

# APPENDIX

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# United States Court of Appeals for the Fifth Circuit

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No. 24-30310

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United States Court of Appeals  
Fifth Circuit

**FILED**

April 2, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSEPH ANTHONY ZINNERMAN, JR.,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 3:23-CR-170-1

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Before ELROD, *Chief Judge*, CLEMENT and RAMIREZ, *Circuit Judges*.

PER CURIAM:\*

Appellant Joseph Anthony Zinnerman, Jr. was charged and convicted under the felon-in-possession statute, 18 U.S.C. § 922(g)(1). Zinnerman now appeals, arguing that § 922(g)(1) is unconstitutional on its face and as applied to him. Because Zinnerman's facial and as-applied challenges are plainly foreclosed by our precedent, we AFFIRM Zinnerman's conviction.

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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## I

In 2023, Ouachita Parish Sheriff's Deputies attempted to pull Zinnerman over for failing to use his turn signal. Instead of stopping, however, Zinnerman led the deputies on a car chase, eventually fleeing from his car on foot and running into the home of an unsuspecting man. Before the deputies arrested him, Zinnerman stashed a handgun that he had been carrying in the man's home.

Because Zinnerman had previous predicate felonies, he was charged with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). Zinnerman moved to dismiss the indictment, arguing that § 922(g)(1) violated (1) the Second Amendment, in light of *New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. 1 (2022); and (2) the Commerce Clause. The district court denied the motion, and Zinnerman pleaded guilty, reserving his right to appeal the denial of his motion to dismiss. He was sentenced to 125 months' imprisonment, followed by three years of supervised release. Zinnerman timely appealed.

## II

On appeal, Zinnerman again argues that § 922(g)(1) is unconstitutional on its face and as applied to him. We address each of his arguments in turn.

### A

First, Zinnerman reasserts his argument that, in light of *Bruen*, § 922(g)(1) violates the Second Amendment and is therefore

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unconstitutional on its face. We review this preserved challenge<sup>1</sup> to the constitutionality of a criminal statute *de novo*. See *United States v. Howard*, 766 F.3d 414, 419 (5th Cir. 2014).

After the submission of Zinnerman’s opening brief, we decided *United States v. Diaz*, 116 F.4th 458 (5th Cir. 2024), *petition for cert. filed*, (Feb. 18, 2025) (No. 24-6625), which held that “[b]ecause applying § 922(g)(1) to Diaz ‘fit[] neatly’ in th[e Nation’s historical] tradition” of firearm regulation, the statute was not unconstitutional—facially, or as applied to Diaz. *Id.* at 472 (citing *United States v. Rahimi*, 602 U.S. 680, 698 (2024)).

In light of *Diaz*, Zinnerman concedes that his facial challenge to § 922(g)(1) is now foreclosed. We agree.

## B

Second, Zinnerman argues that § 922(g)(1) is unconstitutional as applied to him because his prior felony convictions are non-violent and his underlying disqualifying felony offenses would not have historically resulted in lifetime disarmament.

## 1

As a threshold matter, we address whether Zinnerman properly preserved his as-applied challenge.

The government maintains that he did not preserve this challenge, because he made only a passing reference to an as-applied challenge and failed to discuss the particularized facts that are essential in adjudicating the challenge. Zinnerman responds that his motion to dismiss set forth an as-

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<sup>1</sup> Zinnerman made this same argument in his motion to dismiss the indictment, so the argument is preserved on appeal. See *United States v. Penn*, 969 F.3d 450, 459 (5th Cir. 2020).

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applied challenge because it explicitly stated that “§ 922(g)(1) is unconstitutional as applied to Mr. Zimmerman.” The determination of whether Zimmerman preserved his as-applied challenge is meaningful because, while we review preserved challenges *de novo*, unpreserved challenges are reviewed for plain error. *See Howard*, 766 F.3d at 419.

“There is [n]o bright-line rule . . . for determining whether a matter was raised below.” *United States v. Hearn*, 845 F.3d 641, 648 (5th Cir. 2017) (alteration in original) (internal quotation marks omitted). “[I]f a party wishes to preserve an argument for appeal, the party must press and not merely intimate the argument during the proceedings before the district court.” *Id.* (alteration in original) (quotations omitted). “An argument must be raised to such a degree that the district court has an opportunity to rule on it.” *Id.* (quotations omitted).

Here, while the bulk of Zimmerman’s argument in his motion to dismiss focused on the plain text of the Second Amendment and § 922(g)(1)’s alleged inconsistency with the historical regulation of firearms, the motion did expressly conclude that “§ 922(g)(1) is unconstitutional as applied to Mr. Zimmerman.” Moreover, in the district court’s memorandum opinion and order—issued one day after Zimmerman filed his motion<sup>2</sup>—the district court engaged in an as-applied analysis before concluding that “18 U.S.C. § 922(g)(1) does not violate Zimmerman’s Second Amendment rights *and is constitutional as applied to Zimmerman.*”

The record supports the conclusion that Zimmerman preserved an as-applied challenge in his motion to dismiss, and we therefore review his as-applied challenge *de novo*.

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<sup>2</sup> The government, therefore, never responded to Zimmerman’s motion to dismiss.

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2

Turning to the merits of Zinnerman’s as-applied challenge, Zinnerman argues that because his convictions were for drug offenses—not crimes of violence—the government is unable to proffer a historical regulation that would prohibit gun possession of someone with Zinnerman’s criminal history.<sup>3</sup> The government argues that Zinnerman’s challenge is doomed because he fails to: (1) confront the drug-trafficking nature of one of his convictions; (2) acknowledge the violent offense conduct of one of his convictions; and (3) confront his state parole status and misdemeanor domestic violence convictions that already prohibited him from possessing a firearm. And while the government focuses on Zinnerman’s “violent criminal history,” it also argues that Zinnerman’s state parole status provides a separate basis for the failure of his as-applied argument.

We agree with the government that Zinnerman’s parole status is relevant and dispositive to his as-applied challenge. Following the parties’ briefing, we decided two cases that foreclose Zinnerman’s as-applied challenge.<sup>4</sup>

First, in *United States v. Contreras*, 125 F.4th 725 (5th Cir. 2025), Contreras was caught possessing less than two ounces of marijuana twice in 2020; a year later, he was convicted for being a user in possession of a firearm under § 922(g)(3) and sentenced to 24 months’ imprisonment, followed by

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<sup>3</sup> At the time of his § 922(g)(1) conviction, Zinnerman had three previous felony convictions for: (1) possession of oxycodone; (2) distribution of cocaine; and (3) attempted possession of a firearm by a convicted felon.

<sup>4</sup> *United States v. Contreras*, 125 F.4th 725 (5th Cir. 2025); *United States v. Giglio*, 126 F.4th 1039 (5th Cir. 2025); see also *United States v. Moore*, No. 24-30053, 2025 WL 711119, at \*1, \*4 (5th Cir. Mar. 5, 2025) (“Given this court’s reasoning in *Contreras* and *Giglio*, Moore’s probationary status at the time he was apprehended under § 922(g)(1) result[ed] in the failure of his as-applied challenge in this case.”).

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three years of supervised release. *Id.* at 727. While Contreras was on supervised release, he was subsequently arrested and charged as being a felon in possession under § 922(g)(1), and he pleaded guilty. *Id.* at 728. In both the district court and on appeal, Contreras challenged § 922(g)(1) on its face and as applied to him. *Id.*

Relevant here, in holding that § 922(g)(1) was constitutional on its face and as applied to Contreras, we observed that “[l]imitations on the constitutional right to bear arms while on probation are supported by our nation’s historical tradition of firearm forfeiture laws, which temporarily disarmed persons while they completed their sentences.” *Id.* at 732 (quoting *United States v. Goins*, 118 F.4th 794, 805 (6th Cir. 2024) (Bush, J., concurring)). And because “[t]he defendant receives a term of supervised release thanks to his initial offense, . . . it constitutes a part of the final sentence for his crime.” *Id.* (quoting *United States v. Moore*, 111 F.4th 266 (3d Cir. 2024)).

Also dispositive to Zinnerman’s as-applied challenge is *United States v. Giglio*, 126 F.4th 1039 (5th Cir. 2025). Giglio was arrested twice in 2018 for crimes associated with gun violence and was subsequently charged with four counts of being a user in possession under § 922(g)(3). *Id.* at 1041. Giglio pleaded guilty to one count and was sentenced to 41 months’ imprisonment, followed by three years of supervised release, which prohibited him from owning, possessing, or accessing firearms or ammunition. *Id.* While on supervised release, Giglio was arrested while hunting on a Mississippi game warden’s property with a rifle. *Id.* He was subsequently charged with being a felon in possession under § 922(g)(1). *Id.*

We ultimately rejected Giglio’s as-applied challenge and affirmed his § 922(g)(1) conviction, holding that the Second Amendment allows the government to disarm those still serving a portion of their sentence for a



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§ 922(g)(1) predicate felony. *Id.* at 1044 (“[T]he government may disarm those who continue to serve sentences for felony convictions.”). Moreover, we also agreed with the *Goins* and *Moore* courts that “our nation’s historical tradition of forfeiture laws . . . supports disarming those on parole, probation, or supervised release.” *Id.* (quoting *Goins*, 118 F.4th at 801–02). We also rejected Giglio’s argument that, because supervised release was not expressly contemplated by § 922(g)(1), this court was not allowed to consider his supervised release status in its analysis. *Id.* at 1046 (“We need not look beyond that conviction to understand that it was constitutional for the government to regulate his possession of firearms for that period of time.”).

In subsequent briefs to the court, the parties here debate *Giglio*’s applicability, with Zinnerman arguing that *Giglio* is inapplicable and conflicts with *Diaz* because “[u]nder the *Diaz* framework, a person’s parole status is irrelevant to § 922(g)(1).” We disagree.

In *Diaz*, the panel disregarded dismissed charges, misdemeanor offenses, and contemporaneous (*i.e.*, committed at the same time as the § 922(g)(1) offense) offenses when considering what might serve as a trigger for disarmament (both now and at the Founding). 116 F.4th at 467. But in *Giglio*, the critical fact was that Giglio was on supervised release for a previous felony at the time of his arrest. *See* 126 F.4th at 1046. And our analysis focused on his prior felony conviction, including its punishment. *Id.* Indeed, as we reiterated, we “need not look beyond [a defendant’s predicate] conviction to understand that it was constitutional for the government to regulate his possession of firearms for that period.” *Id.* Therefore, we do not read *Giglio* to be in conflict with *Diaz*.

Nor does the fact that the defendants in *Contreras* and *Giglio* were on federal supervised release during their § 922(g)(1) violations—not state probation—affect our analysis. As we held in *Giglio*, “our nation’s historical

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tradition of forfeiture laws . . . supports disarming those on parole, probation, or supervised release.” 126 F.4th at 1044 (quotations omitted); *see also id.* at 1044 n.5 (citing *Johnson v. Owens*, 612 F. App’x 707, 711 (5th Cir. 2015) (“[R]ecognizing that probation ‘is comparable to supervised release in the federal system.’”)); *Contreras*, 125 F.4th at 732; *Moore*, 2025 WL 711119, at \*4 n.4. We therefore hold that Zinnerman’s felony probation status at the time of his § 922(g)(1) offense forecloses his as-applied challenge under *Contreras* and *Giglio*.

### III

In sum, we hold that Zinnerman’s facial challenge to § 922(g)(1) is foreclosed under *Diaz*, and his as-applied challenge is similarly foreclosed under *Contreras* and *Giglio*. We therefore AFFIRM Zinnerman’s conviction.

AO 245B

(Rev. 09/19 - WDLA) Judgment in a Criminal Case

RECEIVED

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

MAY 14 2024

## UNITED STATES DISTRICT COURT

Western District of Louisiana

Monroe Division

BY: DANIEL J. MCCOY, CLERK

UNITED STATES OF AMERICA

v.

JOSEPH ANTHONY ZINNERMAN, JR

## JUDGMENT IN A CRIMINAL CASE

Case Number: 3:23-CR-00170-1

USM Number: 71214-510

Betty Lee Marak  
Defendant's Attorney

## THE DEFENDANT:

☒ pleaded guilty to count(s) One of the Indictment☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18USC922(g)(1)	Prohibited Person In Possession Of A Firearm	05/13/2024	1

The defendant is sentenced as provided in pages 2 through 6 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) \_\_\_\_\_ ☐ 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.

May 14, 2024  
Date of Imposition of Judgment

Terry A. Doughty  
Signature of Judge

TERRY A. DOUGHTY, Chief United States District Judge  
Name of Judge Title of Judge

May 14, 2024  
Date

DEFENDANT: JOSEPH ANTHONY ZINNERMAN, JR  
CASE NUMBER: 3:23-CR-00170-1

## IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: 125 month(s) as to count 1. Pursuant to USSG §5G1.3(c), this sentence shall run **concurrently** to the related charge in Docket #2023CR1679 in the 4th Judicial District Court, Parish of Ouachita. Pursuant to USSG §5G1.3, comment. (n.4C), this sentence shall run **consecutively** to the undischarged terms of imprisonment stemming from revocation in Docket Nos. 2019CR4935 and 2021CR4696 in the 4th Judicial District Court, Parish of Ouachita.

- ☒ The court makes the following recommendations to the Bureau of Prisons:  
That defendant be placed in a facility within 500 miles of Monroe, LA. That defendant be evaluated for placement in a residential substance abuse treatment program if deemed eligible.
- ☒ 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: JOSEPH ANTHONY ZINNERMAN, JR  
CASE NUMBER: 3:23-CR-00170-1

### SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of : three (3) years

### MANDATORY CONDITIONS (MC)

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.
4. ☐ 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*)
5. ☐ 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*)
6. ☒ You must cooperate in the collection of DNA as directed by the probation officer. (*check if applicable*)
7. ☐ 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 which you reside, work, are a student, or were convicted of a qualifying offense. (*check if applicable*)
8. ☐ You must participate in an approved program for domestic violence. (*check if applicable*)
9. ☐ The passport restriction imposed at the time of initial release is hereby suspended, and defendant's passport is ordered released to defendant's attorney. (*check if applicable*)
10. ☐ The passport restriction imposed at the time of initial release is continued, and defendant's passport is ordered transferred to the U. S. Department of State. (*check if applicable*)
11. You must comply with the standard conditions that have been adopted by this court as well as any other conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION (SC)

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: JOSEPH ANTHONY ZINNERMAN, JR  
CASE NUMBER: 3:23-CR-00170-1

**SPECIAL CONDITIONS OF SUPERVISION (SP)**

1. Because the presentence report and/or other reliable sentencing information indicates a high risk of future substance abuse, the defendant shall participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The defendant shall submit to drug testing as directed by the treatment facility and probation officer during the term of supervision. The defendant shall contribute to the cost of the treatment program if financially able.
2. The defendant shall participate in and successfully complete an anger management or domestic violence program.
3. The defendant shall obtain and maintain legitimate, verifiable employment, work at least 30 hours each week and submit verification of income, such as pay stubs, to the probation officer each month. If the defendant plans to change employment, or if any circumstances concerning employment change, you must notify the probation officer within 72 hours of the change.

DEFENDANT: JOSEPH ANTHONY ZINNERMAN, JR  
CASE NUMBER: 3:23-CR-00170-1

### CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
<b>TOTALS</b>	\$100.00	\$ .00	\$ .00	\$ .00	\$ .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/or penalties and it is ordered that:
- ☐ the interest and/or ☐ penalty requirement is waived for the ☐ fine ☐ restitution.
- ☐ the interest and/or ☐ penalty requirement for the ☐ fine ☐ restitution is modified as follows:

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299..

\*\* 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: JOSEPH ANTHONY ZINNERMAN, JR  
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### 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 \$ 100.00 due immediately, balance due  
☐ not later than \_\_\_\_\_, or  
☒ in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties: Payable to U.S. Clerk of Court.

The Court orders that any federal income tax refund payable to the defendant from the Internal Revenue Service will be turned over to the Clerk of Court and applied toward any outstanding balance with regard to the outstanding financial obligations ordered by the Court.

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, or, unless ordered otherwise, criminal debt payments may be made online at [www.lawd.uscourts.gov/fees](http://www.lawd.uscourts.gov/fees).

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 Court gives notice this case involves other defendants who may be held jointly and several liable for payment of all or part of the restitution ordered herein and may order such payment in the future.
- ☐ 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:  
☒ (1) Taurus pistol, Model: G2C, caliber: 9mm; and  
(2) 12 rounds of 9mm ammunition

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.