

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

RAYMOND ARTHUR VERRILL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

APPENDIX

/s/ Kevin Joel Page

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United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 12, 2025

Lyle W. Cayce
Clerk

No. 24-10845
CONSOLIDATED WITH
No. 24-10847

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RAYMOND ARTHUR VERRILL,

Defendant—Appellant.

Appeals from the United States District Court
for the Northern District of Texas
USDC Nos. 5:19-CR-13-1, 5:24-CR-16-1

Before GRAVES, WILLETT, and WILSON, *Circuit Judges*.

PER CURIAM:*

Raymond Arthur Verrill pled guilty to failure to register as a sex offender and was sentenced to 37 months of imprisonment and three years of supervised release. Because Verrill committed this offense while on

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

No. 24-10845
c/w No. 24-10847

supervised release, the district court also revoked his term of supervision and sentenced him to 14 months of imprisonment, to run consecutively.

Regarding his 37-month sentence, Verrill argues that the district court plainly and reversibly erred in assessing three criminal history points for a 2013 Colorado conviction because his total term of imprisonment for the conviction was not more than 13 months and the original sentence was imposed more than 10 years before he committed his instant offense. Verrill further argues that because the failure to register sentence is infirm, the interrelated 14-month revocation sentence is also infirm and should be vacated.

Even if we assume that Verrill has shown clear or obvious error with regard to the computation of his criminal history score, *see United States v. Blanco*, 27 F.4th 375, 380 (5th Cir. 2022), he has nevertheless failed to show a reasonable probability that, but for the error, his sentence would have been different, *see United States v. Davis*, 602 F.3d 643, 647 (5th Cir. 2010). The district court gave a detailed explanation of why the 18 U.S.C. § 3553(a) factors led it to select the 37-month sentence. The district court then stated that although it believed that the guidelines calculations were correct, “to the extent they were incorrectly calculated, [it] would have imposed the same sentence without regard to that range, and [it] would have done so for the same reasons, in light of the 3553(a) factors.” Because the record reflects that Verrill’s sentence was based on factors independent of the Guidelines, his substantial rights were not affected, and he cannot prevail on plain error review. *See Davis*, 602 F.3d at 647. As Verrill has presented no convincing reason why we should vacate the sentence on his failure to register conviction, his argument that his interrelated revocation sentence should likewise be vacated is meritless.

The district court’s judgments are AFFIRMED.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

UNITED STATES OF AMERICA,
Government,

VS.

RAYMOND ARTHUR VERRILL,
Defendant.

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CAUSE NO. 5:24-CR-016-H

SENTENCING HEARING
BEFORE THE HONORABLE JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE

SEPTEMBER 5, 2024
LUBBOCK, TEXAS

A P P E A R A N C E S

FOR THE GOVERNMENT:
UNITED STATES ATTORNEY'S OFFICE
1205 TEXAS AVENUE, SUITE 700
LUBBOCK, TEXAS 79401
BY: CALLIE WOOLAM

FOR THE DEFENDANT:
FEDERAL PUBLIC DEFENDER'S OFFICE
1205 TEXAS AVENUE, SUITE 506
LUBBOCK, TEXAS 79401
BY: WADE IVERSON

FEDERAL OFFICIAL COURT REPORTER: MECHELLE DANIEL, 1205 TEXAS AVENUE, LUBBOCK, TEXAS 79401, (806) 744-7667.

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY; TRANSCRIPT PRODUCED BY COMPUTER-AIDED TRANSCRIPTION.

Mechelle Daniel, Federal Official Court Reporter
(806) 744-7667

Pet. App. 6003 24-10847.92

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P R O C E E D I N G S

THE COURT: And the Court calls for hearing
United States vs. Raymond Arthur Verrill, 5:24-CR-016-1.

Mr. Iverson remains here for the defendant, who is
present and ready. And Ms. Woolam remains here for the
United States.

Mr. Verrill, I know this is a bit awkward because
we just did this, but this is a new case and a separate record.
So, for the record's purposes, would you again please tell me
your full name.

THE DEFENDANT: Raymond Arthur Verrill.

THE COURT: Thank you, sir. All right. In this
case, you previously appeared before Magistrate Judge Bryant
back in mid-May. You pled guilty to Count 1 charging you with
failure to register as a sex offender.

Judge Bryant found that your guilty plea was
knowing and voluntary and supported by a sufficient factual
basis, so he recommended that I accept your guilty plea. And I
did that. On June 5th, I entered an order that accepted your
plea and adjudged you guilty of the crime alleged against you.

Now, Mr. Verrill, I know this is the first time you
and I are seeing each other during the process of this case,
but I want you to know I'm very familiar with this matter. I
have reviewed all these materials, and I am ready to proceed
today. Okay?

11:23 1 THE DEFENDANT: Yes, Your Honor.

11:23 2 THE COURT: All right. Mr. Iverson, have you had
3 an opportunity to read the PSR and its addendum and discuss
4 those documents with your client?

11:23 5 MR. IVERSON: Yes, Your Honor.

11:23 6 THE COURT: Mr. Verrill, have you had an
7 opportunity to read your presentence report and its addendum
8 and discuss those documents with your attorney?

11:23 9 THE DEFENDANT: Yes, Your Honor.

11:23 10 THE COURT: So you understand that we're here so I
11 can decide what sentence to impose?

11:23 12 THE DEFENDANT: Yes, Your Honor.

11:23 13 THE COURT: All right. Mr. Iverson, you had a
14 clarifying objection--a series of clarifications regarding
15 specifics of his living situations in paragraphs 22 through 25.
16 In your view, has that been adopted by the PSR addendum? Do
17 you need to be heard further on that?

11:23 18 MR. IVERSON: I think my--I think the addendum
19 recognizes that he did contact the sex offender registry
20 office; it just wasn't the officer initially highlighted. So I
21 just wanted to clarify, it made it sound like he made no
22 attempt to contact the sex offender registry at all, and I
23 think--I think they adopted the fact that, yes, he did call; he
24 just didn't follow through on everything that was required for
25 that change of address.

11:24 1 And that's the same with the 17th Street address.
2 The indication was, a real estate agent that was working on
3 selling that location didn't have Mr. Verrill as one of the
4 tenants per his record or knowledge. But the probation officer
5 for the State made an unannounced visit to that address and met
6 with Mr. Verrill, who was at that address at that time.

11:24 7 So I think those clarifications were recognized,
8 and that's the important things that I needed clarified. Thank
9 you, Your Honor.

11:24 10 THE COURT: Okay. All right. Well, to the extent
11 they haven't fully been adopted by the addendum--which I think
12 they largely have, as you have noted--I'll sustain your
13 clarifications. They will be adopted today.

11:24 14 To the extent anything remains, it doesn't--none of
15 this affects the advisory guideline range. Correct?

11:24 16 MR. IVERSON: That's correct, Your Honor.

11:24 17 THE COURT: Yeah, and it won't affect the sentence
18 that I impose. So to the extent there's anything that's
19 remaining, I will find that, pursuant to Rule 32(i)(3)(B), it's
20 unnecessary to resolve.

11:25 21 Okay. Are there any remaining objections from the
22 defense?

11:25 23 MR. IVERSON: No, Your Honor.

11:25 24 THE COURT: From the United States?

11:25 25 MS. WOOLAM: No, Your Honor.

11:25 1 THE COURT: Having resolved all objections, the
2 Court adopts the PSR and the PSR addendum's factual findings
3 and legal conclusions as my own. The statutory sentencing
4 range, or the total possible range of punishment here, is a
5 term of imprisonment of not more than 10 years; a fine of
6 \$250,000, or both; and a period of supervised release of at
7 least one year, and up to 3 years.

11:25 8 Under the guidelines manual, we have a Total
9 Offense Level of 13; your Criminal History Category is V; and
10 that results in an advisory guideline range of 30 to 37 months'
11 imprisonment.

11:25 12 Mr. Iverson, as I noted in the last hearing, I will
13 take judicial notice of the argument that you made previously,
14 and I'll take judicial notice of your client's allocution as
15 well, but I'd be glad to hear anything else that you have in
16 this matter.

11:25 17 MR. IVERSON: Thank you, Your Honor. I failed to
18 highlight that his good friend Holly has also taken the time to
19 be here with us, as well as Mike. We appreciate their support.
20 I know he has relied on them. They give him motivation to move
21 forward. As you'll see in the PSR, his family relationships
22 were difficult. His father was an alcoholic and abusive. He
23 has no relationship there. His mother passed away in 2022.
24 And so they are his support.

11:26 25 But again, as I highlighted--and I'll just briefly

1 reemphasize it--he knows that he needs to get financially
2 independent. That's largely--kind of that instability is what
3 set him on the path to where we are today, and he knows that he
4 needs to focus and rely on the resources from Probation to make
5 that happen.

11:26 6 Given that they are parallel cases, both of a new
7 charge and revocation pending, we would ask that those be run
8 concurrent in the judgment on this case and the Court consider
9 that. We believe a bottom-of-the-guideline sentence is
10 appropriate given the revocation federally, that those things
11 are pending on the state, and given the nature of this crime
12 versus other failure to registers where people, in fact, tried
13 to conceal themselves and disappear, which was not the case
14 here.

11:27 15 Thank you, Your Honor.

11:27 16 THE COURT: All right. Thank you, Mr. Iverson. I
17 appreciate that argument. I will take all that into account,
18 as well as your argument from the prior revocation hearing.

11:27 19 All right. Mr. Verrill, again, I know it's a bit
20 awkward because we just went through this, but again, this is a
21 new matter, new record, because this is the new federal crime.
22 I remember what you told me in the last hearing and I will take
23 all that into account, but if there's anything else that you
24 would like to tell me, it is your right to do so. Is there
25 anything else you would like to say, sir?

11:27 1 THE DEFENDANT: No, Your Honor. I covered in my
2 last statement.

11:27 3 THE COURT: Okay. And I do remember that
4 statement, and I will take judicial notice of it.

11:27 5 All right. Ms. Woolam?

11:27 6 MS. WOOLAM: Yes, Your Honor.

11:27 7 Your Honor, this case highlights the issues of
8 protection of society, promoting respect for the law, and
9 deterring future criminal conduct. This defendant has a
10 pattern of not wanting to follow any of the laws. His forcible
11 sodomy conviction from when he was in the Army is detailed in
12 the PSR in paragraph 49, but it's worth noting that he was also
13 convicted at the time for false official statement for lying to
14 the Court in that particular case. And that is the significant
15 starting point--he had some minor criminal history before that,
16 but the significant starting point of what would be his
17 otherwise adult criminal pattern of not wanting to comply with
18 the law or the rules of society.

11:28 19 Our country has determined that people convicted of
20 sex offenses must register as sex offenders to protect society,
21 and it is not the defendant that gets to choose how and at what
22 point he can comply with those rules. He has continued to not
23 comply with the sex offender registration laws, resulting in a
24 2012 conviction in Colorado Springs, a 2018 conviction both in
25 this court, as well as in Lubbock County. He was convicted on

1 both of those--it was the same predicate offense, but he was
2 convicted by both of those courts, which should have sent the
3 even more significant message to him that he has to comply with
4 these laws.

11:29 5 And during a lot of these incidences, it's worth
6 noting that he also continues to use illegal narcotics, just
7 further emphasizing his choice that he continues to make not to
8 comply with the laws of this country.

11:29 9 UNIDENTIFIED PERSON IN GALLERY: [Indiscernible].

11:29 10 THE COURT: Ms. Woolam, one second.

11:29 11 Madam, you have an absolute right to be here. This
12 is a public proceeding--

11:29 13 UNIDENTIFIED PERSON: [Indiscernible].

11:29 14 THE COURT: Stop. It's my turn.

11:29 15 You have a right to be here. This is an open
16 proceeding. Part of the deal is that I'm listening to her, and
17 it's her turn now. You have not been called as a witness. And
18 when you disrupt, it takes my attention away from this case,
19 and what you should want is my undivided attention on the
20 person that you're trying to support today. When you make
21 statements like that in court, it distracts me, and it breaks
22 decorum in this courtroom.

11:29 23 I have a one-strike rule, so this is your one
24 strike. I know you didn't mean it. I know you're emotional
25 today, so I'm going to give you the benefit of the doubt. But

1 if there's any other outburst, I'm going to ask the deputy
2 U.S. marshals to escort you out. I don't want to have to do
3 that, but I have to keep control. Do you understand?

11:30 4 UNIDENTIFIED PERSON: I understand.

11:30 5 THE COURT: All right. Ms. Woolam, go ahead.

11:30 6 MS. WOOLAM: Yes, Your Honor. Thank you.

11:30 7 Your Honor, this defendant has no respect for the
8 laws of this country. He clearly does not believe that the
9 laws that are designed to protect society apply to him, so he
10 is not willing to protect society himself. And he has proven
11 that he will continue to commit future criminal conduct.

11:30 12 And for these reasons, we ask for a sentence at the
13 upper end of the advisory guideline range. Thank you, Your
14 Honor.

11:30 15 THE COURT: All right. Thank you, Ms. Woolam.
16 Ms. Woolam, do you know any reason why the Court cannot
17 lawfully impose sentence at this time?

11:30 18 MS. WOOLAM: No, Your Honor.

11:30 19 THE COURT: Mr. Iverson?

11:30 20 MR. IVERSON: No, Your Honor.

11:30 21 THE COURT: All right. I have carefully reviewed
22 the PSR and its addendum. I inform the defendant that the plea
23 agreement is finally accepted. Judgment and sentence will be
24 consistent with it.

11:30 25 I am required by statute to impose a sentence that

1 is sufficient, but not greater than necessary, to comply with
2 the purposes of sentencing set forth in Section 3553(a)(2), and
3 to consider all of the sentencing factors in that statute,
4 which I have done.

11:31 5 Mr. Verrill, all that really means is, I consider
6 certain guideposts in every case to try to figure out what's
7 reasonable. Here, I've considered the nature and circumstances
8 of your offense, or what did you do.

11:31 9 And in 2009, you were convicted of sodomy by force
10 and without consent by a U.S. Army court-martial. That offense
11 requires lifetime sex offender registration.

11:31 12 In 2019, you moved from Colorado to Lubbock, and
13 you were registered on the Texas sex offender registry. A
14 requirement of your inclusion on that registry is that you must
15 notify law enforcement if you change addresses. In September
16 of '23, you designated an address on 17th Street as your
17 residence to law enforcement. Shortly thereafter, you
18 designated an address on 46th Street. But a resident on the
19 46th Street--or at the 46th Street address claimed that you did
20 not reside there.

11:32 21 In short, you did fail to keep your registration on
22 the Texas sex offender list current. You've admitted guilt to
23 that offense. That is a serious offense for the reasons I
24 think fairly stated by the Assistant United States Attorney
25 today. The people, through Congress, have determined that

1 these are requirements for notice to the public and for
2 protection of the public. You knew it. You violated it.

11:32 3 It's especially concerning in light of your
4 criminal history. This is not the first time you've been
5 convicted of this kind of crime, and you committed this one
6 while on supervised release.

11:32 7 Your history includes breaking and entering a
8 building with intent; theft; the false official statement
9 that's been referenced earlier; the forcible sodomy that was
10 referenced earlier; and then in 2012, sex offender failure to
11 register; 2018, failure to comply, sex offender, duty to
12 register; 2018, failure to register, sex offender. That's in
13 this court. And now, unfortunately, here we are again.

11:33 14 I wish that prior and more lenient sentences had
15 deterred you from additional criminal conduct. They haven't.
16 Here we are. And I can't ignore that history. And I do find
17 it especially concerning in light of the history here.

11:33 18 My sentence must impose--that I impose must reflect
19 the seriousness of the offense, and, as I've mentioned, this is
20 a serious one. I must also promote respect for the law. And,
21 thus far, you have shown little, if any, respect for the law.
22 I know that these obligations, I'm sure, are not easy. They
23 are not meant to be. But they are also not optional.

11:33 24 I must provide a just punishment, I must afford
25 adequate deterrence, and I must protect the public from further

1 crimes. All of those conditions, in light of this history, do
2 weigh heavily here.

11:33 3 After considering the statutory factors, the
4 purposes of sentencing, and the parties' arguments, I have
5 determined that a sentence of 37 months is sufficient, but not
6 greater than necessary.

11:33 7 I inform both sides that, although I believe the
8 guideline calculations announced today were correct, to the
9 extent they were incorrectly calculated, I would have imposed
10 the same sentence without regard to that range, and I would
11 have done so for the same reasons, in light of the 3553(a)
12 factors.

11:34 13 This sentence is going to run consecutively to the
14 sentence imposed in Case Number 2018-415,870 pending in the--
15 that's the one--pardon me. That's the one you mentioned
16 earlier. That's the related one. Correct? The 870?

11:34 17 MR. IVERSON: Yes. So that is the--41870 is the
18 pending revocation.

11:34 19 THE COURT: Yep.

11:34 20 MR. IVERSON: And then the 229 I believe is the new
21 charge.

11:34 22 THE COURT: All right. Pardon me. The sentence
23 will run consecutively to any sentence imposed in Case
24 Number 5:19-CR-013 pending in this court.

11:34 25 It will run concurrently with the sentence imposed

1 in Case Number DC-2023-CR-0229 and 2018-415,870 pending in the
2 364th Judicial District Court of Lubbock County, Texas.

11:35 3 I have granted the request previously and I will
4 grant it again for a nonbinding placement recommendation at
5 FCI Seagoville.

11:35 6 I will also recommend that, while incarcerated, the
7 defendant receive appropriate substance abuse and mental health
8 treatment, but I didn't lengthen the term of imprisonment to
9 promote rehabilitation, because I'm barred from doing so under
10 binding precedent.

11:35 11 Sir, upon release, you're going to be on supervised
12 release for a term of 3 years. While on release, you shall
13 comply with the mandatory conditions of release listed in your
14 presentence report and in Section 3583(d).

11:35 15 Mr. Iverson, did you and your client receive and
16 discuss my written notice of intent to impose the standard and
17 special conditions?

11:35 18 MR. IVERSON: We did. We have reviewed that. It's
19 been signed and filed with the Court. We have no objection,
20 Your Honor.

11:35 21 THE COURT: Thank you, sir.

11:35 22 Hearing no objections, they are adopted today.
23 They will be included in my judgment. I find that they are
24 reasonable and they relate to all of the appropriate statutory
25 considerations, and they impose no greater deprivation of

1 liberty than reasonably necessary under the statute.

11:36 2 I'm waiving a fine, because I don't think you can
3 pay one.

11:36 4 But you must pay the United States the mandatory
5 special assessment of \$100, due and payable immediately.

11:36 6 Sir, to the extent you have not waived your right
7 to appeal, you do have the right to appeal your conviction and
8 your sentence. If you'd like to appeal, you need to file a
9 notice of appeal within 14 days of today in this court. If you
10 want to do that, just tell your attorney. He is very familiar
11 with that process, and he can help you get that done.

11:36 12 He can also ask that the costs of the appeal go to
13 the United States, and not to you.

11:36 14 Do you understand those rights?

11:36 15 THE DEFENDANT: Yes, Your Honor.

11:36 16 THE COURT: Okay. Mr. Iverson, anything else from
17 the defense?

11:36 18 MR. IVERSON: No, Your Honor.

11:36 19 THE COURT: From the United States?

11:36 20 MS. WOOLAM: No, Your Honor.

11:36 21 THE COURT: All right. Mr. Verrill, at this time,
22 you are remanded to the custody of the United States Marshal.
23 Good luck to you, sir.

11:36 24 Court is adjourned.

11:36 25 (END OF HEARING)

I, Mechelle Daniel, Federal Official Court Reporter in and for the United States District Court for the Northern District of Texas, do hereby certify pursuant to Section 753, Title 28, United States Code, that the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

/s/ Mechelle Daniel DATE OCTOBER 25, 2024

MECHELLE DANIEL, CSR #3549
FEDERAL OFFICIAL COURT REPORTER

Mechelle Daniel, Federal Official Court Reporter
(806) 744-7667

Pet. App. 24-10847.107

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS LUBBOCK DIVISION

UNITED STATES OF AMERICA

v.

RAYMOND ARTHUR VERRILL§ **JUDGMENT IN A CRIMINAL CASE**

§

§

§ Case Number: **5:24-CR-00016-H-BV(1)**§ USM Number: **58385-177**§ **Wade William Iverson**

§ Defendant's Attorney

THE DEFENDANT:

<input type="checkbox"/>	pleaded guilty to count(s)	
<input checked="" type="checkbox"/>	pleaded guilty to count(s) before a U.S. Magistrate Judge, which was accepted by the court.	1 of the indictment filed February 14, 2024.
<input type="checkbox"/>	pleaded nolo contendere to count(s) which was accepted by the court	
<input type="checkbox"/>	was found guilty on count(s) after a plea of not guilty	

The defendant is adjudicated guilty of these offenses:

Title & Section / Nature of Offense

18 U.S.C. § 2250(a) - FAILURE TO REGISTER AS A SEX OFFENDER

Offense Ended

01/31/2024

Count

1

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) ☐ is ☐ Remaining count(s) 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.

September 5, 2024

Date of Imposition of Judgment

Signature of Judge

James Wesley Hendrix
United States District Judge

Name and Title of Judge

September 5, 2024

Date

DEFENDANT: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

IMPRISONMENT

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

37 months as to count 1. This sentence shall run consecutively to any sentence imposed in Case No. 5:19-CR-013-H(01), pending in the U.S. District Court, Northern District of Texas, Lubbock Division. This sentence shall also run concurrently with any sentence imposed in Case No. DC-2023-CR-0229, pending in the 364th Judicial District Court, Lubbock County, Texas, and Case No. 2018-415,870, pending in the 364th Judicial District Court, Lubbock County, Texas.

☒ The court makes the following recommendations to the Bureau of Prisons: Incarceration at FCI Seagoville, Texas.

The Court recommends that, while incarcerated, the defendant receive appropriate substance-abuse and mental-health treatment, but the Court did not lengthen the defendant's prison term to promote rehabilitation. *See Tapia v. United States*, 564 U.S. 319 (2011).

☒ 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: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: **Three (3) 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 which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

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

DEFENDANT: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

STANDARD CONDITIONS OF SUPERVISION

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

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

U.S. Probation Office Use Only

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

Defendant's Signature _____

Date _____

DEFENDANT: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in outpatient mental health treatment services as directed by the probation officer until successfully discharged. These services may include medications prescribed by a licensed physician. The defendant shall contribute to the costs of services rendered (copayment) at a rate of at least \$25.00.
2. The defendant shall participate in an outpatient program approved by the probation officer for treatment of narcotic, drug, or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, and contributing to the costs of services rendered (copayment) at the rate of at least \$25.00 per month.

DEFENDANT: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments page.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$100.00	\$.00	\$.00	\$.00	\$.00

- ☐ The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* 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. 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 the schedule of payments page 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:
- | | | |
|---|-------------------------------|--|
| <input type="checkbox"/> the interest requirement is waived for the | <input type="checkbox"/> fine | <input type="checkbox"/> restitution |
| <input type="checkbox"/> the interest requirement for the | <input type="checkbox"/> fine | <input type="checkbox"/> 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: RAYMOND ARTHUR VERRILL
CASE NUMBER: 5:24-CR-00016-H-BV(1)

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 payments of \$ _____ 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 20 (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:
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 paid to the Clerk, U.S. District Court.

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

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

- ☐ Joint and Several
See above for 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) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

UNITED STATES OF AMERICA,)	
Government,)	
VS.)	CAUSE NO. 5:19-CR-013-H
RAYMOND ARTHUR VERRILL,)	
Defendant.)	

REVOCATION HEARING
BEFORE THE HONORABLE JAMES WESLEY HENDRIX,
UNITED STATES DISTRICT JUDGE

SEPTEMBER 5, 2024
LUBBOCK, TEXAS

A P P E A R A N C E S

FOR THE GOVERNMENT:
UNITED STATES ATTORNEY'S OFFICE
1205 TEXAS AVENUE, SUITE 700
LUBBOCK, TEXAS 79401
BY: CALLIE WOOLAM

FOR THE DEFENDANT:
FEDERAL PUBLIC DEFENDER'S OFFICE
1205 TEXAS AVENUE, SUITE 506
LUBBOCK, TEXAS 79401
BY: WADE IVERSON

FEDERAL OFFICIAL COURT REPORTER: MECHELLE DANIEL, 1205 TEXAS AVENUE, LUBBOCK, TEXAS 79401, (806) 744-7667.

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY; TRANSCRIPT PRODUCED BY COMPUTER-AIDED TRANSCRIPTION.

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P R O C E E D I N G S

THE COURT: The Court calls the next case on the docket, United States vs. Raymond Arthur Verrill, for a revocation hearing, Case 5:19-CR-013-1.

Who is here on behalf of the defendant?

MR. IVERSON: Your Honor, Wade Iverson present and ready with Mr. Verrill.

THE COURT: Thank you. It's good to see you, Mr. Iverson.

For the United States?

MS. WOOLAM: Callie Woolam on behalf of the United States. Ready to proceed, Your Honor.

THE COURT: Thank you, Ms. Woolam. Good to see you as well.

All right. It's Verrill? Is that right?

THE DEFENDANT: Yes, Your Honor.

THE COURT: All right. Mr. Verrill, good morning.

THE DEFENDANT: Good morning.

THE COURT: Please tell me your full name.

THE DEFENDANT: Raymond Arthur Verrill.

THE COURT: Thank you, sir. Would you please raise your right hand as you are able.

(THE DEFENDANT IS SWORN BY THE COURT)

THE COURT: Thank you, sir.

All right. This matter comes before me on your

1 probation officer's petition for offender under supervision and
2 the government's motion to revoke your term of supervised
3 release. Those documents allege violations of four mandatory
4 conditions and one standard condition of your terms of
5 supervision.

11:07 6 The allegations are detailed in those documents
7 but, in short, sir, you're accused of violating your conditions
8 of release in the following ways: by committing another crime,
9 namely, failure to register as a sex offender; and also by
10 using methamphetamine.

11:07 11 Now, sir, have you had an opportunity to discuss
12 your probation officer's petition and the government's motion
13 with your attorney?

11:07 14 THE DEFENDANT: Yes, Your Honor.

11:07 15 THE COURT: Do you understand the allegations that
16 are being made against you and the potential consequences if
17 you were to plead true to them?

11:07 18 THE DEFENDANT: Yes, Your Honor.

11:07 19 THE COURT: So you understand that we're here so I
20 can decide whether to revoke supervised release and, if I do
21 that, what sentence to impose?

11:07 22 THE DEFENDANT: Yes, Your Honor.

11:07 23 THE COURT: Mr. Iverson, do you agree that your
24 client is competent and capable of participating today?

11:08 25 MR. IVERSON: Yes, Your Honor.

11:08 1 THE COURT: How does he intend to plead?

11:08 2 MR. IVERSON: True, Your Honor.

11:08 3 THE COURT: Mr. Verrill, is that right? Are the
4 allegations against you true or are they not true?

11:08 5 THE DEFENDANT: They are true, Your Honor.

11:08 6 THE COURT: Is anybody making you do this or
7 forcing you into that decision?

11:08 8 THE DEFENDANT: No, Your Honor.

11:08 9 THE COURT: Then I will find that you have
10 knowingly and voluntarily pled true to the allegations against
11 you.

11:08 12 Any evidence or argument from the United States,
13 Ms. Woolam?

11:08 14 MS. WOOLAM: Not as to this matter, Your Honor.

11:08 15 THE COURT: All right. Any evidence or argument
16 from the defense?

11:08 17 MR. IVERSON: Yes, Your Honor.

11:08 18 THE COURT: Go ahead.

11:08 19 MR. IVERSON: Thank you, Your Honor.

11:08 20 And, Your Honor, obviously, I'm going to highlight
21 some of the things in the case to come. These are very
22 interrelated, and so I just ask that you take judicial notice
23 of this argument in the next case, Your Honor.

11:08 24 THE COURT: I will.

11:08 25 MR. IVERSON: Your Honor, Mr. Verrill was doing

1 well. He got out on supervised release in 2020. He began
2 working at Ashley Furniture. Unfortunately, he was not able to
3 go live where he wanted. There was a personal conflict with
4 the owner of that home where Mike, who is here in our courtroom
5 today, resided, and so he found a rental. But because he had
6 stable employment, things were working out with that landlord.
7 That address was on 33rd Street. But unfortunately, Ashley
8 Furniture, in about May of 2023, did some layoffs. So it was
9 nothing directed at Mr. Verrill himself or any conduct. They
10 just needed to lay off a group of employees.

11:09 11 And so upon losing that employment, his landlord
12 made the decision, rather than kind of be patient while he
13 found something else, that she was going to sell that home.
14 And so that's kind of what perpetuated the situation where he
15 needed to find somewhere to live on short notice, and so that's
16 how he ended up at 17th Street and provided that information.
11:09 17 But that was not a good situation. He just had a room there.

11:09 18 But as noted in my objection and some of the
19 documents I provided, his state probation officer--upon
20 arrival, a gentleman had a pipe, a drug pipe. Initially
21 confused the name Raymond. He knew him as Ray. But he did go
22 get him.

11:10 23 But he had talked to his probation officer about
24 that not being a good place, and we're not surprised to see
25 that he had methamphetamine positives in October 2023, so those

1 uses in September, October. It just wasn't a good place. So
2 that, kind of, stability of location and job, as that fell
3 apart, he just was in a situation where he owns that he made
4 bad decisions. He was around bad people. But that's kind of
5 what put him in this situation.

11:10

6 And so getting out of that address at 17th was the
7 right thing to do, but he didn't finish doing it the right way.
8 He didn't cross all the t's, dot all the i's. In my objection
9 in the case to come, it highlighted in the facts--and these
10 were kind of the initial facts--that Officer Nuss, I think it's
11 pronounced, or Nuss, wasn't contacted.

11:10

12 But that felt misleading and why I filed that
13 clarifying objection, because he was given a single number to
14 the sex offender registry in Lubbock County that he was told to
15 contact. He was not supposed to show up unannounced. They
16 were supposed to call, make an appointment, and then show up at
17 that appointment.

11:11

18 And that is what he did. He called that number.
19 That happened to be Officer Diaz that was called. But later,
20 kind of, investigation determined that, yes, there were notes
21 that he had, in fact, called the sex offender registry office
22 and made an appointment, but he was unable to follow through
23 with kind of everything that they needed to verify, where he
24 was going, that he could be there, because he was not welcome
25 there by the landlord.

11:11 1 So it was a situation that was unfortunate due to
2 the instability of his employment and somewhere to live. He
3 owns that he didn't follow through. He didn't do everything
4 the way he should have. His driver's license wasn't updated.
5 He didn't get approval to move before he moved. And that's why
6 we're before you today on both this revocation--because the
7 drug use side of it, PaulMichael--and he really appreciates
8 working with PaulMichael, has nothing but good things to say
9 about the support provided to him by PaulMichael from the
10 probation office--with the drug use, gave him the opportunity
11 to get into some treatment, figure that out, and he did. You
12 don't see any noncompliance as far as not showing up to
13 appointments once that modification was put into place. In
14 fact, the opposite. You see that he was compliant. He was
15 doing well in treatment. There was no missed check-ins with
16 PaulMichael or the state probation.

11:12 17 So while the facts and sex offender register are
18 important, this isn't a case of somebody who tried to disappear
19 and abscond and blow everything off. It's somebody who lost
20 his stable employment, kind of put him on a path where things
21 became unstable in his life and he was unable to fulfill due to
22 his choices. Obviously the drug use and being around those
23 people is what we saw right before kind of getting
24 lackadaisical with the registration, and here we are before
25 you.

1 But he understands that. He values his freedom.
2 He has taken the time while being in custody to figure out a
3 plan to-- I mean, he looks back on what happened and he
4 realizes, even though he was doing everything right at Ashley
5 Furniture, when you're working for somebody else, they can lay
6 you off. That's just the reality.

7 And so he has been investigating working on ways to
8 be self-employed and use this time to get everything in order
9 for that. He has found a service where he would deliver cars.
10 And so he has kind of been working on setting everything up the
11 best way he can from custody and getting everything in order so
12 that he can be self-employed and kind of be in the control of
13 his own destiny, his own freedom, because he knows that
14 stability is necessary. It's no surprise to him that if he
15 fails in either supervised release conditions or the sex
16 offender registry requirements, that he'll be back before the
17 Court. It's happened before. He understands why he's here
18 again.

19 But we ask that you consider this case in
20 comparison to others, where people have just kind of blown it
21 off, not done the little things. He was doing a lot of things
22 right for a very long time, almost three years out of his
23 five years of supervised release.

24 And this case is also unique, Your Honor, in that
25 it's parallel to what's happening over in the state. So he has

1 got a charge pending in the state that's noted in the PSR for
2 failure to register. It's the same conduct. He has also got a
3 revocation over in the state.

11:14 4 And so I'm requesting that this Court, in this
5 revocation sentence for the federal case, run the revocation
6 sentence concurrent with the state revocation sentence. And I
7 do have a case number for that.

11:14 8 THE COURT: Okay. Give me one second, please.

11:14 9 MR. IVERSON: Yes, Your Honor.

11:14 10 (PAUSE)

11:14 11 THE COURT: Is that the case number that ends in
12 0229?

11:14 13 MR. IVERSON: That's the new charge in Lubbock
14 County.

11:14 15 THE COURT: Okay.

11:14 16 MR. IVERSON: But they are also revoking him for
17 the same reason, failure to register, on his state probation.

11:14 18 THE COURT: All right. What is that case number?

11:14 19 MR. IVERSON: That is 2018-415,870, Your Honor.

11:14 20 THE COURT: 2018-415,870?

11:14 21 MR. IVERSON: Yes. And that is a revocation
22 pending in Lubbock County, Your Honor.

11:14 23 THE COURT: In which court?

11:14 24 MR. IVERSON: I believe it's the same, the 364th,
25 Your Honor.

11:14 1 THE COURT: All right.

11:14 2 MR. IVERSON: Because that's where he received his
3 prior-- If I may just have a moment to confirm that, Your
4 Honor?

11:15 5 THE COURT: Sure.

11:15 6 MR. IVERSON: Thank you, Your Honor.

11:15 7 (PAUSE)

11:15 8 MR. IVERSON: Yes. That is related to the charge
9 in paragraph 51, Your Honor, of the PSR. And that is in the
10 364th District Court in Lubbock County, Your Honor.

11:15 11 THE COURT: Okay. Any objection to that from the
12 United States?

11:15 13 MS. WOOLAM: No, Your Honor.

11:15 14 THE COURT: Okay. All right. That's granted. Any
15 sentence that I impose today will run concurrently with any
16 sentence imposed in Case Number DC-2023-CR-0229 and Case
17 Number 2018-415,870, also pending in the--both pending in the
18 364th Judicial District Court of Lubbock County, Texas.

11:15 19 All right. Anything else, Mr. Iverson?

11:15 20 MR. IVERSON: Just a recommendation for both this
21 revocation, as well as the next sentence, for FCI Seagoville,
22 Your Honor.

11:15 23 THE COURT: That's granted.

11:15 24 MR. IVERSON: Thank you, Your Honor.

11:16 25 THE COURT: All right. Mr. Verrill, I've heard

1 from your attorney. I have reviewed everything, of course,
2 that's been filed, both in this case and in your new crime,
3 which we'll take that hearing next. But you have the right to
4 speak today. You don't have to say anything if you don't want
5 to, and I won't hold it against you if you don't. Is there
6 anything you would like to say?

11:16 7 THE DEFENDANT: Yes, Your Honor.

11:16 8 THE COURT: Go ahead.

11:16 9 THE DEFENDANT: Your Honor, standing here to be
10 sentenced is not something I ever want to do again. That's
11 obvious. But I know I am here because I fell short of my
12 responsibilities to comply with everything that I agreed to to
13 be released on supervision.

11:16 14 I want to thank my probation officer, PaulMichael,
15 as well as my state probation officer, Zach Carrasco, for their
16 help as I worked to get back on my feet. Unfortunately, I had
17 to leave my home because of personal reasons from my landlord,
18 and I was never able to get things stable after that. I lost
19 my job at Ashley Furniture. I started making bad choices
20 that-- They were just bad choices. I can't--I'm not trying to
21 justify what they are.

11:17 22 I learned from this situation and had plans to
23 become self-employed, as my attorney had stated, through a car
24 delivery service and have a home of my own where I can surround
25 myself with those that support me and want me to succeed.

11:17 1 I understand that both my supervised release
2 conditions and sex offender registration requirements are not
3 optional. I have to be fully committed to making sure and full
4 my--and--assure I fulfill my responsibilities. I am committed
5 to making that happen, and my future and freedom depend on it.

11:18 6 THE COURT: All right. Thank you, Mr. Verrill. I
7 appreciate that statement, and I will take that into account.

11:18 8 Mr. Iverson, do you know any reason why the Court
9 cannot lawfully make its decisions at this time?

11:18 10 MR. IVERSON: No, Your Honor.

11:18 11 THE COURT: Ms. Woolam?

11:18 12 MS. WOOLAM: No, Your Honor.

11:18 13 THE COURT: Having considered the government's
14 motion to revoke supervised release and having heard the
15 defendant's admission of true to the allegations in it, the
16 motion is granted. The term of supervised release previously
17 imposed in this case is revoked.

11:18 18 We have a Grade B violation. Your Criminal History
19 Category is III. And that results in an advisory policy
20 statement range of 8 to 14 months' imprisonment. The statutory
21 maximum for confinement for this violation is two years, or
22 24 months.

11:18 23 In determining the appropriate sentence, I have
24 considered all of the factors I am required to consider under
25 the statute, but I haven't considered any that I'm barred from

1 considering under the plain language of that statute and
2 binding precedent.

11:19 3 Mr. Verrill, your conditions of release existed for
4 your benefit. They were there to help you, to hold you
5 accountable, and to keep you on track. They were not flexible,
6 nor am I. The violations here are very concerning, especially
7 in light of your history and your characteristics.

11:19 8 I understand the arguments that your attorney has
9 made today about some extenuating circumstances: losing your
10 job, not having a good housing situation. You're not the first
11 person to face those challenges on supervised release, and it
12 was your obligation to work with your probation officer to
13 overcome them. What you couldn't do is commit a new crime,
14 which is what has happened here.

11:19 15 I understand, again, the argument about that. But
16 whether you intended to do this or not, you did commit a new
17 crime. It is what we're going to handle next, failure to
18 register as a sex offender. You don't have the opportunity to
19 be lackadaisical. You don't have an opportunity to do anything
20 but follow the law and its requirements to the tee, especially
21 in light of the fact that you have multiple prior convictions
22 for, essentially, failure to register. This is not the first
23 time this has happened. You know--you absolutely--you, of
24 anybody, should know better. But nevertheless, while on
25 federal supervised release for the crime of failure to register

1 as a sex offender, you commit the crime of failure to register
2 as a sex offender. I can't ignore that. That is particularly
3 concerning to me.

11:20 4 And I have determined, after considering the nature
5 and circumstances of your offense, your history and your
6 characteristics, and the need to afford adequate deterrence of
7 criminal conduct, that a sentence of 14 months is sufficient,
8 but not greater than necessary.

11:20 9 I am not going to impose any further term of
10 supervised release, because you do face a new sentence in our
11 next hearing.

11:21 12 I will note that the sentence imposed in this case
13 will run consecutively to any sentence imposed in Case
14 Number CR--pardon me--5:24-CR-016 pending in the Northern
15 District of Texas, Lubbock Division. That is our next case.
16 And it will run concurrently as announced earlier.

11:21 17 Sir, you do have the right to appeal from the
18 revocation of your supervised release and from the sentence
19 that I have imposed. If you'd like to appeal, you need to file
20 a notice of appeal within 14 days of today in this court. If
21 you want to do that, just tell Mr. Iverson. He is very
22 familiar with that process, and he can help you get that done.

11:21 23 He can also ask that the costs of the appeal go to
24 the United States, and not to you.

11:21 25 Do you understand those rights?

11:21 1 THE DEFENDANT: Yes, Your Honor.

11:22 2 THE COURT: All right. Mr. Iverson, anything
3 further in this case?

11:22 4 MR. IVERSON: No, Your Honor.

11:22 5 THE COURT: From the United States?

11:22 6 MS. WOOLAM: No, Your Honor.

11:22 7 THE COURT: Okay. We will close the record in this
8 case.

11:22 9 (END OF HEARING)

11:22 10

11:22 11 I, Mechelle Daniel, Federal Official Court Reporter in and
12 for the United States District Court for the Northern District
13 of Texas, do hereby certify pursuant to Section 753,
14 Title 28, United States Code, that the foregoing is a true and
correct transcript of the stenographically reported proceedings
held in the above-entitled matter and that the transcript page
format is in conformance with the regulations of the Judicial
Conference of the United States.

11:22 15

11:22 16 /s/ Mechelle Daniel DATE OCTOBER 25, 2024

11:22 17 MECHELLE DANIEL, CSR #3549
18 FEDERAL OFFICIAL COURT REPORTER

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