

FILED



11:44 am, 7/5/22

Margaret Botkins
Clerk of Court

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

CRIMINAL MINUTE SHEET

SENTENCING

Date: July 5, 2022 Before the Honorable: Alan B. Johnson

Time: 9:38 a.m. - 11:28 a.m. Interpreter: none

Case No: 21-CR-138-2F Interpreter Phone: N/A

☐ Non-Public Document

UNITED STATES OF AMERICA VS JOHN ELDON RIMMASCH

Abby Logan
ClerkMelanie Sonntag
ReporterKristen Simmer
Probation OfficerJon Goodman
Marshal**APPEARANCES**

Government: Stephanie Sprecher, Richard Baird

☐ CJA ☐ FPD ☒ RET ☐ WAIVED Defendant: Henry F. Bailey, Jr., Andrew Bailey

Other: _____

☒ Defendant acknowledges having read the presentence report☒ Objections to presentence report☐ Court DENIES objections to PSR☐ Court GRANTS objections to PSR☒ Witness(es) (spoke but not sworn) Darrell Hollon☐ Exhibits received by Court**SENTENCING INFORMATION**☒ Defendant is committed to custody

For a period of 30 Months as to Count(s) 1,2,3,4,5+

☒ Sentence shall be served concurrent to each count☐ Defendant is sentenced to time served☐ Plus up to ten (10) days to allow for deportation proceedings☒ Upon release from custody, the defendant shall be on supervised release

For a period of 3 Years as to Count(s) 1,2,3,4,5+

☒ Supervised Release shall be served concurrent to each count _____

☐ Defendant to be deported upon release from confinement

☐ Defendant is placed on **probation** for a period of _____

CONDITIONS OF PROBATION/SUPERVISED RELEASE

- | | |
|---|---|
| <input checked="" type="checkbox"/> Obey all laws, Federal, State & Local | <input checked="" type="checkbox"/> Report to Probation w/in 72 hours of release |
| <input type="checkbox"/> Abide by the standard conditions of supervision | <input checked="" type="checkbox"/> Provide complete financial disclosure as directed |
| <input type="checkbox"/> Home confinement for a period of _____ | <input type="checkbox"/> Electronic monitoring as directed by Probation |
| <input type="checkbox"/> Not use or possess firearms/ammunitions/explosives | <input type="checkbox"/> Not use or possess controlled substances/drugs |
| <input type="checkbox"/> Not purchase, use or possess alcohol/intoxicants; frequent places where alcohol is bought, sold or dispensed | <input checked="" type="checkbox"/> Not open new lines of credit or incur new debt |
| <input type="checkbox"/> Submit to mandatory drug testing (w/in 15 days of release) | <input checked="" type="checkbox"/> Submit to additional drug/alcohol testing and treatment |
| <input type="checkbox"/> Notify Probation of change in economic circumstance | <input checked="" type="checkbox"/> Mandatory drug testing is waived |
| <input type="checkbox"/> Notify employers of conviction | <input checked="" type="checkbox"/> DNA collection |
| <input type="checkbox"/> Standard Sex Offender Conditions Apply | <input checked="" type="checkbox"/> Cognitive/Behavioral Treatment |
| <input type="checkbox"/> Mental Health evaluation and follow through | <input checked="" type="checkbox"/> Submit to search as conducted by US Probation Officer |
| <input checked="" type="checkbox"/> Other (continued from conditions of Probation/Supervised Release) | |

The defendant shall apply the full amount of any annual federal and/or state income tax refund toward payment of any monetary obligations. In addition, if the defendant receives substantial resources (over \$500) from any source, including but not limited to inheritance, gift, liquidation of assets, settlement, or other judgment, during a period of supervision, the defendant shall be required to apply the value of such resources to any restitution or other monetary obligations still owed. Regardless of any lump sum payments made from any source, minimum monthly payments shall continue to be made during the period of supervision. At the direction of the U.S. Probation Officer, the defendant shall execute a voluntary wage assignment with any employer for the payment of outstanding monetary obligations.

The defendant shall complete 100 hours of community service at one or more non-profit or charitable organizations approved in advance by his supervising officer. The defendant shall begin his community service hours no later than 30 days following sentencing or his release from custody, and he shall complete no fewer than 10 hours per month, until complete.

The defendant shall not participate in any commercial or residential remodel or construction without first obtaining proper and legal inspections for asbestos or any other hazardous material and shall comply with any and all applicable state and federal laws related to the remodel or construction.

The defendant shall have no contact, direct or indirect, with the victims.

MONETARY IMPOSITIONS

☒ Defendant shall pay **special assessment(s)** in the amount of \$100.00 as to Count(s) 1,2,3,4,5,6
 For a total of: \$600.00

☒ Special assessment is due and payable immediately

☒ Special assessment shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision

☒ Special assessment shall be paid in monthly installments of at least 10% of his gross monthly income during the term of supervision

☐ Special assessment remitted upon deportation of the defendant

☐ Other _____

☒ Defendant shall make **restitution** in the amount of \$7,428.64 as to Count(s) 5
 For a **total** of: \$7,428.64

☒ Restitution is due and payable immediately

☒ Restitution shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of the supervision but no later than 60 days prior to the expiration of supervision

☒ Restitution shall be paid in monthly installments of at least 10% of his gross monthly income during the term of supervision

☐ Restitution shall be paid jointly and severally with _____ during the term of supervision

☒ Other Restitution on all other counts will be held open for a period of 90 days

☐ Interest requirement for fine/restitution/special assessment is waived

INMATE DETENTION STATUS

☐ Defendant is **remanded** to custody of US Marshal

☐ Defendant shall **surrender** to _____ USMS on/before _____ at _____

☒ Defendant shall **surrender** to designated prison on/before 9/6/22 at 1:30 PM

☐ Defendant shall report to institution as directed by Probation

☒ Court **recommends placement** at _____ a facility as close as possible to his family

☐ Court recommends defendant participate in the prison industries program

☐ Court recommends defendant participate in Bureau of Prison's 500-hour Residential Drug Treatment Program

☐ Court recommends defendant participate in substance abuse treatment while incarcerated

☐ Court recommends ICE shall begin deportation proceeding during the service of this sentence

☒ Defendant advised of right to appeal

☐ Defendant waives right to appeal

☒ Defendant shall forfeit the following property the defendant's interest in all property set forth in the Preliminary Order on Forfeiture in this matter is forfeited

☐ Count(s) _____ of the Indictment **dismissed** on the motion of the United States

☐ Other _____

MISCELLANEOUS