

No. \_\_-\_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

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SERRAH ARNOLD,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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PETITION FOR A WRIT OF CERTIORARI

APPENDIX

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Appendix A Judgment and Opinion of Fifth Circuit

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## APPENDIX A

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

United States Court of Appeals  
Fifth Circuit

**FILED**

June 24, 2019

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 18-11042  
Summary Calendar  
\_\_\_\_\_

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SERRAH ARNOLD, also known as Kristen,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:16-CR-234-2  
\_\_\_\_\_

Before HIGGINBOTHAM, ELROD, and DUNCAN, Circuit Judges.

PER CURIAM:\*

Serrah Arnold appeals as substantively unreasonable the 24-month prison sentence imposed following revocation of her probation. She also contends that the district court imposed an unconstitutionally vague and overbroad standard condition of supervised release requiring her to “permit a probation officer to visit [her] at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the probation officer.”

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Finally, Arnold argues that the district court procedurally erred by imposing the condition without explanation.

With respect to the substantive reasonableness of her prison sentence, Arnold contends that the district court gave no weight to the policy statement range of 4 to 10 months or the factors in 18 U.S.C. § 3553(a) while giving too much weight to the fact that she repeatedly violated numerous conditions of her probation by using and possessing methamphetamine at least eight times over the course of a year. We review the sentence under the plainly unreasonable standard. *United States v. Kippers*, 685 F.3d 491, 497 (5th Cir. 2012). We recognize that Arnold’s sentence was well above the policy statement range, but “[w]e have routinely affirmed revocation sentences exceeding the advisory range, even where the sentence equals the statutory maximum.” *United States v. Warren*, 720 F.3d 321, 332 (5th Cir. 2013) (collecting cases). Moreover, the district court’s statements at sentencing reflect that it considered the applicable § 3553(a) factors, including deterrence, the nature and circumstances of the offense, and the history and characteristics of the defendant. *See* § 3553(a)(1), (a)(2)(B). Given the deference owed to the district court’s sentencing decision, Arnold has not established that her 24-month sentence was substantively unreasonable. *See Kippers*, 685 F.3d at 497, 500.

As to Arnold’s arguments related to the visitation condition of supervised release, because she did not object to the imposition of the standard supervised release condition or to the lack of an explanation, we review for plain error. *See Puckett v. United States*, 556 U.S. 129, 135 (2009). We have not before addressed the constitutionality or substantive reasonableness of the visitation condition or whether a sentencing court must give reasons for imposing a standard supervised release condition. *United States v. Cabello*, 916 F.3d 543,

544 (5th Cir. 2019).<sup>1</sup> “We ordinarily do not find plain error when we have not previously addressed an issue.” *United States v. Evans*, 587 F.3d 667, 671 (5th Cir. 2009) (internal quotation marks and citation omitted). To that end, we have declined to find plain sentencing error where “this court’s law was unsettled.” *United States v. Garcia-Rodriguez*, 415 F.3d 452, 456 (5th Cir. 2005).

In light of *Cabello*, Arnold fails to show that the district court committed error that was “so clear or obvious that the trial judge and prosecutor were derelict in countenancing it, even absent [Arnold’s] timely assistance in detecting it.” *United States v. Trejo*, 610 F.3d 308, 319 (5th Cir. 2010) (internal quotation marks and citation omitted); see *Puckett*, 556 U.S. at 135. Consequently, we AFFIRM the judgment.

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<sup>1</sup> As the concurring opinions in *Cabello* evidence, it is currently an open question in this circuit—as well as the source of a circuit split across other circuits—whether sentencing courts are statutorily required to explain the reasons for imposing “standard” conditions of supervised release. Compare 916 F.3d at 544-45 (Higginbotham, J., concurring) with *id.* at 545-48 (Elrod, J., concurring).

## APPENDIX B

**UNITED STATES DISTRICT COURT**

NORTHERN DISTRICT OF TEXAS

Fort Worth Division

UNITED STATES OF AMERICA

**JUDGMENT IN A CRIMINAL CASE**

v.

SERRAH ARNOLD

Case Number: 4:16-CR-00234-O(02)

U.S. Marshal's No.: 54551-177

Cara Foos Pierce, Assistant U.S. Attorney

Dimitri Dube, Attorney for the Defendant

On October 17, 2016 the defendant, SERRAH ARNOLD, entered a plea of guilty as to Count One of the Information filed on October 11, 2016. Accordingly, the defendant is adjudged guilty of such Count, which involves the following offense:


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1952(a)(3) and (A)	Use of a Facility of Interstate Commerce in Aid of a Racketeering Enterprise	4/16/2016	One

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission pursuant to Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$100.00 as to Count One of the Information filed on October 11, 2016.

The defendant shall notify the United States Attorney for this district within thirty 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.

Sentence imposed March 20, 2017.

  
\_\_\_\_\_  
REED O'CONNOR  
U.S. DISTRICT JUDGE

Signed March 23, 2017.



### PROBATION

It is the judgment of the Court that the defendant, SERRAH ARNOLD, is hereby sentenced to a term of probation for a term of **Five (5) years** as to Count One of the Information filed on October 11, 2016.

While on probation, in compliance with the standard conditions of probation adopted by the United States Sentencing Commission, the defendant shall:

- (1) not leave the judicial district without the permission of the Court or probation officer;
- (2) report to the probation officer as directed by the Court or probation officer and submit a truthful and complete written report within the first five (5) days of each month;
- (3) answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- (4) support his or her dependents and meet other family responsibilities;
- (5) work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- (6) notify the probation officer within seventy-two (72) hours of any change in residence or employment;
- (7) refrain from excessive use of alcohol and not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- (8) not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- (9) not associate with any persons engaged in criminal activity and not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- (10) permit a probation officer to visit the defendant at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the probation officer;
- (11) notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
- (12) 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) notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement, as directed by the probation officer.

In addition the defendant shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the U.S. probation officer;

take notice that if, upon commencement of the term of probation, any part of the \$153,160 restitution ordered by this judgment remains unpaid, the defendant shall make payments on such unpaid amount at

Defendant: SERRAH ARNOLD  
Case Number: 4:16-CR-00234-O(2)

the rate of at least \$50 per month, the first such payment to be made no later than 60 days after the date of this judgment and another payment to be made on the same day of each month thereafter until the restitution amount is paid in full. Any unpaid balance of the restitution ordered by this judgment shall be paid in full 60 days prior to the termination of the term of probation;

refrain from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the probation officer makes a determination that the defendant has fully satisfied the restitution obligation;

participate in the Location Monitoring Program for a period of 180 consecutive days. During this time, the defendant is continuously restricted to his/her place of residence except for authorized absences approved in advance by his/her U.S. Probation Officer. The U.S. Probation Officer may approve absences for gainful employment, religious services, medical care, education and training programs, and other activities. Location monitoring may be used to monitor compliance with this special condition and may include remote location monitoring using Global Positioning Satellite (GPS) tracking. The defendant shall contribute to the costs of the monitoring services rendered (copayment) at a rate of at least \$20 per day, not to exceed the total cost per day of the monitoring services;

participate in mental health treatment services as directed by the probation officer until successfully discharged, which services may include prescribed medications by a licensed physician, with the defendant contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month;

refrain from any unlawful use of a controlled substance, submitting to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer pursuant to the mandatory drug testing provision of the 1994 crime bill; and,

participate in a program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

#### **RESTITUTION/FINE**

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Pursuant to the Mandatory Victims Restitution Act of 1996, the defendant is ordered to pay restitution, joint and severally with co-defendants Diwone Nobles and Audrey Lane, in the amount of \$153,160.00, payable to the U.S. District Clerk, 501 West 10th Street, Room 310, Fort Worth, Texas 76102. Restitution shall be payable immediately and any unpaid balance shall be payable during incarceration. Restitution shall be disbursed as follows:

AMANDA KEEFER  
\$153,160.00

If upon commencement of the term of supervised release any part of the restitution remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever

Defendant: SERRAH ARNOLD  
Case Number: 4:16-CR-00234-O(2)

is greater. Payment shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt if money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

**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

## APPENDIX C

**United States District Court**

Northern District of Texas  
Fort Worth Division

UNITED STATES OF AMERICA

v.

Case Number 4:16-CR-234-O (02)

SERRAH ARNOLD  
Defendant.

USM Number 54551-177

**JUDGMENT IN A CRIMINAL CASE**  
(For **Revocation** of Probation or Supervised Release)  
(For Offenses Committed On or After November 1, 1987)

The defendant, SERRAH ARNOLD, was represented by Cody Cofer.

**THE DEFENDANT:**

Pleaded true to violating the conditions in Paragraphs I and II in the Petition for Offender Under Supervision dated June 4, 2018.

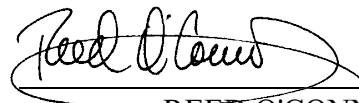
**See Petitions for Offender Under Supervision.**

Certified copy of the Judgment imposed on March 20, 2017, in the U.S. District Court for the Northern District of Texas, Fort Worth Division, is attached.

As pronounced on July 16, 2018, the defendant is sentenced as provided in pages 2 and 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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.

Signed this the 20th day of July, 2018.



REED O'CONNOR  
UNITED STATES DISTRICT JUDGE

Defendant: SERRAH ARNOLD  
Case Number: 4:16-CR-234-O (02)

Judgment--Page 2 of 4

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TWENTY-FOUR(24)** months.

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **THREE (3)** years.

While on supervised release, in compliance with the standard conditions of supervision adopted by the United States Sentencing Commission, the defendant shall:

- (1) not leave the judicial district without the permission of the Court or probation officer;
- (2) report to the probation officer as directed by the Court or probation officer and submit a truthful and complete written report within the first five (5) days of each month;
- (3) answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- (4) support the defendant's dependents and meet other family responsibilities;
- (5) work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- (6) notify the probation officer within seventy-two (72) hours of any change in residence or employment;
- (7) refrain from excessive use of alcohol and not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- (8) not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- (9) not associate with any persons engaged in criminal activity and not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- (10) permit a probation officer to visit the defendant at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the probation officer;
- (11) notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
- (12) 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) notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement, as directed by the probation officer.

Defendant: SERRAH ARNOLD  
Case Number: 4:16-CR-234-O (02)

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In addition, the defendant shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device or other dangerous weapon;

cooperate in the collection of DNA as directed by the U.S. probation officer;

report in person to the U.S. Probation Office in the district to which the defendant is released from the custody of the Federal Bureau of Prisons within 72 hours of release; refrain from any unlawful use of a controlled substance, submitting to one drug test within 15 days of placement on probation or release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer pursuant to the mandatory drug testing provision of the 1994 crime bill;

take notice that if, upon commencement of the term of probation, any part of the \$153,160 restitution ordered by this judgment remains unpaid, the defendant shall make payments on such unpaid amount at a rate of at least \$50 per month, the first such payment to be made no later than 60 days after the date of this judgment and another payment to be made on the same day of each month thereafter until the restitution amount is paid in full. Any unpaid balance of the restitution ordered by this judgment shall be paid in full 60 days prior to the termination of the term of supervised release.

### **RESTITUTION**

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Pursuant to the Mandatory Victims Restitution Act of 1996, the defendant is ordered to pay restitution, joint and severally with co-defendants Diwone Nobles and Audrey Lane, in the amount of \$153,160.00, payable to the U.S. District Clerk, 501 West 10th Street, Room 310, Fort Worth, Texas 76102. Restitution shall be payable immediately and any unpaid balance shall be payable during incarceration. Restitution shall be disbursed as follows:

AMANDA KEEFER  
\$153,160.00

If upon commencement of the term of supervised release any part of the restitution remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever is greater. Payment

Defendant: SERRAH ARNOLD  
Case Number: 4:16-CR-234-O (02)

Judgment--Page 4 of 4

shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt if money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

**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



**UNITED STATES DISTRICT COURT**

NORTHERN DISTRICT OF TEXAS  
Fort Worth Division

UNITED STATES OF AMERICA

**JUDGMENT IN A CRIMINAL CASE**

v.

SERRAH ARNOLD

Case Number: 4:16-CR-00234-O(02)  
U.S. Marshal's No.: 54551-177  
Cara Foos Pierce, Assistant U.S. Attorney  
Dimitri Dube, Attorney for the Defendant

On October 17, 2016 the defendant, SERRAH ARNOLD, entered a plea of guilty as to Count One of the Information filed on October 11, 2016. Accordingly, the defendant is adjudged guilty of such Count, which involves the following offense:


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1952(a)(3) and (A)	Use of a Facility of Interstate Commerce in Aid of a Racketeering Enterprise	4/16/2016	One

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission pursuant to Title 28, United States Code § 994(a)(1), as advisory only.

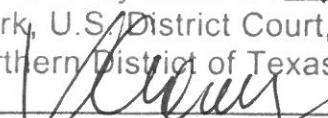
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The defendant shall notify the United States Attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Sentence imposed March 20, 2017.

  
\_\_\_\_\_  
REED O'CONNOR  
U.S. DISTRICT JUDGE

Signed March 23, 2017.

Certified a true copy of an instrument on file in my office on 7/20/2018  
Clerk, U.S. District Court,  
Northern District of Texas  
By  Deputy

## PROBATION

It is the judgment of the Court that the defendant, SERRAH ARNOLD, is hereby sentenced to a term of probation for a term of **Five (5) years** as to Count One of the Information filed on October 11, 2016.

While on probation, in compliance with the standard conditions of probation adopted by the United States Sentencing Commission, the defendant shall:

- (1) not leave the judicial district without the permission of the Court or probation officer;
- (2) report to the probation officer as directed by the Court or probation officer and submit a truthful and complete written report within the first five (5) days of each month;
- (3) answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- (4) support his or her dependents and meet other family responsibilities;
- (5) work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- (6) notify the probation officer within seventy-two (72) hours of any change in residence or employment;
- (7) refrain from excessive use of alcohol and not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- (8) not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- (9) not associate with any persons engaged in criminal activity and not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- (10) permit a probation officer to visit the defendant at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the probation officer;
- (11) notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
- (12) 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) notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement, as directed by the probation officer.

In addition the defendant shall:

not commit another federal, state, or local crime;

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not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the U.S. probation officer;

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Judgment in a Criminal Case

Page 3 of 4

Defendant: SERRAH ARNOLD

Case Number: 4:16-CR-00234-O(2)

the rate of at least \$50 per month, the first such payment to be made no later than 60 days after the date of this judgment and another payment to be made on the same day of each month thereafter until the restitution amount is paid in full. Any unpaid balance of the restitution ordered by this judgment shall be paid in full 60 days prior to the termination of the term of probation;

refrain from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the probation officer makes a determination that the defendant has fully satisfied the restitution obligation;

participate in the Location Monitoring Program for a period of 180 consecutive days. During this time, the defendant is continuously restricted to his/her place of residence except for authorized absences approved in advance by his/her U.S. Probation Officer. The U.S. Probation Officer may approve absences for gainful employment, religious services, medical care, education and training programs, and other activities. Location monitoring may be used to monitor compliance with this special condition and may include remote location monitoring using Global Positioning Satellite (GPS) tracking. The defendant shall contribute to the costs of the monitoring services rendered (copayment) at a rate of at least \$20 per day, not to exceed the total cost per day of the monitoring services;

participate in mental health treatment services as directed by the probation officer until successfully discharged, which services may include prescribed medications by a licensed physician, with the defendant contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month;

refrain from any unlawful use of a controlled substance, submitting to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer pursuant to the mandatory drug testing provision of the 1994 crime bill; and,

participate in a program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

#### **RESTITUTION/FINE**

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

Pursuant to the Mandatory Victims Restitution Act of 1996, the defendant is ordered to pay restitution, joint and severally with co-defendants Diwone Nobles and Audrey Lane, in the amount of \$153,160.00, payable to the U.S. District Clerk, 501 West 10th Street, Room 310, Fort Worth, Texas 76102. Restitution shall be payable immediately and any unpaid balance shall be payable during incarceration. Restitution shall be disbursed as follows:

AMANDA KEEFER  
\$153,160.00

If upon commencement of the term of supervised release any part of the restitution remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever

Defendant: SERRAH ARNOLD

Case Number: 4:16-CR-00234-O(2)

is greater. Payment shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt if money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

**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