

**United States District Court
Northern District of Illinois**

UNITED STATES OF AMERICA)
)
)
 v.)
)
Dianna K. Rushing)

**Case Number: 06-CR-96-1
Judge: James F. Holderman**

**Richard S. Kling, Defendant's Attorney
Mitchell A. Mars, AUSA**

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

THE DEFENDANT ENTERED A PLEA OF:

guilty to Count(s) One of the Information, which was accepted by the court.

The remaining Count(s) are dismissed.

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

<u>Title & Section</u>	<u>Description of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
29 U.S.C. 501(c)	Embezzlement of Union Funds	July 11, 2003	One

The defendant is sentenced as provided in the following pages of this judgment.

U.S. DISTRICT COURT
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FILED-2006-07-25

Dianna K. Rushing
06 CR 96-1

Page 2 of 8

PROBATION

**IT IS THE JUDGMENT OF THIS COURT THAT the defendant is hereby placed on probation for a term of
Two Years.**

The defendant is further sentenced as a condition of probation to:

Home detention:

The defendant shall participate in the home detention program without electronic monitoring for a period of SIX (6) MONTHS, to commence within thirty days of the onset of supervision. During this time, the defendant will remain at the defendant's place of residence except for employment and other activities approved in advance by the defendant's probation officer. The defendant will be subject to the standard conditions of home detention adopted for use in the Northern District of Illinois.

Home Confinement is suspended from August 2, 2006 through September 3, 2006, to allow the defendant to travel to California for her mother's birthday.

The Court waives costs of supervision and home detention.

The defendant shall report immediately to the probation office in the district in which the defendant is to be supervised, but no later than seventy-two hours after sentencing. In addition, see the attached page(s) defining the mandatory, standard and discretionary conditions of probation that apply in this case.

Dianna K. Rushing
06 CR 96-1

Page 3 of 8

MANDATORY CONDITIONS OF SUPERVISED RELEASE
(As set forth in 18 U.S.C. § 3583 and U.S.S.G. § 5D1.3)

- 1) For any offense, the defendant shall not commit another federal, state or local crime;
- 2) for any offense, the defendant shall not unlawfully possess a controlled substance;
- 3) for offenses committed on or after September 13, 1994, the defendant shall refrain from any unlawful use of a controlled substance and submit to one drug test within fifteen days of release from imprisonment and random drug tests thereafter, conducted by the U.S. Probation Office, not to exceed 104 tests per year.

The defendant shall cooperate in the collection of a DNA sample.

- 4) for a domestic violence crime committed on or after September 13, 1994, as defined in 18 U.S.C. § 3561(b) by a defendant convicted of such an offense for the first time, the defendant shall attend a rehabilitation program in accordance with 18 U.S.C. § 3583(d);
- 5) for a defendant classified as a sex offender pursuant to 18 U.S.C. § 4042(c)(4), the defendant shall comply with the reporting and registration requirements set forth in 18 U.S.C. § 3583(d);
- 6) the defendant shall cooperate in the collection of a DNA sample from the defendant if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000 and the Justice for All Act of 2004; and
- 7) The defendant shall pay any balance on the special assessment, restitution and/or fine imposed against the defendant.

STANDARD CONDITIONS OF SUPERVISED RELEASE

- 1) For any felony or other offense, the defendant shall not possess a firearm, ammunition, or destructive device as defined in 18 U.S.C. § 921;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer (travel outside the continental United States requires court authorization);
- 3) the defendant shall report to the probation officer as directed by the court or the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall provide to the probation officer access to any requested financial information including, but not limited to, tax returns, bank statements, credit card statements, credit applications, etc.;
- 6) the defendant shall support his or her dependents and meet other family responsibilities;
- 7) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 8) the defendant shall notify the probation officer ten (10) days prior to any change in residence or employment;
- 9) the defendant shall refrain from excessive use of alcohol;
- 10) the defendant shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician, and shall submit to periodic urinalysis tests as requested by the probation officer to determine the use of any controlled substance;

Dianna K. Rushing
06 CR 96-1

- 11) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 12) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 13) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 14) the defendant shall notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
- 15) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 16) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 17) if this judgment imposes a special assessment, restitution or a fine, it shall be a condition of probation or supervised release that the defendant pay any such special assessment, restitution or fine in accordance with the court's order set forth in the Criminal Monetary Penalties sheet of this judgment.

Other conditions imposed by the court:

The defendant shall continue to attend monthly Gamblers Anonymous meetings. During this time, the defendant shall remain at her place of residence except for employment and other activities approved in advance by the probation officer.

The defendant shall participate in a mental health program, at the direction of the probation office.

Dianna K. Rushing
06 CR 96-1

Page 5 of 8

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the "Schedule of Payments." Unless waived, the defendant shall pay interest on any restitution and/or fine of more than \$2,500, unless the restitution and/or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). The payment options may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

<u>Total Assessment(s)</u>	Total Fine	Restitution	<u>Mandatory Costs of Prosecution</u>
\$100.00 \$2,500.00	\$None	\$None

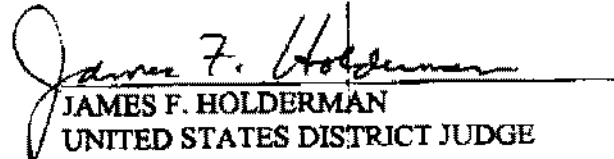
The special assessment and fine are to be paid immediately, or 10% of monthly income is to go towards payment.

The defendant shall notify the United States Attorney's Office having jurisdiction over the defendant within thirty days of any change of name, residence or mailing address until all special assessments, restitution, fines, and costs imposed by this judgment are fully paid.

The interest requirement on fine(s) is waived.

Dianna K. Rushing
06 CR 96-1

Date of Imposition of Judgment/Sentencing: July 24, 2006


JAMES F. HOLDERMAN
UNITED STATES DISTRICT JUDGE

Dated at Chicago, Illinois this 24th day of July, 2006