

USA



United States District Court

DISTRICT OF WYOMING
CHEYENNE

DISTRICT OF WYOMING

03 DEC 18 AM 10 16

CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

DOUGLAS W. RODDA

CASE NUMBER: 03CR00180-1J

Michael D. Newman
Defendant's Attorney

THE DEFENDANT: pleaded guilty to count(s) 1-3 of an Information.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
29:501(c)	Embezzlement of Union Funds	10/18/1999	1
29:439(c)	False Entries	10/18/1999	2
29:439(b)	False Statement	3/25/1999	3

The defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

Defendant's Soc. Sec. Number:

December 15, 2003
Date of Imposition of Sentence

Defendant's Date of Birth:

Defendant's USM No:

Alan B. Johnson
Signature of Judicial Officer

Defendant's mailing address:

Alan B. Johnson, U.S. District Judge
Name & Title of Judicial Officer

Defendant's residence address:

December 17, 2003
Date

02R00505
DEC 19 2003
FUP

Michael D. Newman
C. Deh/Sullivan

PROBATION

The defendant is hereby placed on probation for a term of three (3) years concurrently as to each count.

While on probation, the defendant shall not commit another Federal, state, or local crime.

While on probation, the defendant shall not illegally possess a controlled substance. Revocation of probation is mandatory for possession of a controlled substance. The Court waives the mandatory drug testing condition finding the defendant poses a low risk of future drug abuse.

While on probation, the defendant shall not use or possess a firearm, ammunition, dangerous weapons or destructive device. Probation shall be revoked for possession of a firearm.

The defendant shall make special assessment and restitution payments as ordered by the Court and is required to notify the Court, through the Probation Office, of any material change in the defendant's economic circumstances that might affect the defendant's ability to meet these monetary obligations.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth on the following page). The defendant shall also comply with the following additional conditions:

Defendant shall serve the first six (6) months on home confinement as directed by the U.S. Probation Office.

Defendant shall participate in mental health evaluation and treatment as directed by the U.S. Probation Officer.

Defendant shall fully disclose documentation relating to assets, liabilities, income and expenses as directed by the U.S. Probation Officer.

Defendant shall not incur any new debt or credit without prior permission and shall participate in credit counseling as directed by the U.S. Probation Officer.

Defendant shall refrain from any use or possession of alcohol and shall not frequent places where the principal source of income is derived from the sale of alcohol.

Defendant shall participate in a program of testing and treatment for alcohol abuse as directed by the U.S. Probation Officer.

Defendant shall not be employed in any position that involves decision making authority concerning, or custody and control of, moneys, funds, assets, or property of the employer without permission of the U.S. Probation Officer and without first disclosing the defendant's offense to the prospective employer.

Defendant shall not serve as an officer, director, trustee, or member of any executive board or similar governing body; business agent, manager, organizer, employee, or representative in any capacity of a labor organization (as defined in Title 29, United States Code, Section 402) and/or as a consultant or adviser to any labor organization.

Defendant will not serve in any capacity, other than his capacity as a member, of any labor organization that involves decision making authority concerning, or custody and control of, moneys, funds, assets, or property.

Defendant shall not serve in a position which entitles him to a share of the proceeds of, or as an officer or executive or an administrative employee of, any entity whose activities are in whole or substantial part devoted to providing goods or services to any labor organization. The defendant shall not serve as a labor relations consultant or labor adviser to a person engaged in an industry or activity affecting interstate commerce or an employee of any group or association of employers dealing with any labor organization. The defendant shall not serve in a position having specific collective bargaining authority or direct responsibility in the area of labor-management relations in any corporation or association engaged in an industry or activity affecting interstate commerce.

Defendant shall not serve as an administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee, or representative in any capacity of any employee benefit plan (as defined in Title 29, United States Code, Section 1002); as a consultant or advisor to an employee benefit plan, including but not limited to any entity whose activities are in whole or substantial part devoted to providing goods or services to any employee benefit plan.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the Court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

These conditions are in addition to any other conditions imposed by this judgment.

FINANCIAL PENALTIES

The defendant shall pay the following total financial penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>
1	\$100.00		\$1,500.00 concurrent
2	\$25.00	\$0.00	\$1,500.00 concurrent
2	\$25.00	\$0.00	\$1,500.00 concurrent
<u>Totals:</u>	\$150.00	\$0.00	\$1,500.00

FINE AND/OR RESTITUTION

The fine and/or restitution includes any costs of incarceration and/or supervision. The fine, which is due immediately, is inclusive of all penalties and interest, if applicable.

The defendant shall pay interest on any fine and/or restitution of more than \$2,500, unless the fine and/or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the below payment options are subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

The interest requirement is waived.

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

The total fine and other monetary penalties shall be due as follows:

In full immediately. Any fine balance not paid immediately or through the Inmate Financial Responsibility Program shall be paid beginning the month following release from confinement, in monthly installments of not less than \$75.