

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 23 1995

UNITED STATES OF AMERICA

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

v.

Case Number CR 94-306

LAWRENCE GOTTFRIED
Defendant.

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

The defendant, LAWRENCE GOTTFRIED, was represented by John Jamnback, Esquire.

The defendant pleaded guilty to the information.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense(s):

| <u>TITLE & SECTION</u> | <u>NATURE OF OFFENSE</u> | <u>DATE OFFENSE CONCLUDED</u> | <u>COUNT NUMBER</u> |
|----------------------------|--|--|---------------------|
| 18 USC 2071(b) | Concealment, Removal, Mutilation of Government Records | Between 2/9/94 and on or about 5/27/94 | 1 |

As pronounced on January 19, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count 1, which shall be due immediately.

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.

Signed this the 23^d day of January, 1995.



STANLEY S. HARRIS
United States District Judge

Defendant's SSAN: 044-36-6797

Defendant's Date of Birth: 11/20/44

Defendant's address: 13705 Ivywood Lane, Silver Spring, Maryland 20904

N1

15

Defendant: LAWRENCE GOTTFRIED
Case Number: CR 94-306

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be sent to FCI Allenwood, Pennsylvania, a Level I Camp.

The defendant shall voluntarily surrender himself for service of sentence at the institution designated by the Bureau of Prisons .

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 Marshal

Defendant: LAWRENCE GOTTFRIED
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of One (1) year. Within 72 hours of release from custody, the defendant shall report in person to the probation officer in the district to which he was released.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall not possess a firearm or any other dangerous weapon for any reason.
2. The defendant shall pay a special assessment of \$50, which shall be due immediately.
3. The defendant shall make restitution to the United States Treasury in the amount of \$39,931.33 at a rate of \$500 per month at the direction of the U.S. Probation Office. The defendant shall enter into a Consent Judgment for the unpaid balance during the supervised release term.

THE COURT FINDS that the defendant is unable to pay a fine, and unless otherwise determined by the U.S. Bureau of Prisons, the costs of imprisonment and/or supervision. Based on the defendant's financial condition, the Court also finds that the sentence imposed is sufficient punishment and alternative sanctions are waived in view of the order for restitution.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 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 within seventy-two hours of 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.
- 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.

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STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary): Court reduced total monetary loss to the government from approximately \$123,000 to approximately \$59,000. This reduced Specific Offense Characteristics from 9 to 7, and total offense level from 14 to 12. Once that happened, defendant no longer could get a 3-level reduction for acceptance of responsibility, leaving him at a total offense level of 13.

Guideline Range Determined by the Court:

Total Offense Level: 13

Criminal History Category: I

Imprisonment Range: 12 to 18 months

Supervised Release Range: to 1 years*

Fine Range: \$ 3,000 to \$ 30,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 39,931.33

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):