

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

MICHAEL HUFFMAN,

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

JASON HAWKINS
Federal Public Defender
Northern District of Texas
TX State Bar No. 00759763
525 Griffin Street, Suite 629
Dallas, TX 75202
(214) 767-2746

/s/ Quincy Hope Ferrill
QUINCY HOPE FERRILL**
Assistant Federal Public Defender
Northern District of Texas
TX Bar No. 24108851
819 Taylor Street, Room 9A10
Fort Worth, Texas 76102
(817) 978-2753

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Appendix A Order of Fifth Circuit, *United States v. Huffman*, CA No. 25-11298,
(5th Cir. Jun. 8, 2026)

Appendix B Amended Judgment and Sentence of the United States District Court
for the Northern District of Texas, entered December 4, 2025.
United States v. Huffman, Dist. Court 4:25-CR-00136-P.

APPENDIX A

United States Court of Appeals
for the Fifth Circuit

No. 25-11298

United States Court of Appeals
Fifth Circuit

FILED

June 8, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL HUFFMAN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-136-1

UNPUBLISHED ORDER

Before JONES, RICHMAN, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

IT IS ORDERED that Appellee's opposed motion to dismiss the appeal is GRANTED.

IT IS FURTHER ORDERED that Appellee's alternative motion to extend time to file appellee's brief 30 days from denial of motion is DENIED AS MOOT.

APPENDIX B

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS
Fort Worth Division

UNITED STATES OF AMERICA

***AMENDED JUDGMENT IN A CRIMINAL CASE**

v.

MICHAEL HUFFMAN

Case Number: 4:25-CR-00136-P(01)
U.S. Marshal's No.: 75806-511
Aisha Saleem, Assistant U.S. Attorney
Christopher Weinbel, Attorney for the Defendant

On June 11, 2025 the defendant, MICHAEL HUFFMAN, entered a plea of guilty as to Counts One and Two of the Information filed on June 6, 2025. Accordingly, the defendant is adjudged guilty of such Counts, which involves the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 2252A(a)(2) and (b)(1)	Distribution of Child Pornography	4/22/2025	One
18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2)	Possession of Child Pornography	4/22/2025	Two

The defendant is sentenced as provided in pages 2 through 9 of this judgment. The sentence is imposed pursuant to Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission pursuant to Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$200.00 as to Counts One and Two of the Information filed on June 6, 2025.

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

Sentence imposed November 20, 2025.



MARK T. PITTMAN
U.S. DISTRICT JUDGE

Signed December 4, 2025

**Amended to correct victim information for restitution and to add assessment pursuant to 18 U.S.C. § 3014.*

25-11298.68

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IMPRISONMENT

The defendant, MICHAEL HUFFMAN, is hereby committed to the custody of the Federal Bureau of Prisons (BOP) to be imprisoned for a term of **One Hundred Fifty-Two (152) months** as to Count One and **One Hundred Fifty-Two (152) months** as to Count Two to run concurrently for a total period of **One Hundred Fifty-Two (152) months** of the Information filed on June 6, 2025.

The Court recommends to the Bureau of Prisons that the defendant be able to participate in the Inmate Financial Responsibility Program and to be incarcerated at the FCI Seagoville facility, or at a facility as close to the Dallas, Fort Worth, TX area as possible.

The defendant is remanded to the custody of the United States Marshal.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **Ten (10) years** as to Count One and **Ten (10) years** as to Count Two to run concurrently for a total period of **Ten (10) years** of the Information filed on June 6, 2025.

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

- 1) The defendant shall report to the probation office in the federal judicial district where he or she is authorized to reside within 72 hours of release from imprisonment, unless the probation officer instructs the defendant to report to a different probation office or within a different time frame;
- 2) After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when to report to the probation officer, and the defendant shall report to the probation officer as instructed;
- 3) The defendant shall not knowingly leave the federal judicial district where he or she is authorized to reside without first getting permission from the court or the probation officer;
- 4) The defendant shall answer truthfully the questions asked by the probation officer;
- 5) The defendant shall live at a place approved by the probation officer. If the defendant plans to change where he or she lives or anything about his or her living arrangements (such as the people the defendant lives with), the defendant shall 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, the defendant shall notify the probation officer within 72 hours of becoming aware of a change or expected change;
- 6) The defendant shall allow the probation officer to visit the defendant at any time at his or her home or elsewhere, and the defendant shall permit the probation officer to take any items prohibited by the conditions of the defendant's supervision that he or she observed in plain view;

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- 7) The defendant shall work full time (at least 30 hours per week) at a lawful type of employment, unless the probation excuses the defendant from doing so. If the defendant does not have full-time employment, he or she shall try to find full-time employment, unless the probation officer excuses the defendant from doing so. If the defendant plans to change where the defendant works or anything about his or her employment (such as the position or the job responsibilities), the defendant shall 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, the defendant shall notify the probation officer within 72 hours of becoming aware of a change or expected change;
- 8) The defendant shall not communicate or interact with someone the defendant knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant shall not knowingly communicate or interact with that person without first getting the permission of the probation officer;
- 9) If the defendant is arrested or questioned by a law enforcement officer, the defendant shall notify the probation officer within 72 hours;
- 10) The defendant shall 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) The defendant shall not act or make an 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 the defendant poses a risk to another person (including an organization), the probation officer may require the defendant to notify the person about the risk and the defendant shall comply with that instruction. The probation officer may contact the person and confirm that the defendant has notified the person about the risk; and,
- 13) The defendant shall follow the instructions of the probation officer related to the conditions of supervision.

In addition the defendant shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

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

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

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;

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take notice that the above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse;

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;

make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664;

pay the assessment imposed in accordance with 18 U.S.C. § 3013;

have no contact with minors under the age of 18, including by correspondence, telephone, internet, electronic communication, or communication through third parties. The defendant shall not have access to or loiter near school grounds, parks, arcades, playgrounds, amusement parks or other places where children may frequently congregate, except as may be allowed upon advance approval by the probation officer;

have no contact with the victim(s), including correspondence, telephone contact, or communication through third parties except under circumstances approved in advance by the probation officer and not enter onto the premises, travel past, or loiter near the victims' residences, places of employment, or other places frequented by the victims;

participate and comply with the requirements of the Computer and Internet Monitoring Program and shall pay the costs of the program. The defendant shall consent to the probation officer's conducting ongoing monitoring of his/her computer/computers. The monitoring may include the installation of hardware and/or software systems that allow evaluation of computer use. The defendant shall not remove, tamper with, reverse engineer, or circumvent the software in any way. The defendant shall only use authorized computer systems that are compatible with the software and/or hardware used by the Computer and Internet Monitoring Program. The defendant shall permit the probation officer to conduct a preliminary computer search prior to the installation of software. At the discretion of the probation officer, the monitoring software may be disabled or removed at any time during the term of supervision;

submit to periodic, unannounced examinations of his/her computer/computers, storage media, and/or other electronic or Internet-capable devices, performed by the probation officer at reasonable times and in a reasonable manner based on reasonable suspicion of contraband evidence of a violation of supervision. This may include the retrieval and copying of any prohibited data and/or the removal of such system for the purpose of conducting a more thorough inspection. The defendant shall provide written authorization for release of information from the defendant's Internet service provider;

not use any computer other than the one the defendant is authorized to use without prior approval from the probation officer;

not use any software program or device designed to hide, alter, or delete records and/or logs of the defendant's computer use, Internet activities, or files stored on the defendant's computer;

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not access any service or use any software that allows for direct peer to peer contact, that may include chat rooms, file sharing or file transfer protocol activity, or other similar activity, without permission from the probation officer;

not install new hardware, perform upgrades, or effect repairs on his/her computer system without the prior permission of the probation officer;

not access any Internet Service Provider account or other online service using someone else's account, name designation, or an alias, and shall not use or own any device that allows Internet access, other than as authorized by the probation officer. This includes, but is not limited to, PDA's, electronic games, and cellular/digital telephones;

take notice that without prior approval of the probation officer, the defendant shall not maintain or create a user account on any social networking site (i.e., Facebook, Twitter, Snapchat, Instagram, Grindr, Tinder, etc.) that allows access to persons under the age of 18, or allows for the exchange of sexually-explicit material, chat conversations, or instant messaging. The defendant shall neither view nor access any web profile of users under the age of 18;

not transfer, sell, give away, or otherwise convey any asset with a value of \$500 or more without the approval of the probation officer;

notify the probation officer within 72 hours of acquiring or changing any type of communication device, including pagers, cellular telephones, personal telephones, business telephones, electronic mail addresses, or web addresses;

provide to the probation officer complete access to all business and personal financial information;

neither possess nor have under his/her control any pornographic matter or any matter that sexually depicts minors under the age of 18 including, but not limited to, matter obtained through access to any computer and any matter linked to computer access or use;

participate in sex-offender treatment services as directed by the probation officer until successfully discharged, which services may include psycho-physiological testing to monitor the defendant's compliance, treatment progress, and risk to the community, contributing to the costs of services rendered (copayment) at the rate of at least \$100 per month; and,

take notice that if, upon commencement of the term of supervised release, any part of the \$111,000 restitution ordered by this judgment remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$100 per month, whichever is greater. Payment shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. Any unpaid balance of the restitution ordered by this judgment shall be paid in full 60 days prior to the termination of the term of supervised release. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt of money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means

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available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

FINE/RESTITUTION

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

Pursuant to the Mandatory Victims Restitution Act of 1996, the defendant is ordered to pay restitution in the amount of \$111,000.00, payable to the U.S. District Clerk, 501 West 10th Street, Room 310, Fort Worth, Texas 76102. Restitution shall be payable immediately and any unpaid balance shall be payable during incarceration. Restitution shall be disbursed as follows:

Restitution of \$111,000.00 to:

Baker & Hostetler, LLP
1170 Peachtree St. NE, Suite 2400
Atlanta, GA 30309
Attn: Accounting Supervisor
In trust for Audrey: \$3,000.00

Carol L. Hepburn
PO Box 17718
Seattle, WA 98127
In trust for Maria: \$3,000.00

Cusack & Gilfillan, LLC
240 SW Jefferson Ave., Suite 100
Peoria, IL 61602
In trust for Cindy: \$3,000.00

Deborah A. Bianco
P.O. Box 6503
Bellevue, WA 98008
In trust for Pia: \$3,000.00
In trust for Ava: \$3,000.00
In trust for Mya: \$3,000.00
In trust for Jessy: \$3,000.00
In trust for Kauzie: \$3,000.00
In trust for Jack: \$3,000.00
In trust for Nicoletta: \$3,000.00
In trust for Maureen: \$3,000.00
In trust for Henley: \$3,000.00

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The Law Office of Erik Bauer
P.O. Box 1091
Tacoma, WA 98401
Attn Erik Bauer
In trust for John Doe 2: \$3,000.00
In trust for John Doe 3: \$3,000.00
In trust for John Doe 4: \$3,000.00
In trust for John Doe 5: \$3,000.00

Jones Day
Attn: Amy J. Zigarovich
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
In Trust for Eliza: \$3,000.00

Jones Day
c/o Kristen Smith and Sarah Gleason
110 North Wacker Dr., Suite 4800
Chicago, IL 60606
In Trust for SV: \$3,000.00

Marsh Law Firm PLLC
Box 4668 #65135
New York, NY 10163-4668
In trust of Fiona: \$3,000.00
In trust of Jane: \$3,000.00

Moore & Van Allen PLLC
Attn: Sarah Byrne
100 N. Tryon Street, Suite 4700
Charlotte, NC 28202
In trust of Aaron: \$3,000.00
In trust of Michael: \$3,000.00

Onderlaw, LLC
110 E. Lockwood Ave.
St. Louis, MO 63119
In trust for Layla: \$3,000.00

Restore The Child, PLLC
2522 N. Proctor St., Ste 85,
Tacoma, WA 98406:
In trust for Heather: \$3,000.00
In trust for Anglea: \$3,000.00
In trust for April: \$3,000.00
In trust for Chelsea: \$3,000.00

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In trust for Ivy: \$3,000.00
In trust for Julie: \$3,000.00
In trust for Aster: \$3,000.00
In trust for Brooke: \$3,000.00
In trust for Candice: \$3,000.00
In trust for Cara: \$3,000.00
In trust for Posey: \$3,000.00

Shannon Conley
Law Office of Nay& Friedenberg
6500 SW Macadam Ave., Ste 300
Portland, OR 97239
In trust for L.A.L. Trust: \$3,000.00

Tanya Hankins
P.O. Box 1091
Tacoma, WA 98401
In trust for Emily: \$3,000.00

Utah Crime Victims Legal Clinic
404 East 4500 South Ste B24
Salt Lake City, UT 84107
In trust for Anna: \$3,000.00

If upon commencement of the term of supervised release any part of the restitution remains unpaid, the defendant shall make payments on such unpaid balance in monthly installments of not less than 10 percent of the defendant's gross monthly income, or at a rate of not less than \$50 per month, whichever is greater. Payment shall begin no later than 60 days after the defendant's release from confinement and shall continue each month thereafter until the balance is paid in full. In addition, at least 50 percent of the receipts received from gifts, tax returns, inheritances, bonuses, lawsuit awards, and any other receipt if money shall be paid toward the unpaid balance within 15 days of receipt. This payment plan shall not affect the ability of the United States to immediately collect payment in full through garnishment, the Treasury Offset Program, the Inmate Financial Responsibility Program, the Federal Debt Collection Procedures Act of 1990 or any other means available under federal or state law. Furthermore, it is ordered that interest on the unpaid balance is waived pursuant to 18 U.S.C. § 3612(f)(3).

AMY VICKY AND ANDY CHILD PORNOGRAPHY ASSISTANCE ACT ASSESSMENT

The Court finds the defendant does not have the current financial resources or future earning capacity to pay an assessment under 18 U.S.C. § 2259A (The Amy, Vicky, and Andy Act), in addition to mandatory restitution. Therefore, the assessment for Counts 1 and 2 shall be \$0, per count.

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JUSTICE FOR VICTIMS TRAFFICKING ASSESSMENT

The defendant shall immediately pay an assessment pursuant to 18 U.S.C. § 3014 to the United States in the amount of \$5,000, per count, for a total of \$10,000, payable to the U.S. District Clerk, 501 West 10th Street, Fort Worth, TX 76102. If upon commencement of the term of supervised release any part of the assessment imposed pursuant to 18 U.S.C. § 3014 remains unpaid, the defendant shall make payments on such unpaid balance beginning 60 days after release from custody at the rate of at least \$100 per month until the assessment is paid in full.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

United States Marshal

BY
Deputy Marshal