

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JERRY LEE THOMPSON,

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

APPENDIX

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of Texas

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Court for the Northern District of Texas

APPENDIX A

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

No. 19-10445
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 9, 2020

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

JERRY LEE THOMPSON, also known as “Chief”,

Defendant - Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:01-CR-10-1

Before BARKSDALE, HIGGINSON, and DUNCAN, Circuit Judges.

PER CURIAM:*

Following his arrest for assault family violence, a felony pursuant to Texas Penal Code § 22.01, Jerry Lee Thompson pleaded true to violating a condition of his term of supervised release, imposed following his 2001 jury-trial conviction for possession, with intent to distribute, less than five grams of cocaine base within 1,000 feet of a playground and aiding and abetting, in violation of 21 U.S.C. §§ 841(a)(1) and 860(a) and 18 U.S.C. § 2.

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

No. 19-10445

The district court revoked his supervised release and sentenced him to 36-months' imprisonment and a new, nine-year term of supervised release. Thompson's new term of supervised release was subject to, *inter alia*, two special conditions: abstain from using all intoxicants, including alcohol; and participate in a program for the treatment of narcotic, drug, or alcohol dependence and contribute at least \$25 per month to the program's cost. The first special condition was imposed only in the written judgment; the second, orally and in the written judgment. Thompson did not object to the imposition of the second condition at the sentencing hearing. On appeal, Thompson challenges only these two special conditions.

Regarding the first special condition, abstinence from intoxicants: because Thompson had no opportunity to object, review is for abuse of discretion. *United States v. Rivas-Estrada*, 906 F.3d 346, 348–49 (5th Cir. 2018) (citations omitted). Thompson asserts the district court erred by including in the written judgment a special condition not pronounced at sentencing, and asks the condition be stricken from the written judgment; the Government agrees the condition was improperly imposed and requests the case be remanded in order for the court to modify the written judgment so that it conforms with the oral pronouncement. “[I]f a written judgment clashes with the oral pronouncement, the oral pronouncement controls”. *Id.* at 350 (citations omitted). Therefore, this special condition must “be stricken from the written judgment”. *Id.* at 348. Accordingly, we vacate the abstinence condition and remand to district court with instructions to modify the judgment by eliminating it.

Regarding the second special condition, because Thompson did not object in district court to his required participation in, and partial payment for, a treatment program, review is only for plain error. *E.g., United States v.*

No. 19-10445

Broussard, 669 F.3d 537, 546 (5th Cir. 2012). Under that standard, Thompson must show a forfeited plain error (clear or obvious error, rather than one subject to reasonable dispute) that affected his substantial rights. *Puckett v. United States*, 556 U.S. 129, 135 (2009). If he makes that showing, we have the discretion to correct such reversible plain error, but generally should do so only if it “seriously affect[s] the fairness, integrity or public reputation of judicial proceedings”. *Id.*

In imposing a special condition on supervised release, the district court must explain on the record how the condition is reasonably related to the goals of supervised release. *United States v. Salazar*, 743 F.3d 445, 451 (5th Cir. 2014) (citations omitted). If the court does not do so, however, the special condition will not be disturbed on appeal if the court’s reasoning “can be inferred after an examination of the record”. *United States v. Caravayo*, 809 F.3d 269, 275 (5th Cir. 2015) (quoting *Salazar*, 743 F.3d at 451).

The court’s reasoning is easily inferred from the record. Thompson is a career offender with an extensive criminal history. The presentence investigation report showed that Thompson was required to participate in a substance-abuse program (indicating he had a substance dependency history) while incarcerated in federal prison on a 1992 guilty-plea conviction for narcotics trafficking. Later, while on supervised release, Thompson committed the underlying crime in the instant case for the specific purpose of acquiring cash to buy alcohol. The ensuing judgment contained a special condition that Thompson abstain from using alcohol or narcotics and participate in a substance dependency treatment program. Moreover, the judge who revoked supervised release was the same judge who imposed the sentence on the underlying conviction, and was, therefore, familiar with Thompson’s

No. 19-10445

characteristics, the circumstances of the case, and any need for surveillance and treatment for substance dependency.

To the extent Thompson contends the treatment condition is unwarranted, whether the condition is reasonably related to the nature, characteristics, and circumstances of his drug-trafficking crime and to his history and characteristics is, at least, subject to reasonable dispute and, therefore, not clear or obvious error.

AFFIRMED IN PART; VACATED IN PART; REMANDED TO DISTRICT COURT FOR THE PURPOSE STATED IN THIS OPINION.

APPENDIX B

United States District CourtNorthern District of Texas
San Angelo Division

NORTHERN DISTRICT OF TEXAS

AUG 30 2001

CLERK, U.S. DISTRICT COURT

By

Deputy

UNITED STATES OF AMERICA

v.

Case Number 6:01-CR-0010-01-C

JERRY LEE THOMPSON

Defendant.

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

The defendant, JERRY LEE THOMPSON, was represented by Shery Kime-Goodwin.

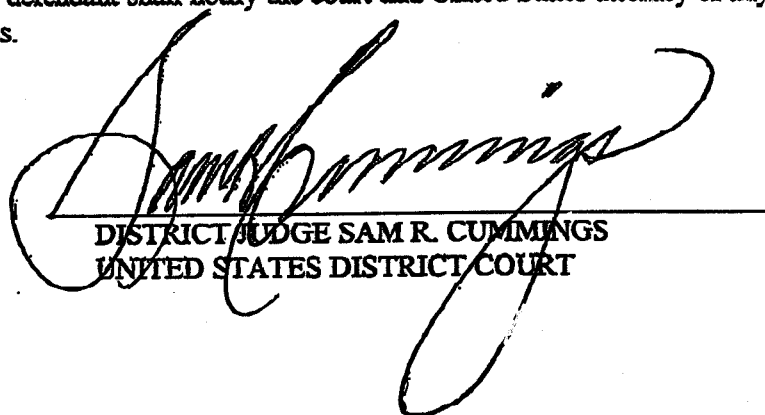
The defendant was found guilty on count 1 by a jury verdict on 06/12/2001 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number</u>
21 USC §§ 841(a)(1), 841(b)(1)(C), & 860(a) and 18 USC § 2	Possession With Intent to Distribute Less Than 5 Grams of Cocaine Base Within 1,000 Feet of a Playground and Aiding and Abetting	10/12/2000	1

As pronounced on 08/30/2001, the defendant is sentenced as provided in pages 1 through 5 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 \$100.00, for count 1, which shall be due immediately. Said special assessment shall be made to the Clerk, U.S. District Court.

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 30th day of August, 2001.

 DISTRICT JUDGE SAM R. CUMMINGS
 UNITED STATES DISTRICT COURT

Defendant's SSN: 456-90-1236

Defendant's Date of Birth: 02/20/1951

Defendant's Address: 604 Crothers, Brownwood, TX 76801

Defendant's USM No: 22869-077

53

Defendant: JERRY LEE THOMPSON

Judgment--Page 2 of 5

Case Number Case CR-0010901-C-BU Document 53 Filed 08/30/01 Page 2 of 5 PageID 2

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 312 months.

The defendant shall remain in custody pending service of sentence.

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

Case Number: 6:01-CR-0010-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 12 years.

The defendant shall 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 illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

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 directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the 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 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 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 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.

SPECIAL CONDITIONS OF SUPERVISION

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

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall abstain from the use of alcohol and/or all other intoxicants during and after completion of treatment.
2. The defendant shall participate in mental health treatment services as directed by the U.S. Probation Officer until successfully discharged. These services may include prescribed medications by a licensed physician. The defendant is further ordered to contribute to the costs of services rendered in an amount to be determined by the U.S. Probation Officer, based on ability to pay or availability of third-party payment.

Defendant: JERRY LEE THOMPSON

Case Number: 6:01-CR-0010-01-C

STATEMENT OF REASONS**Guideline Range Determined by the Court:**

Total Offense Level:	34
Criminal History Category:	VI
Imprisonment Range:	262 months to 327 months
Supervised Release Range:	12 years
Fine Range:	\$ 17,500.00 to \$ 4,000,000.00
Restitution:	N/A

The fine is waived because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason: Career Criminal

APPENDIX C

United States District Court

Northern District of Texas
San Angelo Division

UNITED STATES OF AMERICA

v.

Case Number 6:01-CR-010-01-C
USM No. 22869-077

JERRY LEE THOMPSON,
Defendant.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Supervised Release)
(For Offenses Committed On or After November 1, 1987)

The defendant, JERRY LEE THOMPSON, was represented by Lara Wynn.

THE DEFENDANT:

The Defendant admitted true as to the allegations contained in said motion.

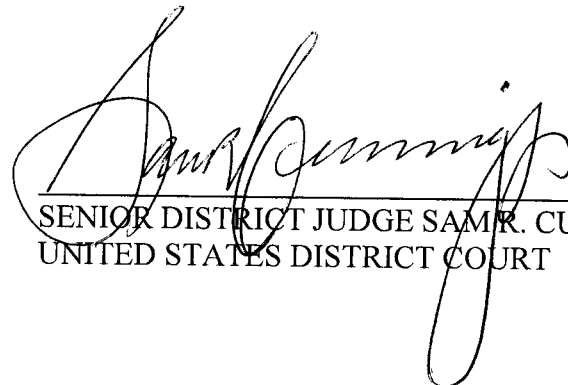
<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date of Violation</u>
See Attached copy of Petition for Offender Under Supervision		

Certified copy of the Judgment imposed on 8/30/2001, in the Northern District of Texas, San Angelo Division is attached.

As pronounced on 4/5/2019, the Motion to Revoke is granted and the defendant is sentenced as provided in pages 1 through 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.

Signed this the 5th day of April, 2019.


SENIOR DISTRICT JUDGE SAM R. CUMMINGS
UNITED STATES DISTRICT COURT

Defendant: JERRY LEE THOMPSON

Judgment--Page 2 of 4

Case Number: 6:01-CR-010-01-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 36 months.

The defendant is remanded to the custody of the U.S. Marshal Service.

The Court recommends incarceration at FCI Big Spring, Texas.

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: JERRY LEE THOMPSON

Judgment--Page 3 of 4

Case Number: 6:01-CR-010-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 9 years.

The defendant shall report to the Probation Officer in a manner and frequency directed by the Court or Probation Officer.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

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 directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.
- ☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ☐ 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.
- ☐ the defendant shall participate in an approved program for domestic violence.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the 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 in a manner and frequency directed by the court or probation officer.
- 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 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.

Defendant: JERRY LEE THOMPSON

Judgment--Page 4 of 4

Case Number: 6:01-CR-010-01-C

SPECIAL CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment the defendant shall comply with the standard conditions recommended by the U.S. Sentencing Commission and shall comply with the following additional conditions:

1. The defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.
2. The defendant shall participate in a program (inpatient and/or outpatient) approved by the U.S. Probation Office for treatment of narcotic, drug, or alcohol dependency, which will include testing for the detection of substance use or abuse. The defendant shall contribute to the costs of services rendered (copayment) at a rate of at least \$25.00 per month.

UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF TEXAS

Petition for Offender Under Supervision

Name of Offender: Jerry Lee Thompson Case No.: 6:01-CR-010-C(01)
Name of Sentencing Judge: Senior U.S. District Judge Sam R. Cummings
Date of Original Sentence: August 30, 2001
Original Offense: Possession With Intent to Distribute Less Than 5 Grams of Cocaine Base Within 1,000 Feet of a Playground and Aiding and Abetting, 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), & 860(a) and 18 U.S.C. § 2
Original Sentence: 312 months custody, 12-year term of supervised release
Revocations: None
Detainers: None
U.S. Marshals No.: 22869-077
Type of Supervision: Supervised Release Date Supervision Commenced: April 18, 2017
Assistant U.S. Attorney: C. Richard Baker Defense Attorney: Shery Kime-Goodwin
(Court appointed)

Petitioning the Court for Action for Cause as Follows:

To issue a violator's warrant.

The probation officer believes that the offender violated the following conditions:

I.

Violation of Mandatory Condition

The defendant shall not commit another federal, state, or local crime.

Nature of Noncompliance

On November 30, 2018, in Brownwood, Texas, Jerry Lee Thompson violated this condition of supervised release as evidenced by his arrest by the Brownwood Police Department, Brownwood, Texas, for Brown County Warrant No. CR26384, Assault Family Violence, in violation of Texas Penal Code § 22.01(b)(2)(B), a 3rd degree felony. Additionally, Mr. Thompson was issued Citation Number 134124 for No Driver's License and Failure to Maintain Financial Responsibility.

Jerry Lee Thompson
Petition for Offender Under Supervision

Personal History

Mr. Thompson began his term of supervised release on April 18, 2017, in the Northern District of Texas, and was initially supervised in the Dallas Division. On that same date, Mr. Thompson was placed into a mental health treatment program which included individual counseling and medication monitoring, and a substance abuse treatment program which required individual and group counseling, with random drug testing. On May 1, 2018, Mr. Thompson completed the substance abuse treatment program. On May 23, 2018, Mr. Thompson completed the mental health treatment program. Due to a residence change, Mr. Thompson relocated to Brownwood, Texas, and began supervision in the Abilene Division on June 1, 2018. Mr. Thompson is disabled and receives a social security check in the amount of \$800 monthly.

Statutory Provisions — Post-Crime Bill Supervised Release

Statutory Maximum Custody:	3 years. 18 U.S.C. § 3583(e)(3)
Mandatory Revocation Statutes:	None
Fine:	None
Statutory Maximum for Reimposition of Supervised Release:	12 years, minus revocation sentence. 18 U.S.C. § 3583(h)

According to U.S. v. Jackson, 559 F.3d 368 (5th Cir. 2009), "when an initial term of supervised release is revoked, the district court may impose a new term of supervised release as part of a revocation sentence...The maximum length of this new term is calculated as follows: 'The length of such a term of supervised release shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that was imposed upon revocation of supervised release.'" Jackson also notes that a district court may impose any term of supervised release that is equal to or greater than the mandatory minimum, less any term of imprisonment that was imposed upon revocation of supervised release.

Chapter 7 Violation Computations

Violation Grade:	A	USSG § 7B1.1(a)(1)(A)(i), & 7B1.3(a)(1) & (f), p.s.
Criminal History Category:	VI	USSG § 7B1.4(a), p.s.
Imprisonment Range:	33-41 months	USSG § 7B1.4(a)(1), p.s.
Fine:	None	USSG § 7B1.3(d), p.s.

Pursuant to U.S. v. Miller, 634 F.3d 841 (5th Cir. 2011), the Court may not consider the factors listed in 18 U.S.C. § 3553(a)(2)(A), which include "the seriousness of the offense, to promote respect for the law,

Case 6:01-cr-00010-C-BL Document 125 Filed 12/27/18 Page 3 of 3 PageID 751

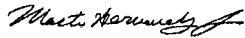
Jerry Lee Thompson
Petition for Offender Under Supervision

and to provide just punishment for the offense," when modifying or revoking a term of supervised release.

In U.S. v. Tapia, 131 S. Ct. 2382 (2011), the Supreme Court held that Section 3582(a) does not permit a sentencing court to impose or lengthen a prison term in order to foster a defendant's rehabilitation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 26, 2018
Respectfully submitted,



Martin Hernandez, Jr.
U.S. Probation Officer
Abilene
Phone: 325-690-3985
Fax: 325-676-1936

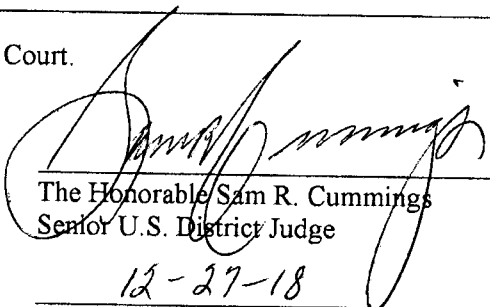
Approved,



Don W. Kretschmer
Supervising U.S. Probation Officer
Phone: 325-486-4071

Order of the Court:

- ☐ No action.
- ☒ The Issuance of a Warrant. Petition and warrant sealed and not to be distributed to counsel of record until arrest effectuated.
- ☐ The Issuance of a Summons
- ☐ Other or Additional:
-
- ☐ File under seal until further order of the Court.


The Honorable Sam R. Cummings
Senior U.S. District Judge

12-27-18
Date

Case 6:01-cr-00010-C-BL Document 53 Filed 08/30/01 Page 1 of 1 PageID 1

United States District Court

Northern District of Texas
San Angelo Division

NORTHERN DISTRICT OF TEXAS
FILED
AUG 30 2001
CLERK, U.S. DISTRICT COURT
By Deputy

UNITED STATES OF AMERICA

v.

Case Number 6:01-CR-0010-01-C

JERRY LEE THOMPSON
Defendant.

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



The defendant, JERRY LEE THOMPSON, was represented by Shery Kime-Goodwin.

The defendant was found guilty on count 1 by a jury verdict on 06/12/2001 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date of Offense	Count Number
21 USC §§ 841(a)(1), 841(b)(1)(C), & 860(a) and 18 USC § 2	Possession With Intent to Distribute Less Than 5 Grams of Cocaine Base Within 1,000 Feet of a Playground and Aiding and Abetting	10/12/2000	1

As pronounced on 08/30/2001, the defendant is sentenced as provided in pages 1 through 5 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 \$100.00, for count 1, which shall be due immediately. Said special assessment shall be made to the Clerk, U.S. District Court.

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 30th day of August, 2001.

CERTIFIED A TRUE COPY
KAREN MITCHELL, CLERK

By s/ CRISS FLOCK
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF TEXAS
April 05, 2019

[Signature]
DISTRICT JUDGE SAM R. CUMMINGS
UNITED STATES DISTRICT COURT

Defendant's SSN: 456-90-1236
Defendant's Date of Birth: 02/20/1951
Defendant's Address: 604 Crothers, Brownwood, TX 76801
Defendant's USM No: 22869-077

53

Defendant: JERRY LEE THOMPSON

Judgment--Page 2 of 5

Case Number: 6:01-cr-00010-01-6-C-BL Document 53 Filed 08/30/01 Page 2 of 5 PageID 2

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 312 months.

The defendant shall remain in custody pending service of sentence.

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

AO 245 S (Rev. 1/01) Sheet 3 - Supervised Release

Defendant: JERRY LEE THOMPSON
Case Number: 6:01-CR-0010-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 12 years.

The defendant shall 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 illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

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 directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the 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 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 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 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.

AO 245-S (Rev. 01/01) Sheet 3a - Supervised Release

Defendant: JERRY LEE THOMPSON

Case Number: 6:01-CR-0010-01-C

Document 33

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SPECIAL CONDITIONS OF SUPERVISION

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

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall abstain from the use of alcohol and/or all other intoxicants during and after completion of treatment.
2. The defendant shall participate in mental health treatment services as directed by the U.S. Probation Officer until successfully discharged. These services may include prescribed medications by a licensed physician. The defendant is further ordered to contribute to the costs of services rendered in an amount to be determined by the U.S. Probation Officer, based on ability to pay or availability of third-party payment.

Defendant: JEROME D THOMPSON-C-BL Document 53 Filed 08/30/01 Page 5 of 5 Judgment Page 5 of 5
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STATEMENT OF REASONS

Guideline Range Determined by the Court:

Total Offense Level:	34
Criminal History Category:	VI
Imprisonment Range:	262 months to 327 months
Supervised Release Range:	12 years
Fine Range:	\$ 17,500.00 to \$ 4,000,000.00
Restitution:	N/A

The fine is waived because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason: Career Criminal