**CRIMINAL MONETARY PENALTIES**

**FINE**

The defendant shall pay a fine in the amount of \$ \_\_\_\_\_, payable as follows:

- forthwith.
- in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- other:  
**No Fine Imposed**

- The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).

- The court determines that the defendant does not have the ability to pay interest and pursuant to 18 U.S.C. § 3612(f)(3), **it is ordered that:**

- The interest requirement is waived.
- The interest requirement is modified as follows:

\_\_\_\_\_

Defendant: Blaine Dee Barnett  
 Case Number: 105CR000102-001

**RESTITUTION**

The defendant shall make restitution to the following payees in the amounts listed below:

<u>Name and Address of Payee</u>	<u>Amount of Loss</u>	<u>Amount of Restitution Ordered</u>
Brotherhood of Locomotive Engineers, AFL-CIO, Division 347, P.O. Box 329, Morgan, UT 84050; Attention: Brad Morrison, Secretary- Treasurer	\$7,710	\$7,710
Fidelity and Deposit Company of Maryland 3910 Keswick Road, 4 <sup>th</sup> Floor, Baltimore, MD 21211; REF: Bond #3979500-6 / Claim #6380014312	\$10,000	\$10,000
<b>Totals:</b>	<b>\$ 17,710</b>	<b>\$ 17,710</b>

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

Restitution is payable as follows:

in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.

other:  
\$500 per month, upon release from incarceration

The defendant having been convicted of an offense described in 18 U.S.C. § 3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until \_\_\_\_\_ pursuant to 18 U.S.C. § 3664(d)(5)(not to exceed 90 days after sentencing).

An Amended Judgment in a Criminal Case will be entered after such determination

**SPECIAL ASSESSMENT**

The defendant shall pay a special assessment in the amount of \$ 200, payable as follows:

forthwith.

\_\_\_\_\_

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid

**PRESENTENCE REPORT/OBJECTIONS**

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.

Defendant: Blaine Dee Barnett  
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**DEPARTURE**

The Court does not depart.

**RECOMMENDATION**

Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:

**The Court recommends a medication evaluation of Defendant, placement in a BOP facility will full psychiatric care, and possible educational opportunities**

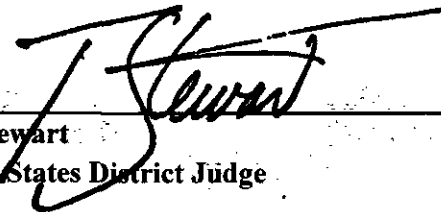
**CUSTODY/SURRENDER**

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district at \_\_\_\_\_ on \_\_\_\_\_.

The defendant shall report to the institution designated by the Bureau of Prisons by \_\_\_\_\_ Institution's local time, on \_\_\_\_\_.

DATE: 5-31-06

  
\_\_\_\_\_  
Ted Stewart  
United States District Judge

Defendant: Blaine Dee Barnett  
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**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal