

No. 18-_____

IN THE
SUPREME COURT OF THE UNITED STATES

CHRISTIAN DOMINIQUE SCOTT,

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

APPENDIX

INDEX TO APPENDICES

Appendix A Judgment and Opinion of Fifth Circuit

Appendix B Judgment and Sentence of the United States District Court for the Northern District of Texas

APPENDIX A

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-11347
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 16, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CHRISTIAN DOMINIQUE SCOTT,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:17-CR-377-1

Before KING, SOUTHWICK, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Christian Dominique Scott appeals the revocation of his supervised release and the resulting 10-month term of imprisonment and additional 50-month term of supervised release. He argues that he was deprived of his due process right to confrontation when the district court allowed Police Officer Jay Dickason to testify about the Whataburger manager's out-of-court statements at his revocation hearing.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

We review a claim that the district court violated the constitutional right to confrontation in a revocation proceeding *de novo*, subject to harmless error analysis. *United States v. Minnitt*, 617 F.3d 327, 332 (5th Cir. 2010). “Harmless error is any error, defect, irregularity, or variance that does not affect substantial rights. It arises when the mistake fails to prejudice the defendant because it has not affected the outcome of the district court proceedings.” *United States v. Harper*, 527 F.3d 396, 408 (5th Cir. 2008) (internal quotation marks, brackets, and citations omitted).

A defendant in a revocation hearing has a qualified right under the Due Process Clause to confront and cross-examine adverse witnesses, which may be disallowed upon a finding of good cause. *United States v. Grandlund*, 71 F.3d 507, 510 (5th Cir. 1995); FED. R. CRIM. P. 32.1(b)(2)(C). Even if we assume arguendo that the district court erred in admitting the hearsay testimony to find that Scott committed the new offense of assault-family violence in violation of Texas Penal Code § 22.01(a)(1), the error was harmless. *See Minnitt*, 617 F.3d at 332. Scott’s supervised release would have been revoked even without the new offense violation of assault-family violence as Scott pleaded true to using methamphetamine and failing to submit a urine specimen for drug testing on 11 occasions. *See* 18 U.S.C. § 3583(g)(1) and (g)(3) (stating that revocation is mandatory for the possession of a controlled substance and the refusal to comply with drug testing). Thus, Scott cannot show that the error affected his substantial rights. *See Harper*, 527 F.3d at 408; *United States v. Nanda*, 867 F.3d 522, 530 (5th Cir. 2017), *cert. denied*, 138 S. Ct. 1578 (2018) (This court may affirm the district court’s judgment on any basis supported by the record.).

To the extent that admission of the hearsay testimony affected the length of his sentence, we have held that the right of confrontation does not apply to

the length of any resulting prison sentence. *See United States v. Williams*, 847 F.3d 251, 254 (5th Cir.), *cert. denied*, 138 S. Ct. 192 (2017). Therefore, the district court's judgment is AFFIRMED.

APPENDIX B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)

v.

CHRISTIAN DOMINIQUE SCOTT

Case Number: **3:17-CR-00377-B(1)**

USM Number: **22702-078**

Erin Leigh Brennan

Defendant's Attorney

THE DEFENDANT:

Pleaded true to violations of Standard Condition No. 7, one (1) Additional Condition, and one (1) Mandatory Condition, as alleged in Roman Numerals II and III of the Petition for Offender Under Supervision; the defendant did not contest the allegation that he violated Standard Condition No. 11 and one (1) Mandatory Condition, as alleged in Roman Numeral I of the Petition, by committing the offense of Driving Without License Invalid With Previous Conviction Suspension Without Financial Responsibility, in violation of Texas Penal Code § 521.457; and after a denial of guilt, the defendant was found by a preponderance of the evidence to have committed the offense of Assault Family Violence, in violation of Texas Penal Code § 22.01(A)(1), and thus violated Standard Condition No. 11 and one (1) Mandatory Condition, as alleged in Roman Numeral I of the Petition.

See Petition for Offender Under Supervision filed October 4, 2017.

Certified copy of the Judgment in a Criminal Case imposed September 18, 2015, in the Eastern District of Texas, Sherman Division, is attached.

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.

The defendant has not violated condition(s) _____ and is discharged as to such violation(s) _____ condition.

It is ordered that the defendant must 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 must notify the court and United States attorney of material changes in economic circumstances.

November 8, 2017

Date of Imposition of Judgment



Signature of Judge

JANE J. BOYLE, UNITED STATES DISTRICT JUDGE

Name and Title of Judge

November 9, 2017

Date

DEFENDANT: CHRISTIAN DOMINIQUE SCOTT
CASE NUMBER: 3:17-CR-00377-B(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:

10 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: CHRISTIAN DOMINIQUE SCOTT
CASE NUMBER: 3:17-CR-00377-B(1)

SUPERVISED RELEASE

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

50 MONTHS.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: CHRISTIAN DOMINIQUE SCOTT
CASE NUMBER: 3:17-CR-00377-B(1)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at www.txnp.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: CHRISTIAN DOMINIQUE SCOTT
CASE NUMBER: 3:17-CR-00377-B(1)

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall comply with all of the conditions imposed on September 18, 2015, in the Eastern District of Texas, Sherman Division.

The defendant shall make all court-ordered child support payments on a timely basis, producing proof of payment to the probation officer within the first 5 days of each month, whether as a part of a written report required by the probation officer or otherwise.

The defendant shall participate in a domestic violence treatment program (i.e. batterer's intervention program and anger management program) as directed by the probation officer until successfully discharged. The defendant shall contribute to the costs of services rendered (copayment) at a rate of at least \$10.00 per month.

United States District Court

EASTERN DISTRICT OF TEXAS

Sherman

UNITED STATES OF AMERICA

V.

CHRISTIAN DOMINQUE SCOTT

JUDGMENT IN A CRIMINAL CASE

Case Number: 4:14CR00136-015

USM Number: 22702-078

Michah Shawn Belden

Defendant's Attorney

THE DEFENDANT:

 pleaded guilty to count(s) 1 of the 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.

The defendant is adjudicated guilty of these offenses:

| Title & Section | Nature of Offense | Offense Ended | Count |
|----------------------|---------------------------------|---------------|-------|
| 18 USC § 1349 & 1344 | Conspiracy to Commit Bank Fraud | 08/13/2014 | 1 |

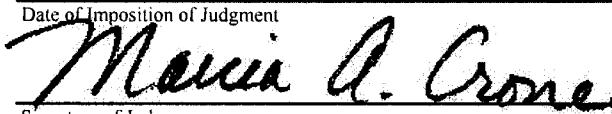
The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

 The defendant has been found not guilty on count(s) _____ Count(s) all remaining is are dismissed on the motion of the United States.

It is ordered that the defendant must 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 must notify the court and United States attorney of material changes in economic circumstances.

9/18/2015

Date of Imposition of Judgment



Signature of Judge

Marcia A. Crone

United States District Judge

Name and Title of Judge

Sep 26, 2015

Date

Certified a true copy of an instrument
on file in my office on November 9, 2017
Clerk, U.S. District Court,
Northern District of Texas
By  Deputy

DEFENDANT: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **13 Months 15 Days**

See continuation page

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

See continuation page

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 10/19/2015.

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: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015

Judgment—Page 3 of 8

Continuation page

The Court recommends that the defendant receive appropriate drug treatment while imprisoned and that defendant be incarcerated in FCI, Big Spring, TX, if available and defendant is eligible.

While incarcerated, it is recommended that the defendant participate in the Inmate Financial Responsibility Program at a rate determined by Bureau of Prisons staff in accordance with the requirements of the Inmate Financial Responsibility Program.

DEFENDANT: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015

Continuation page

The Court notes that on July 10, 2014, the defendant was sentenced to 88 days confinement in Cause No. 2-14-42, Fraudulent Use or Possession of Identifying Information - More than 5 Items; 439th District Court, Rockwall County, Rockwall, TX (Paragraph 44 PSR). The conduct involved in the state conviction has been determined to relevant conduct in the instant federal offense. The Court finds that the defendant should be credited with that time, and a downward departure pursuant to USSG § 5K2.23 should be granted. The Court will depart downwardly 88 days from a sentence of 18 months thereby giving the defendant credit for the prior discharged term of imprisonment.

Additionally, The Court notes that on July 16, 2014, the defendant was arrested and remained incarcerated until September 29, 2014, for the offense of Credit Card or Debit Card Abuse in Collin County, Texas (Paragraph 50 PSR) until that state charge was dismissed. The conduct involved in that offense is the same conduct which comprises the instant federal offense. The Court finds the defendant should be credited with that time, and a downward departure pursuant to USSG § 5K2.23 should be granted. The Court will depart downwardly 75 days from a sentence of 18 months thereby giving the defendant credit for the prior discharged term of imprisonment.

Taking into account both discharged terms of imprisonment, the Court will depart downwardly by a total of 163 days from a sentence of 18 months which will produce a sentence of 13 months and 15 days.

DEFENDANT: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015**SUPERVISED RELEASE**Upon release from imprisonment, the defendant shall be on supervised release for a term of: **4 YEARS**

The defendant must 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 unlawfully possess a controlled substance. 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, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any 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; and
- 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: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015

ADDITIONAL SUPERVISED RELEASE TERMS

The defendant shall provide the probation officer with access to any requested financial information for purposes of monitoring fine/restitution payments and employment.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer unless payment of any financial obligation ordered by the Court has been paid in full.

The defendant shall not participate in any form of gambling unless payment of any financial obligation ordered by the Court has been paid in full.

The defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as the defendant is released from the program by the probation officer. The defendant shall pay any cost associated with treatment and testing.

The defendant shall acquire a General Educational Development (GED) certificate

DEFENDANT: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

| | <u>Assessment</u> | <u>Fine</u> | <u>Restitution</u> |
|---------------|-------------------|--------------------|--------------------|
| TOTALS | \$ 100.00 | \$ 1,000.00 | \$ 2,086.62 |

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant must 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 before the United States is paid.

| <u>Name of Payee</u> | <u>Total Loss*</u> | <u>Restitution Ordered</u> | <u>Priority or Percentage</u> |
|---------------------------|--------------------|----------------------------|-------------------------------|
| CITIBANK | \$1,156.38 | \$1,156.38 | 0% |
| USAA FEDERAL SAVINGS BANK | \$828.00 | \$828.00 | 0% |
| FIRST CONVENIENCE BANK | \$102.24 | \$102.24 | 0% |

| | | |
|---------------|--------------------|--------------------|
| TOTALS | \$ 2,086.62 | \$ 2,086.62 |
|---------------|--------------------|--------------------|

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine 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 6 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 it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

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

DEFENDANT: CHRISTIAN DOMINQUE SCOTT
CASE NUMBER: 4:14CR00136-015**SCHEDULE OF PAYMENTS**

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

A Lump sum payment of \$ 2,186.62 due immediately, balance due
 not later than _____, or
 in accordance C, D, E, or F below; or

B Payment to begin immediately (may be combined with C, D, or F below); or

C Payment in equal _____ (e.g., 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 equal _____ (e.g., 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 Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F Special instructions regarding the payment of criminal monetary penalties:

Any restitution amount that remains unpaid when the defendant's supervision commences is to be paid on a monthly basis at a rate of at least 10% of the defendant's gross income, to be changed during supervision, if needed, based on the defendant's changed circumstances, pursuant to 18 U.S.C. § 3572 (d)(3). If the defendant receives an inheritance, any settlements (including divorce settlement and personal injury settlement), gifts, tax refunds, bonuses, lawsuit awards, and any other receipt of money (to include, but not be limited to, gambling proceeds, lottery winnings, and money found or discovered) the defendant must, within 5 days of receipt, apply 100% of the value of such resources to any restitution or fine still owed.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to: the U.S. District Court, Fine & Restitution, 1910 E SE Loop 323 No 287, Tyler, TX 75701

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

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

4:14cr00136-005 Mallorie Lee Moss and 4:14cr00136-016 Katherine Jones Reynolds for a total of \$2,086.62.

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) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.