

NUMBER \_\_\_\_\_

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**IN THE SUPREME COURT OF THE UNITED STATES**

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**OCTOBER TERM 2020**

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**RAHEM LIPFORD, Petitioner,**

**v.**

**UNITED STATES OF AMERICA, Respondent.**

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**APPENDIX A**

**TO PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**WESLEY P. PAGE  
FEDERAL PUBLIC DEFENDER**

**LEX A. COLEMAN  
ASSISTANT FEDERAL PUBLIC DEFENDER**

845 Fed.Appx. 266 (Mem)

This case was not selected for publication in West's Federal Reporter.

See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also U.S.Ct. of Appeals 4th Cir. Rule 32.1.

United States Court of Appeals, Fourth Circuit.

UNITED STATES of America, Plaintiff-Appellee,

v.

Rahem LIPFORD, Defendant-Appellant.

No. 20-4039

|

Submitted: April 19, 2021

|

Decided: April 28, 2021

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. [John T. Copenhaver, Jr.](#), Senior District Judge. (2:19-cr-00010-1)

## Attorneys and Law Firms

[Wesley P. Page](#), Federal Public Defender, Jonathan D. Byrne, Assistant Federal Public Defender, [Lex A. Coleman](#), Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Charleston, West Virginia, for Appellant. [Michael B. Stuart](#), Charleston, West Virginia, United States Attorney, [Ryan A. Keefe](#), Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Huntington, West Virginia, for Appellee.

Before [GREGORY](#), Chief Judge, and [THACKER](#) and [HARRIS](#), Circuit Judges.

## Opinion

Affirmed by unpublished per curiam opinion.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rahem Lipford pleaded guilty, pursuant to a conditional plea agreement, to possession with the intent to distribute a quantity of heroin, in violation of  [21 U.S.C. § 841\(a\)\(1\)](#). Lipford reserved his right to appeal the district court's denial of his motion to suppress evidence seized during a search of his home pursuant to a warrant. On appeal, Lipford argues that the district court erred in

denying his suppression motion because the search warrant application relied, in part, on evidence that a police officer discovered during a warrantless trash pull outside of Lipford's residence. According to Lipford, the officer was required to obtain a warrant before conducting the trash pull because the trash pull occurred within the curtilage of Lipford's home. We disagree, and thus we affirm.

In assessing a district court's denial of a motion to suppress, we review the district court's "legal conclusions de novo and its factual findings for clear error, considering the evidence in the light most favorable to the government."  [United States v. Kolsuz, 890 F.3d 133, 142 \(4th Cir. 2018\)](#). The Fourth Amendment protects "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." [U.S. Const. amend. IV](#). For Fourth Amendment purposes, "the home is first among equals," and the home's curtilage—that is, "the area immediately surrounding and associated with the home"—is considered "to be part of the home itself...."  [Collins v. Virginia, — U.S. —, 138 S. Ct. 1663, 1670, 201 L.Ed.2d 9 \(2018\)](#) (internal quotation \*267 marks omitted). Therefore, we "presume a warrantless search of curtilage to be unreasonable."  [Covey v. Assessor of Ohio Cnty., 777 F.3d 186, 192 \(4th Cir. 2015\)](#) (internal quotation marks omitted).

In  [United States v. Dunn](#), the Supreme Court identified the following factors for assessing whether a particular area is within the curtilage of a home: (1) "the proximity of the area claimed to be curtilage to the home," (2) "whether the area is included within an enclosure surrounding the home," (3) "the nature of the uses to which the area is put," and (4) "the steps taken by the resident to protect the area from observation by people passing by."  [480 U.S. 294, 301, 107 S.Ct. 1134, 94 L.Ed.2d 326 \(1987\)](#). "These factors are useful analytical tools"—not a strict formula—and they are relevant, "only to the degree that, in any given case, they bear upon the centrally relevant consideration—whether the area in question is so intimately tied to the home itself that it should be placed under the home's umbrella of Fourth Amendment protection."  [Id.](#) (internal quotation marks omitted).

Applying the  [Dunn](#) factors here, we agree with the district court that the area where the trash pull occurred was not within the curtilage of Lipford's home. While the proximity of the area to Lipford's home likely weighs in Lipford's favor, "proximity to the home, standing by itself, does not *per se*, suffice to establish an area as within the curtilage."  [United States v. French, 291 F.3d 945, 952 \(7th Cir. 2002\)](#). And our analysis of the three remaining  [Dunn](#) factors leads us to reject Lipford's curtilage contention. In particular, we emphasize that the area was not enclosed; that the area was open to public view; and that the area was used for storing trash that public sanitation workers collected weekly. See  [United States v. Beene, 818 F.3d 157, 162 \(5th Cir. 2016\)](#) (concluding that driveway was not curtilage even though fences partially "encircled" it

because it “was open,” could be observed from street, no barriers blocked access to it, and residents “took [no] steps to protect their privacy, such as posting ‘no trespassing’ signs”); *cf.  Collins, 138 S. Ct. at 1671* (concluding that “partially enclosed top portion of [a] driveway that abut[ted] the [defendant’s] house” and that sat past front perimeter of house was “properly considered curtilage”). We are thus satisfied that the trash pull did not occur within the curtilage of Lipford’s home.

Because Lipford’s appellate challenges to the district court’s denial of his suppression motion rely entirely on the incorrect premise that the trash pull occurred within the curtilage of his home, we affirm the district court’s judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the material before this court and argument will not aid the decisional process.

*AFFIRMED*

## All Citations

845 Fed.Appx. 266 (Mem)

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**RAHEM LIPFORD, Petitioner,**

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**APPENDIX B**

**TO PETITION FOR WRIT OF CERTIORARI  
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FOR THE FOURTH CIRCUIT**

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**LEX A. COLEMAN  
ASSISTANT FEDERAL PUBLIC DEFENDER**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:19-00010

RAHEM LIPFORD

O R D E R

Upon the defendant's Motion to Suppress and the evidentiary hearings of May 9, 2019 and July 16, 2019, the court makes the following Findings of Fact by a preponderance of the evidence, and Conclusions of Law.

In January 2017, then Charleston Police Officer Casey Rankin (who is now a Deputy United States Marshal) received an anonymous tip that a black male by the name of Rahem, who drove a blue Range Rover, was distributing heroin on the West Side of Charleston. After some investigation, Officer Rankin was able in February 2017 to identify the individual as Rahem Lipford who resided at 1721 Claire Street in Charleston. Rankin also learned that the suspect had been convicted of three felony drug offenses and one misdemeanor drug offense.

Rankin proceeded to surveil the residence at 1721 Claire Street about once a week for an hour or so during the next four or five months. The residence at 1721 Claire Street is built into the hillside with the lower level used as an open porch on the left half and a carport on the right half where, at times, the blue Range Rover was parked so that the front of the vehicle was within a foot or so of Claire Street and the rear of the vehicle extended into the carport area beginning at about the forward portion of the rear left wheel. The two sides were separated only by a structural pillar at the front. The left side, or porch area, was fenced off with a white wrought iron fence that extended from the left front to the pillar. In front of and close to the wrought iron fence, were two black opaque garbage containers about three-feet high with lid enclosures. Those two cans were side-by-side and routinely left in that position. The front of each of the two cans was about ten to twelve feet from Claire Street.

The City of Charleston Refuse and Recycling Department collected the garbage and trash from bags and containers of residences within the city once each week. The pickup on Claire Street was each Tuesday. The city pickup crew was observed by Officer Rankin about one month prior to Tuesday, July 11, 2017,

around 10:00 a.m., collecting trash bags out of the two cans at 1721 Claire Street by traversing the some ten to twelve feet from Claire Street to the location of the cans in front of the wrought iron fence.

At 1:00 a.m. on July 11, 2017, Officer Rankin and fellow Officer Hodge, traveled to a point near 1721 Claire Street for the purpose of making a trash pull so that they could examine the contents and retrieve any items that might indicate illicit drug activity. When they arrived, they observed the defendant seated in his automobile. Recognizing that they could not surreptitiously pull the trash bags, they left. Officer Rankin, who was scheduled for a training session later that same morning, requested City of Charleston Patrolman Christopher Bass to make the trash pull between 4:00 a.m. and 5:00 a.m. that same morning. Officer Bass did so in keeping with instructions from Officer Rankin. Officer Bass pulled what proved to be three bags of trash from the two cans and deposited them in the city parking building on Reynolds Street adjacent to a 300 Chrysler parked there. It is noted that the city parking building just referenced is patrolled by city officers. Officer Rankin picked up the three bags of trash at about 8:00 a.m. that same morning.

The applicable city ordinance, adopted about 2014, with respect to the placement of refuse and recycling bags for pickup, directs that the resident place the bags within five feet of the curb. A city refuse truck driver, who drives the truck but does not do the pickup, testified that those collecting the trash bags would go only as far as six or seven feet into the resident's property for pickup purposes. The Director of Refuse and Recycling, who had been in that position about four years but was unaware of the five-foot rule until the morning of the hearing, testified that his department was customer oriented and he would expect the city collectors to go to containers that were located in front of the wrought iron fence in order to collect the refuse bags therefrom.

Based on all the evidence, the court is satisfied that the refuse and recyclables for city pickup at 1721 Claire Street was located in two cans, situate at a point outside and near the wrought iron fence, from which the trash bags were collected by the city each Tuesday. The defendant had no reasonable expectation of privacy in those two cans.

Within the contents of the three trash bags pulled on July 11, 2017, there were four empty packages of Dutch Master cigarillos. Each one of those would have originally contained three cigarillos. There was another empty Sunflower "Extra Long" package. A plentiful supply of tobacco was also recovered indicating that the cigarillos may have been emptied of the tobacco in order that they could be repacked with a substance such as marijuana within the same paper wrapping, and then smoked. Also found was a burnt roach. A child support notice addressed to Charley Ruiz who was the girlfriend occupant along with her two children at 1721 Claire Street was located within the trash bags, as well as a notice addressed to Rahem Lipford. In addition, there were several plastic sandwich baggies, many of which had the corners torn out of them, a practice employed by sellers of narcotics to create a smaller package in which to sell different types of narcotics, including marijuana.

In his affidavit for a search warrant presented to a state magistrate, Detective Rankin accurately represented that the defendant's "trash cans," from which and at the time the narcotics-related articles were taken on Tuesday, July 11, 2017, were in a location that was consistent with normal trash pickup. These circumstances formed a reasonable basis for the probable cause

belief that evidence of marijuana drug distribution would be found in the residence.

Moreover, the search warrant was executed on the residence by the officers in the good faith belief that it was a valid exercise of authority under the Fourth Amendment for which there was probable cause. The property seized thereunder is admissible evidence in this case.

Independently of the foregoing, the court applies the factors found in *United States v. Dunn*, 480 U.S. 294 (1987);

[1] the proximity of the area claimed to be curtilage to the home - the area occupied routinely by the two cans is immediately adjacent to but outside the home.

[2] whether the area is included within an enclosure surrounding the home - the area occupied by the two cans is not within an enclosure.

[3] the nature of the uses to which the area is put - used as a walkway/driveway area and for the routine storage of refuse and recyclables in cans from which the contents are picked up by weekly by city crews.

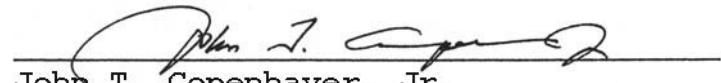
[4] the steps taken by the resident to protect the area from observation by people passing by - none.

On balance it marginally appears that the two cans were routinely placed outside the curtilage to the home at 1721 Claire Street.

The Motion to Suppress is DENIED.

The Clerk is directed to forward copies of this order to the defendant and all counsel of record.

DATED: September 3, 2019

  
John T. Copenhaver, Jr.  
Senior United States District Judge

NUMBER \_\_\_\_\_

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**RAHEM LIPFORD, Petitioner,**

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**APPENDIX C**

**TO PETITION FOR WRIT OF CERTIORARI  
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**WESLEY P. PAGE  
FEDERAL PUBLIC DEFENDER**

**LEX A. COLEMAN  
ASSISTANT FEDERAL PUBLIC DEFENDER**

# UNITED STATES DISTRICT COURT

Southern District of West Virginia

UNITED STATES OF AMERICA ) **JUDGMENT IN A CRIMINAL CASE**  
v. )  
RAHEM LIPFORD ) Case Number: 2:19-00010  
 ) USM Number: 15187-088  
 ) Lex A. Coleman, Asst. Federal Public Defender  
 ) Defendant's Attorney

## THE DEFENDANT:

pleaded guilty to count(s) one of the two-count 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:

<b>Title &amp; Section</b>	<b>Nature of Offense</b>	<b>Offense Ended</b>	<b>Count</b>
21 U.S.C. § 841(a)(1)	Possession with Intent to Distribute a Quantity of Heroin	7/13/2017	One

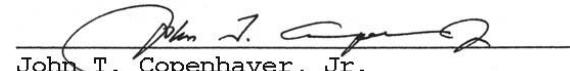
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) \_\_\_\_\_

Count(s) 2  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.

12/10/2019  
Date of Imposition of Judgment

  
John T. Copenhaver, Jr.  
Senior United States District Judge

12/27/2019  
Date

DEFENDANT: RAHEM LIPFORD

CASE NUMBER: 2:19-00010

## IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

EIGHTY-FOUR (84) MONTHS.

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

That the defendant be provided the benefit of a Comprehensive/Residential Drug Treatment program.

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: RAHEM LIPFORD

CASE NUMBER: 2:19-00010

## SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of :

SIX (6) YEARS.

## 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 (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where 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 other conditions on the attached page.

DEFENDANT: RAHEM LIPFORD  
CASE NUMBER: 2:19-00010

## 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. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: RAHEM LIPFORD

CASE NUMBER: 2:19-00010

### ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall submit to random urinalysis or any other drug screening method whenever the same is deemed appropriate by the probation officer and shall participate in a substance abuse program, including in-patient substance abuse treatment, as directed by the probation officer. The defendant shall not use any method or device to evade a drug screen. In addition, the defendant shall submit to random urine screens at a rate of no less than once every two weeks for the first six months of supervised release.
2. The defendant shall pay the special assessment within the time and as directed by the court.
3. If the defendant is unemployed, the probation officer may direct the offender to register and remain active with Workforce West Virginia or similar organization.
4. As directed by the probation officer, the defendant shall make copayments for drug testing and drug treatment services at rates determined by the probation officer in accordance with a court-approved schedule based on ability to pay and availability of third-party payments.
5. A term of community service is imposed on every offender on supervised release or probation. Fifty hours of community service is imposed on every offender for each year the offender is on supervised release or probation. The obligation for community service is waived if the offender remains fully employed or actively seeks such employment throughout the year.
6. The defendant shall not purchase, possess, or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids, or other designer stimulants.
7. That the defendant make himself available for drug abuse counseling and treatment as directed by the probation officer.

DEFENDANT: RAHEM LIPFORD

CASE NUMBER: 2:19-00010

## CRIMINAL MONETARY PENALTIES

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

Assessment      JVTA Assessment\*      Fine      Restitution  
**TOTALS**      \$ 100.00      \$      \$ 1,000.00      \$

- 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.

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:

\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

\*\* 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: RAHEM LIPFORD  
CASE NUMBER: 2:19-00010

## SCHEDULE OF PAYMENTS

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

A  Lump sum payment of \$ \_\_\_\_\_ due immediately, balance due  
 not later than \_\_\_\_\_, or  
 in accordance with  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:

The \$100 special assessment has been paid. The \$1,000 fine shall be paid out of prison earnings at the rate of \$10 per month commencing on March 1, 2020, with payment due on the first day of each month thereafter until paid in full. Any remaining balance due upon being placed on supervised release shall be paid at the rate of \$100 per month beginning two months after being placed on supervised release and will be due on the first day of each month thereafter until paid in full.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

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.

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) JVTA assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.