

Exhibit J

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA, }
Plaintiff, } Case No. 18 CR 215-1
vs. }
JAMAR LEWIS, } Chicago, Illinois
Defendant. } November 6, 2019

VOLUME 2
TRANSCRIPT OF PROCEEDINGS - Sentencing
BEFORE THE HONORABLE ELAINE E. BUCKLO

APPEARANCES:

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(Proceedings heard in open court:)

THE CLERK: 18 CR 215, USA versus Jamar Lewis, for sentencing.

MR. VANDENBERG: Good morning, your Honor.

Cornelius Vandenberg on behalf of the United States. My apologies.

THE COURT: Good morning.

MR. HIMEL: Good morning, your Honor. My name is Frank Himmel, H-i-m-e-l. I represent Jamar Lewis. He is also before the court.

THE COURT: Good morning.

Okay. This was reset until today.

MR. VANDENBERG: Yes, your Honor. I mistakenly calendared it for 11:30. My apologies.

THE COURT: Okay. Somebody said you called and you said, what sentencing? So I thought maybe you didn't realize it was today, but, okay.

All right. We continued -- you can all -- well, I guess we continued this because I felt like I needed to look more at this proposed enhancement of -- on the gun and being in the proximity of, in this case, I guess drug proceeds. I looked at some of the cases, and I looked at this, and I decided that, I mean, the government certainly makes a legal case, and, depending on the facts, a factual case for why it would be appropriate. But I actually don't think that I

1 could do this without having more information, and I don't
2 think it's going to make a difference, so I'm not going to
3 give it. There is no -- it really isn't worth everybody's
4 time and probably then an appeal of it.

5 That doesn't mean that I can't take into account
6 the fact that there is a gun under -- that was there under
7 3553, I think. So that's what I'm going to do with it. So
8 maybe we didn't need to come back. I'm sorry, I just hadn't
9 realized there was an issue last time.

10 Okay. I think, then -- first of all, let's make
11 sure that we -- so it is, as I think as the probation had put
12 it, which is an offense level of 29, Criminal History
13 Category 3; is that right?

14 MR. VANDENBERG: That's correct, your Honor.

15 THE COURT: Okay. Then unless there are any other
16 issues on the pre-sentence report, I will listen to the
17 government, and then you can respond. Is there any other
18 issue?

19 MR. HIMEL: No other issues, your Honor.

20 THE COURT: Okay. Go ahead.

21 MR. VANDENBERG: Your Honor, in that case, the
22 sentencing guideline range is 108 to 135 months. The
23 government would request a sentence in that guideline range.

24 THE COURT: Okay. Wait a minute. Is that correct?
25 Because that's actually not what probation has -- they have

1 120 to 135.

2 MR. VANDENBERG: Well, because there is a mandatory
3 minimum sentence of 120 here.

4 THE COURT: Oh, okay.

5 MR. VANDENBERG: So, yes, the effective guideline
6 range, then, becomes 120 to 135.

7 THE COURT: All right. Yes, of course.

8 MR. VANDENBERG: Yes, your Honor. The government
9 does think that that range is appropriate here.

10 I'd like to begin by addressing the seriousness of
11 the crimes. The defendant was the primary target of a
12 federal narcotics investigation. The defendant was a drug
13 dealer who trafficked in heroin, by his own admission, for
14 two years prior to his arrest in this case. In this case
15 alone, the defendant trafficked over a kilogram of fentanyl
16 and heroin. Defendant personally mixed the heroin and
17 fentanyl, calling his girlfriend when he was doing it, to
18 tell her how the mixing was getting him high. He roped his
19 girlfriend into the case, directing her to go pick up the 1.2
20 kilograms of heroin and deliver it to the defendant for his
21 deal.

22 The defendant also distributed crack cocaine. He
23 dealt 28 grams of crack cocaine to another federal defendant
24 who has been charged in a separate case as part of a covert
25 parking lot transaction. When arrested, that customer told

1 law enforcement that the defendant had been providing crack
2 cocaine to him on a regular basis for four months.

3 These drugs that the defendant delivered are all
4 incredibly serious and potentially deadly. Heroin is at the
5 center of an opioid crisis facing our country and our
6 community, and fentanyl is even worse. It's 80 to 100 times
7 stronger than morphine. And when it's used interchangeably
8 with heroin, as it was in this case, it creates a strong
9 probability of a fatal overdose, since the drug users don't
10 know how strong the drug is that they are buying.

11 In addition to all of his drug dealing, the
12 defendant, a previously convicted felon for multiple
13 offenses, which I'll get to in a minute, kept a gun in his
14 apartment in violation of the law. Not only did the
15 defendant possess -- not only did the defendant, a drug
16 dealer, possess that firearm, he possessed one with a defaced
17 serial number, a feature designed chiefly to make weapons
18 untraceable when used in a shooting or other means. And he
19 kept that firearm fully loaded. And, again, the possession
20 of that firearm is not entered into in any way of the
21 guideline range, per your Honor's ruling, but we ask that you
22 consider it as a 3553 factor even more because it's not
23 reflected in that guideline range. These are serious actions
24 that do not warrant any departure -- downward departure from
25 the sentencing guidelines.

1 The defendant presents, as mitigation, his argument
2 that the defendant provided substantial assistance to the
3 government.

4 THE COURT: Yeah, I wanted to hear that.

5 MR. VANDENBERG: The defendant is not a government
6 cooperator, as he stands here today. He has not testified in
7 any case. He does not have a plea agreement with a 5K
8 departure. The government disagrees with the defendant's
9 assertion that his cooperation led to the guilty pleas of
10 other federal defendants. The government did not inform any
11 federal defendant in this case, or any other, that the
12 defendant was meeting with the government. The defendant is
13 correct when he states the defendant met with the government
14 in a proffer-protected setting and did provide information
15 about his suppliers and customers. Now, typically the
16 government would not go into the substance of the defendant's
17 statements during those proffers. However, given the
18 defendant's sentencing arguments and the fact that they rely
19 primarily on these meetings, we do feel obligated to share
20 other statements made by the defendant during the course of
21 these meetings with the court to provide context for the
22 defendant's argument.

23 Specifically, the defendant admitted that he began
24 dealing kilograms of cocaine in 2015. That in 2015, he dealt
25 one to two kilograms of cocaine every month to

1 month-and-a-half. That from 2016 to 2018, approximately
2 every month he dealt three to four kilograms of heroin and
3 two to three kilograms of cocaine. In total, he talked about
4 distributing approximately 108 to 144 kilograms of heroin and
5 80 to 132 kilograms of cocaine.

6 Now, pursuant to 1B1.8, we are not arguing that his
7 guidelines range should be increased according to these
8 amounts. We are still making the same recommendation of 108
9 to 135 months that we made before the defendant filed his
10 sentencing memorandum, relying primarily on his ostensible
11 cooperation. We provide this information solely to place the
12 defendant's sentencing arguments in context with the court.

13 I'd like to next address the history and
14 characteristics of the defendant. The defendant is a
15 37-year-old man that has never held regular employment. He
16 has supported himself by dealing drugs. He has six prior
17 felony convictions, including four narcotics-based
18 convictions, an aggravated unlawful use of a firearm
19 conviction, and an attempted battery conviction. He also has
20 42 minor traffic citations and eight convictions for
21 driving-related offenses. None of those are baked into the
22 defendant's criminal history or guideline range, and we
23 typically wouldn't bring up such minor offenses, except for
24 the sheer volume of offenses in this case.

25 A guideline sentence here would serve the needs of

1 deterrence and protection. Obviously the community needs to
2 be protected from this defendant's drug dealing, which is
3 extensive.

4 With regards to specific deterrence, the
5 defendant's previous convictions for narcotics and other
6 felonies, including two convictions resulting in
7 incarceration, have been insufficient to deter the defendant
8 from taking the actions in this case. More generally, the
9 drug dealers -- drug dealers engage in this conduct because
10 the cash reward outweighs the risk of a prison sentence.
11 Guideline sentences in this and similar cases send a message
12 that the risks they take are real, that those risks are not
13 worth the money they are paid and can act to deter these
14 actions and make it more difficult for drug traffickers to
15 bring drugs into our community.

16 For all those reasons, the government seeks an
17 effective guideline sentence of 120 to 135 months
18 imprisonment.

19 THE COURT: Thank you. Go ahead.

20 MR. HIMEL: Just as a general statement, the
21 government's arguments seem tailored to design against a
22 sentence not within the guidelines. We didn't ask for a
23 sentence not within the guidelines, we're asking for a
24 sentence squarely within the guidelines. You heard that the
25 guideline range was -- would be 108 to 135, absent the

1 ten-year mandatory minimum. So the 120 lands him squarely in
2 the middle of the guideline range, or in the case of someone
3 with the mandatory minimum, it falls at the bottom of the
4 guideline range, which is a totally appropriate sentence for
5 someone that, A, accepted responsibility, pled guilty within
6 a timely manner, and cooperated with the government.

7 I take offense to the argument that somehow asking
8 for leniency because of the failed cooperation should lead to
9 a request for increased punishment, which seems to be the
10 reasoning of the government's arguments. Well, when he sat
11 down with us on those numerous times that are laid out in
12 your sentencing paper, when he sat down with us during all
13 those times that we wanted information from us, you know
14 what, Judge? He was complete with us. He was truthful with
15 us. He didn't try to tell us that the only dope you caught
16 me with was the only dope I ever move. No, he was what you
17 want him to be. He was what Mr. Vandenberg wanted him to be.
18 He was complete. He was truthful. They don't come to court
19 and say, you know, Judge, the reason why he didn't get a 5K
20 was because we didn't find the information complete and
21 truthful. They come to court and say, you should give him an
22 increased punishment because he -- because we didn't give him
23 a 5K, he could have got 108 months, if we would have just
24 given him the 5K, but we didn't give it to him. And since
25 you decide you want to bring it up to the court that he told

1 us all this stuff, we used all this information or had use
2 for this information, now we want to increase punishment
3 because he told us about additional drug amounts, and that
4 should somehow justify. That type of reasoning turns this
5 building on its head, absolutely on its head. He should be
6 punished because he was complete with them. You would look
7 at him with a jaundiced eye if you heard tale of Mr. --
8 who -- the part of the plea, part of the facts you just heard
9 was he admitted to ongoing drug sales over a period of years.
10 He admitted it.

11 THE COURT: Honestly, I'm not concerned with that
12 here today as I am concerned with what he did. And the
13 fentanyl, and drawing his girlfriend into it.

14 MR. HIMEL: Those are valid concerns. And the
15 fentanyl, it's something, when we're talking about a sentence
16 within the guidelines or outside the guidelines, think about
17 what the guideline range did to -- on the basis of it was
18 fentanyl. The guideline range doubled the quantity of the
19 drugs. He was -- the amount of the drugs was heroin. One
20 kilogram. But since it was -- since it was -- had fentanyl
21 in there, for purposes of the guideline, it was increased
22 double. So the guidelines took that into consideration that
23 it was fentanyl, and it actually increased the drug amounts
24 score by two points. So that's something that the guidelines
25 took into consideration.

1 The part about his girlfriend, that's -- that's
2 certainly unfortunate. But -- and I left that out of there.
3 But I could have also put in the fact that, not only did
4 Mr. Lewis' cooperation lead to the guilty plea of Jerome
5 McCullough, this -- the government says that that's not what
6 happened. And it transformed right before your very eyes.
7 We were in court, the case was set for trial, Jerome
8 McCullough was telling, he wanted to go to trial, he wanted
9 to go to trial. I told the court, you said: Is that trial
10 date good? I said: We have no intention of going to trial.
11 We have no intention of going to trial. And Jerome
12 McCullough knew because -- because I told his lawyer, he is
13 cooperating, he is pleading guilty. Go ahead, you're at your
14 own risk. And so the guy tucked tail, he pleads guilty right
15 in front your very eyes. I can't even believe the government
16 would take a position that Jerome McCullough wasn't set for
17 trial, and then he found out that this man was going to
18 cooperate against him, then the next day he called in for a
19 change of plea. It was almost like -- it was almost
20 immediate, the reaction, the domino effect, as I said.

21 I can't recall a time in this building where I
22 represented someone and they agreed to cooperate and on the
23 basis that the person that they were cooperating against
24 pleaded guilty that that didn't result in a 5K. Now,
25 sometimes the fact that getting on the witness stand might

1 make a difference between you got 33 percent off from the
2 guideline range, if he agrees to testify, and then if he
3 actually got on the witness stand and put himself at such
4 great risk, then maybe he could get a 50 percent off. I've
5 lived through that. I've witnessed that. But I haven't
6 heard where you're denied a 5K because the person who you
7 were cooperating against decided to plead guilty. So that
8 was one.

9 The other one was Dealbert Johnson in an unrelated
10 case. I know exactly, again, for a fact, I don't see how the
11 government takes a position. They certainly can't take a
12 position that they called Jamar Lewis in specifically to
13 hammer out the statement of facts for Dealbert Johnson.

14 So the same thing happened with Ms. Mayfield. He
15 was got her involved, but then she is pleading guilty because
16 where is she going to go? So I can't say he didn't get her
17 involved with it. I can't also say she wasn't predisposed to
18 it. But at the same time, he caused all these -- these
19 dominoes to tumble. So they all pled guilty. No one went to
20 trial on the sole basis of Jamar Lewis.

21 And so for that I ask for a middle-of-the-road
22 guideline sentence on a -- where I just don't see how
23 that's -- that's inappropriate. A ten-year sentence in this
24 case certainly does not at all deprecate the seriousness of
25 what Jamar Lewis did. And so the difference between 120 and

1 135, the only difference between those two numbers is just
2 punitive. And I don't -- I don't think that that's what the
3 guidelines is all about. I don't think that's what it's all
4 about. It's almost inconsequential difference only just to
5 say it's punitive. A man pleads guilty, accepts
6 responsibility, attempts to cooperate with the government, is
7 complete and truthful in his recitation to the government on
8 repeated, repeated meetings, and for that he should get a
9 high end of the guideline sentence? I just don't think that
10 that's fair.

11 So for all those reasons, 120 months is certainly
12 not a slap in the face to justice. That's a long sentence.
13 It takes into effect all those negative things that the court
14 brought out. That he was transporting fentanyl, that he got
15 his girlfriend involved. And so that ten years is going to
16 impact his life, a number of people's lives before him. And
17 just to extend him to the top of the guidelines when out of
18 spite, I don't know, and I don't think that that's fair. And
19 so my request is for a reasonable sentence, and a reasonable
20 sentence in this case is 120 months.

21 THE COURT: Do you want to speak?

22 THE DEFENDANT: Yes, I want to speak, but I'm
23 actually just super nervous. But I'm not good at speaking in
24 front of people. But I wrote a letter, though. So if you
25 would let me read it, if you don't mind.

1 THE COURT: Go ahead.

2 THE DEFENDANT: I'm actually nervous, but. Your
3 Honor, I would like to show my appreciation and thank the
4 court and yourself for giving me the opportunity to address
5 and express myself personally. I am very grateful for this
6 chance to tell you a bit about myself and where I come from
7 and some of the things I've experienced in my life, both
8 positive and negative that I feel the impact on my life.

9 I don't wish to makes excuses for the mistakes I've
10 made or justify the horrible decisions I made in the past. I
11 meant to accept full responsibility for my actions and to let
12 you know, your Honor, that I'm truly and sincerely
13 remorseful. I regret a lot of decisions I made in my life,
14 not only because I find myself in prison, but due to the
15 stress and the pain that I brought upon my family. I never
16 knew how bad the decisions I was making would hurt the ones I
17 love the most.

18 My children are my world, and I have now forced
19 them in a situation where they no longer have me to turn to
20 in their everyday life. I, myself, growing up without a
21 father or any positive male role model know the effects it
22 can have on a child. And that's one of the biggest fears of
23 my life, growing up without my kids. That's one of the
24 biggest fears.

25 I realize now that the decisions I made in life not

1 only affect me but impacts the ones I cherish the most in
2 life. Now and in the future, I will always take that in mind
3 when encountered by any negativity that's put in front of me.
4 I failed everyone close to me that depended on me so much,
5 knowing the struggle that I left them in.

6 Although the things I did were wrong, growing up in
7 the environment I was in, I had no one to show me the right
8 way. No one told me how to be a man, how to have a good,
9 honest work ethic and struggle a bit to get ahead in life.
10 Instead, I followed the negative role models I found in the
11 neighborhood that never cared about me and told me the quick
12 and dishonest way that hurts many people.

13 Through the negativity, I tried to do something
14 positive for my family, but, honestly, now I know that I took
15 the wrong path. The fast way is never the easy way. It's
16 not worth your life and the wellness of your family. I want
17 to learn to walk as a man and be able to hold my head high
18 and not be ashamed of the way I live. To be able to provide
19 for my family the honest way and to teach my children how to
20 push toward success in a positive way and install the values
21 of hard work ethic and dedication that I didn't have growing
22 up.

23 I really wish to apologize to my children most. I
24 have an 11-year-old daughter and a nine-year-old son and
25 daughter that are twins, and they mean the world to me, as I

1 do to them. It wasn't until I had kids that I really started
2 to see what life is truly about. I've been with my kids
3 nearly every day since they were born. This situation that I
4 got myself in has hurt them the most, and I now feel like a
5 complete failure.

6 I grew up without a father, so I know what it's
7 like growing up without one. I just know that I failed them,
8 and that hurts -- and that hurt will never go away. Not
9 being able to motivate them and guide them in a positive
10 direction can only put them at a disadvantage, and I only
11 have myself to blame for that.

12 After I pay my debt to society and reunite with
13 them, I plan to devote myself to them again to give them the
14 personal attention that they have gotten accustomed to.

15 Also, to my mother, I wish to apologize for leaving
16 her at a time when she needed me the most. Shortly after my
17 incarceration, she suffered a major stroke, and I wasn't
18 there to take care of her and give her the support that she
19 needed. That may never -- I may never forgive myself for
20 that either. After my brother was killed when I was young,
21 it was only me and her, and she struggled to get through it,
22 but she still managed to take care of me the best she could.
23 And now that this is my time, I owe it to her to be there and
24 support her in every way. But due to the foolishness of the
25 way I chose to live my life, my mother that I love dearly

1 became a victim in my horrible decisionmaking.

2 To my family, I want to thank them for their
3 support and not giving up on me now that I am down. To my
4 younger family members, I pray that you can see and learn
5 from my actions and the mistakes that I've made and stay on
6 the positive track and don't allow peer pressure or the lure
7 of easy money to misguide you, as it did me. Nothing in this
8 life worthwhile comes easy, but with good work and
9 dedication, success can be achieved.

10 And, your Honor, I also would like to ask, if
11 possible, if you can consider or recommend placement at Milan
12 Prison. I've read of some of the programs they have and to
13 offer. They have help, and I really feel that I can benefit
14 from what they have to offer. I have been interested in real
15 estate and also wish to one day own my own home. And they
16 have HVAC and a plumbing, electrician, carpentry program, and
17 I believe it can help me succeed in some of the future goals
18 that I set for myself upon my release. They also have an
19 automotive course which would interest me, seeing that the
20 only job I've had was selling cars. Also, if I take a career
21 in one of these fields, I feel I can be able to provide for
22 my family and learn every day and teach my son to work and do
23 the things a man should be able to do for his household.

24 Again, I would like to thank you, your Honor, for
25 your time and the opportunity to express myself to you and to

1 my family. Thank you.

2 MR. VANDENBERG: Your Honor, may the government
3 respond?

4 THE COURT: Yes.

5 MR. VANDENBERG: Just two points. First of all,
6 for the record, the government wants to make very clear that
7 we are not arguing for any type of increased sentence based
8 on the defendant's meeting with the government. I tried to
9 make that clear. Defense argued that. I just want that to
10 be on the record.

11 I also want to make clear that this defendant,
12 again, was not cooperating against any of those other federal
13 defendants. He was never told that he would be asked to
14 provide testimony against any of these other defendants.
15 None of those federal defendants were told that he was going
16 to cooperate or testify against any of them. And as your
17 Honor is probably aware, it would be highly unusual for our
18 office to take a supplier and primary target of an
19 investigation and get them to testify against their customers
20 and their girlfriend.

21 THE COURT: It has happened.

22 MR. VANDENBERG: It did not in this case. And
23 there is no representations made to that effect. That's --
24 those are the only things I wanted to clarify, your Honor.

25 THE COURT: I want to see something here. Okay.

1 All right. Well, we start with guideline
2 provision. I guess it would be 108 to 135, except that there
3 is a minimum sentence of 120 months that I must impose. But
4 it's an offense level of 29, Criminal History Category 3.

5 The nature and circumstances of the offense. Gee,
6 I mean, it -- it is certainly serious. Heroin and fentanyl,
7 I mean, at least my understanding of it is that, yes, indeed,
8 there is a likelihood that it could easily kill somebody. It
9 apparently has, not maybe in this case, but in -- it's a
10 terrible -- I mean, they're both bad drugs, from what I can
11 understand, and together, I don't really understand how
12 somebody could decide to do that.

13 The circumstances of the offense. Well, I already
14 brought up that I thought in this particular offense, on top
15 of it, you know, he brought his girlfriend into it and
16 others. And he was a major -- he was the person who was
17 mostly involved.

18 Okay. History and characteristics. There is a
19 history here. I mean, Criminal History Category of 3. He
20 has had other opportunities, you've had other opportunities
21 where you could have changed your life, and so far you have
22 not. It's really hard to see much here that is mitigating,
23 other than that you did decide to, you know, to talk to the
24 government in this case.

25 The need for this -- and there is -- do I remember

1 right that there was actually a lot of cash found?

2 MR. VANDENBERG: He admitted to \$180,000, I
3 believe, in proceeds. He also admitted to the forfeiture
4 of --

5 THE COURT: What was found in his apartment?

6 MR. VANDENBERG: What was found in his apartment?

7 THE COURT: Wasn't it quite a bit, I mean, that
8 was --

9 MR. VANDENBERG: Yes, give me just a minute, your
10 Honor. \$70,977 in cash --

11 THE COURT: All right. So this looks like.

12 MR. VANDENBERG: -- and several items of jewelry.

13 THE COURT: This looks like that this was -- I
14 mean, he was, indeed, making considerable money doing this.
15 I mean, there isn't any other explanation. Indeed, I
16 don't -- I think he has admitted that there wasn't any
17 explanation, and that this was how he was making the money.

18 Partly, the other side, but I suppose it cuts both
19 ways is, I think you must be a very bright person and have
20 the potential to be a good leader. Yes, at this point in
21 life you have hurt not only yourself but other -- a lot of
22 other people.

23 So I need the sentence to reflect the seriousness
24 of the offense, promote respect for the law and provide just
25 punishment, and I guess, yes, I also haven't mentioned that,

1 indeed, that there was a -- on top of it all, there was a gun
2 found in his apartment that I don't think he is denying was
3 his. I need this sentence to afford adequate deterrence to
4 criminal conduct, protect the public from further crimes by
5 you and provide you with needed educational and vocational
6 training, which I think you're agreeing would be good and
7 hopefully will turn a lot of this around.

8 The other thing I didn't mention is, you know,
9 you're not a kid. You're old enough to have understood
10 exactly the seriousness of what you were doing. So, still, a
11 sentence should be sufficient but not greater than necessary.

12 I am going to commit you to the custody of the
13 Bureau of Prisons for a term of 128 months on Count 2. I
14 will recommend that you participate in a residential drug
15 abuse program while you're in custody. I find that you do
16 not have the ability to pay a fine, and so I will waive that.
17 There is a special assessment of \$100, which is due
18 immediately. Upon your release from prison, you will be on
19 supervised release for a term of five years. Within 72 hours
20 of your release from custody, you shall report in person to
21 the probation office in the district in which you are
22 released. While on supervised release, you shall comply with
23 the following conditions.

24 First are mandatory. That you not commit another
25 federal, state or local crime. That you not unlawfully

1 possess a controlled substance. That you cooperate in the
2 collection of a DNA sample, if that is required by law. That
3 you refrain from any unlawful use of a controlled substance
4 and submit to one drug test within 15 days of your release on
5 supervised release and at least two periodic tests
6 thereafter, up to 104 periodic tests for use of a controlled
7 substance during each year of supervised release.

8 The probation office has proposed a number of
9 discretionary conditions. Have you had the opportunity to
10 look at them?

11 MR. HIMEL: We have, Judge.

12 THE COURT: Do you have any objection to any of
13 those?

14 MR. HIMEL: No.

15 THE COURT: Okay. First, that you provide
16 financial support to your dependents, if you are financially
17 able to do so.

18 That you seek and work conscientiously at lawful
19 employment, or if you are not gainfully employed, that you
20 pursue conscientiously a course of study or vocational
21 training that will equip you for employment.

22 That you not knowingly meet or communicate with any
23 person whom you know to be engaged or planning to be engaged
24 in criminal activity and shall not knowingly meet or
25 communicate with the following persons: Ben Baker, Latoya

1 Mayfield, Jerome McCullough and Dealbert Johnson.

2 That you refrain from any use of alcohol defined --
3 well, defined as having a blood alcohol concentration greater
4 than .08 percent, but I suppose any is any, and from any use
5 of a narcotic drug or other controlled substance as defined
6 in Section 102 of the Controlled Substances Act without a
7 prescription by a licensed medical practitioner.

8 That you not possess a firearm, destructive device
9 or other dangerous weapon.

10 That you participate at the direction of a
11 probation officer in a substance abuse treatment program,
12 which may include urine testing up to a maximum of 104 tests
13 per year.

14 That you participate at the direction of a
15 probation officer in a mental health treatment program and
16 shall take any medications prescribed by the mental health
17 treatment provider.

18 You shall not knowingly leave from the Federal
19 Judicial District where you are being supervised unless
20 granted permission to leave by the court or a probation
21 officer. The geographic area of the Northern District of
22 Illinois currently consists of the Illinois counties of Cook,
23 DuPage, Grundy, Kane, Kendall, Lake, LaSalle, Will, Boone,
24 Carol, DeKalb, Jo Davis, Lee, McHenry, Ogle, Stevenson,
25 Whiteside and Winnebago.

1 You shall report to a probation officer as directed
2 by the court or a probation officer. You shall permit a
3 probation officer to visit you at any reasonable time, at
4 home, at work, at school, at a community service location or
5 other reasonable locations specified by a probation officer.

6 You shall permit confiscation of any contraband
7 observed in plain view of the probation officer.

8 You shall notify a probation officer within
9 72 hours after becoming aware of any change in residence,
10 employer, or work place. And absent constitutional or other
11 legal privilege, answer inquiries by a probation officer.

12 You shall answer truthfully any inquiries by a
13 probation officer, subject to any constitution or other legal
14 privilege. You shall notify a probation officer within
15 72 hours if after being arrested, charged with a crime or
16 questioned by law enforcement officer.

17 You shall participate in an approved job skill
18 training program at the direction of a probation officer
19 within the first 60 days of placement on supervision.

20 You shall, if unemployed after the first 60 days of
21 supervision, or if unemployed for 60 days after termination
22 or layoff from employment, perform at least 20 hours of
23 community service per week at the direction of the US
24 probation officer until gainfully employed. The amount of
25 community service shall not exceed 400 hours.

1 You shall not enter into any agreement to act as an
2 informer or special agent of the law enforcement agency
3 without the permission of the court.

4 You shall observe one re-entry court session as
5 instructed by your probation officer.

6 Do we have a forfeiture issue to deal with?

7 MR. VANDENBERG: Yes, your Honor.

8 THE COURT: And?

9 MR. VANDENBERG: The defendant, in his plea
10 declaration, agreed to a personal money judgment in the
11 amount of \$180,000, which represents proceeds from his
12 narcotics dealing.

13 THE COURT: How much was it?

14 MR. VANDENBERG: \$180,000.

15 THE COURT: Okay. Then we will enter that. I'll
16 make a recommendation of where you would like to serve your
17 sentence. You said it, and I wasn't sure I heard where you
18 wanted.

19 THE DEFENDANT: Milan, Michigan. Milan Prison.

20 THE COURT: Oh, Milan, okay.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: We will make that recommendation.

23 THE DEFENDANT: Thank you.

24 THE COURT: You have 14 days to file a notice of
25 appeal. I hope -- I know that it's very difficult to be in

1 prison, but I hope that you will have the opportunity to
2 acquire skills where you really can use your life in a good
3 way and to help other people. So good luck. Thank you.

4 THE DEFENDANT: Thank you.

5 (Which were all the proceedings heard.)

6 CERTIFICATE

7 I certify that the foregoing is a correct transcript
8 from the record of proceedings in the above-entitled matter.

9
10 /s/ SANDRA M. MULLIN

March 12, 2020

11 SANDRA M. MULLIN, CSR, RMR, FCRR
12 Official Court Reporter

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