

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2002-01  
JANUARY 14, 2003 SESSION

FILED

JAN 15 2003

SAMUEL L. KAY, CLERK  
U. S. District & Bankruptcy Courts  
Southern District of West Virginia

UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:03-00017  
29 U.S.C. § 501(c)

JULIA D. MYNES

I N D I C T M E N T

The Grand Jury Charges:

1. At all relevant times, United Steelworkers Local 14614 (the "Union") was a labor organization within the meaning of 29 U.S.C. § 402(i) and (j).

2. At all relevant times, defendant JULIA D. MYNES was employed by the Union providing computer and administrative services to the Union.

3. As part of her duties, defendant JULIA D. MYNES implemented a new computer accounting and check-writing system for the Union.

4. Thereafter, defendant JULIA D. MYNES created Consulting Solutions, Inc. Defendant JULIA D. MYNES continued to be employed by and provide services to the Union through this company.

5. From in or about December 2000 through in or about January 2001, at or near South Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant JULIA D. MYNES did knowingly embezzle, steal, and

unlawfully and willfully abstract and convert to her own use approximately \$4,000.00 of the moneys, funds, and assets of a labor organization by which she was employed.

In violation of Title 29, United States Code, Section 501(c).

A True Bill.

Rebecca Tenney  
Foreperson

KASEY WARNER  
United States Attorney

By:

Karen B. George  
KAREN B. GEORGE  
Assistant United States Attorney

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

**SOUTHERN** District of **WEST VIRGINIA**

**CHARLESTON** Division

THE UNITED STATES OF AMERICA

vs.

**JULIA D. MYNES**

**INDICTMENT**

29 U.S.C. 501(c)

A true bill.

*Rebecca Tenney* Foreman

Filed in open court this \_\_\_\_\_ day,

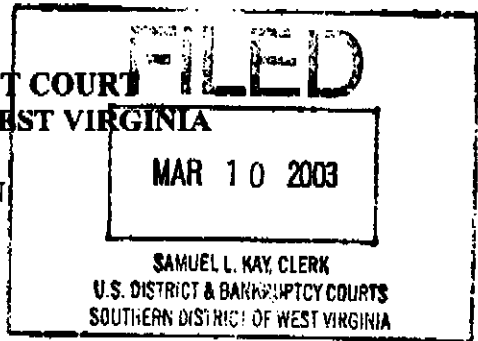
of \_\_\_\_\_ A.D. 19 \_\_\_\_\_

Clerk

Bail, \$ \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION



UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 2:03-00017

JULIA D. MYNES,

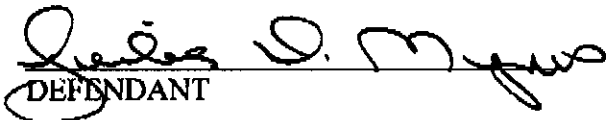
Defendant.

**WRITTEN PLEA OF GUILTY**

In the presence of George II. Lancaster, Jr., my counsel, who has fully explained the charge contained in the Indictment against me, and having received a copy of the Indictment before being called upon to plead, I hereby plead guilty to the charge contained in the Indictment.

DATE:

3-10-03

  
DEFENDANT

WITNESS:

  
COUNSEL FOR DEFENDANT

# UNITED STATES DISTRICT COURT

Southern

District of

West Virginia

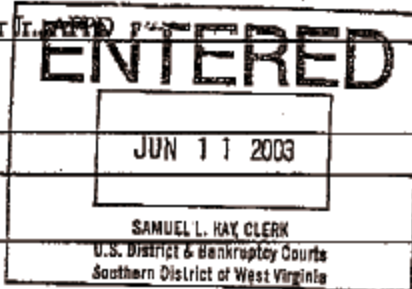
UNITED STATES OF AMERICA  
V.

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

JULIA D. MYNES

Case Number: 2:03-00017-1

George H. Lancaster Jr., ~~Attorney~~  
Defendant's Attorney



**THE DEFENDANT:**

- pleaded guilty to count(s) One of a single-count indictment
- pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.
- was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
29 U.S.C. § 501(c)	embezzlement of assets	January 2001	One

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_
- Count(s) \_\_\_\_\_  is  are dismissed on the motion of the United States.

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. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

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

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

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

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

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

SRMC \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

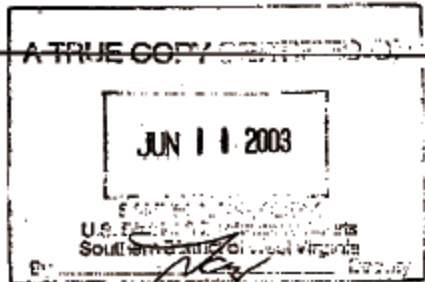
June 2, 2003

Date of Imposition of Judgment

*Joseph R. Goodwin*  
Signature of Judicial Officer

Joseph R. Goodwin, United States District Judge  
Name and Title of Judicial Officer

June 11, 2003  
Date



DEFENDANT: JULIA D. MYNES  
CASE NUMBER: 2:03-00017-1

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 6 months

The court makes the following recommendations to the Bureau of Prisons:

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 \_\_\_\_\_  a.m.  p.m. on \_\_\_\_\_

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on \_\_\_\_\_

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

**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 UNITED STATES MARSHAL

DEFENDANT: JULIA D. MYNES  
CASE NUMBER: 2:03-00017-1

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

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

The defendant shall not illegally possess a controlled substance.

*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 release from imprisonment and at least two periodic drug tests thereafter.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

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

### 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 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 ten 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 controlled substance or any paraphernalia related to any controlled 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 of 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.

DEFENDANT: JULIA D. MYNES  
CASE NUMBER: 2:03-00017-1

### ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

While on supervised release, the defendant must not commit another federal, state, or local crime, must not possess a firearm or other dangerous device, and must not unlawfully possess a controlled substance. The defendant must also comply with the standard terms and conditions of supervised release as recommended by the United States Sentencing Commission and as adopted by the United States District Court for the Southern District of West Virginia, except that the defendant shall not be required to participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the probation officer.



DEFENDANT: JULIA D. MYNES  
CASE NUMBER: 2:03-00017-1

### SPECIAL CONDITIONS OF SUPERVISION

As part of the sentence, the defendant has been ordered to pay restitution. The payment of the restitution shall be a special condition of supervised release. In connection with the payment of the restitution, the court imposes two additional special conditions of supervised release. First, the court prohibits the defendant from incurring new credit charges or opening additional lines of credit without the probation officer's approval unless the defendant is in compliance with the restitution payment schedule. Second, the court requires the defendant to provide the probation officer access to any requested financial information. Further, the defendant shall notify the court and the Attorney General of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution.

DEFENDANT: JULIA D. MYNES  
 CASE NUMBER: 2:03-00017-1

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>		<u>Fine</u>		<u>Restitution</u>
TOTALS	\$ 100.00		\$ 0.00		\$ 4,000.00

- The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
United National Bank of Dunbar, WV Attention: Wanda Monday, Regional Teller Supervisor, Re: Julia D. Mynes/ Steelworkers Local 14614 500 Virginia Street, East Charleston, WV 25301	\$4,000.00	\$4,000.00	

TOTALS	\$ 4,000.00	\$ 4,000.00
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- If applicable, restitution amount ordered pursuant to plea agreement \$ no plea agreement
- The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine 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 payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- x The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
  - x the interest requirement is waived for the  fine and/or x restitution.
  - the interest requirement for the  fine and/or  restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: JULIA D. MYNES  
CASE NUMBER: 2:03-00017-1

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A  Lump sum payment of \$ 100.00 due immediately, balance due
  - not later than \_\_\_\_\_, or
  - in accordance with  C,  D, or  E below; or
- B  Payment to begin immediately (may be combined with  C,  D, or  E below); or
- C  Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E  Special instructions regarding the payment of criminal monetary penalties:

The \$100 special assessment shall be due immediately. If the defendant can access her state retirement fund, the \$4000 restitution shall be due immediately upon the defendant's commencement of supervised release. If those funds are unavailable, the defendant shall make payments of \$112 per month beginning on the 15<sup>th</sup> day after her release on supervised release and continuing monthly until paid in full. If payments are necessary, the payments shall be made to the Clerk, United States District Court, P. O. Box 2546, Charleston, WV 25301.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.