

FILED

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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CLERK OF COURT
TAMPA, FLORIDA

UNITED STATES OF AMERICA

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

CASE NUMBER: 8:03-CR-108-T-17MAP

vs.

ANIBAL ROLDAN

Defendant's Attorney: AFPD Dionja Dyer

THE DEFENDANT:

XX pleaded guilty to count(s) one of the information.

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-USC:501	Embezzlement from a Labor Organization	April 5, 2002	One

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 and the Mandatory Victims Restitution Act of 1996.

IT IS FURTHER 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:

Date of Imposition of Sentence: August 8, 2003

Defendant's USM No.: Unknown

Defendant's Mailing Address:

Defendant's Residence Address: Same


ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE

DATE: August 8, 2003

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PROBATION

The defendant is hereby placed on probation for a term of **THREE (3) YEARS** as to count one of the Information. The defendant shall report immediately to the United States Probation Office at 501 East Polk Street, Suite 900, Tampa, Florida.

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 placement on probation and at least two periodic drug tests thereafter.

XX 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 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 instruction 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 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

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PROBATION

The defendant shall also comply with the following additional conditions of probation:

- XX The defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, acquisitions or obligating himself for any new major purchases without approval of the probation officer.
- XX The defendant shall provide the probation officer access to any requested financial information.
- XX The defendant shall refrain from engaging in any employment related to the handling of money or access to money accounts.

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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>Total Restitution</u>
Totals:	\$100.00	\$Waived	\$14,684.28

— 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 of 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>
Zurich North America, Surety & Financial Claims 3910 Keenwick Road, 5th Floor (21211) P.O. Box 17069 Baltimore, MD 21297-1069		\$10,000.00	
Bakery, Confectionary, Tobacco Workers, Local Union 361, c/o BCTW Local 103 5634 S. Orange Avenue Orlando, FL 32809		\$ 4,684.28	
Totals:	\$	\$14,684.28	

— If applicable, restitution amount ordered pursuant to 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).

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

— the interest requirement is waived for the ___ fine and/or ___ 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.

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SCHEDULE OF PAYMENTS

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

- A. XX Lump sum payment of \$ 100.00 for special assessment due immediately.
 ___ not later than _____, or
 ___ in accordance with ___ C, ___ D, or ___ E below; or
- B. ___ You are hereby ordered to begin payment immediately and continue to make payments to the best of your ability until this obligation is satisfied. If in custody you are directed to participate in the Bureau of Prisons Financial Responsibility Program if eligible, and upon your release from custody you shall adhere to a payment schedule as determined by the Probation Office.
- C. XX The defendant shall begin making payments of ONE HUNDRED AND NO/100 DOLLARS (\$100.00) per month, and this payment schedule shall continue unless the victim, the government, or the defendant notifies the Court of a material change in the defendant's ability to pay and the Court modifies the schedule.
- D. ___ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____, (e.g., months or years) to commence ___ after release from imprisonment to a term of supervision; or
- E. ___ Special instructions regarding the payment of criminal monetary penalties:

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.