

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

LATROY L. CURRIE,

Petitioner

vs.

UNITED STATES OF AMERICA,

Respondent.

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

APPENDIX

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United States Court of Appeals
For the Eighth Circuit

No. 25-2666

United States of America

Plaintiff - Appellee

v.

Latroy L. Currie, also known as Mook

Defendant - Appellant

No. 25-3141

United States of America

Plaintiff - Appellee

v.

Malik K. Marshall, also known as Thang, also known as M. Thang

Defendant - Appellant

Appeals from United States District Court
for the Southern District of Iowa - Central

Before LOKEN, SHEPHERD, and STRAS, Circuit Judges.

LOKEN, Circuit Judge.

Co-defendants Latroy Currie and Malik Marshall were leaders of a large bank fraud conspiracy. The conspirators acquired stolen checks by purchase or theft, then created fictitious businesses with names similar to the stolen checks' intended recipients, opened fraudulent bank accounts for those businesses, deposited the checks, and withdrew the money. The conspirators attempted to deposit at least \$15 million and successfully obtained over \$2.9 million of fraudulent proceeds.

Currie was a founding member of the conspiracy, participating from December 2021 through at least August 2024. He pleaded guilty to conspiracy to commit bank fraud, 18 U.S.C. §§ 1344, 1349. His Presentence Investigation Report (PSR) calculated an intended loss of \$15.4 million and an actual loss of \$2.9 million. Marshall joined the conspiracy no later than January 2023. He pleaded guilty to conspiracy to commit bank fraud and to money laundering over \$10,000. His PSR calculated an intended loss of \$10.9 million and an actual loss of \$1.6 million. For the fraud offenses, both PSRs applied a 20-level enhancement based on the intended loss amount. See USSG § 2B1.1(b)(1)(K).

At sentencing, the district court¹ adopted the PSRs' findings including the 20-level intended fraud enhancements. It sentenced Currie to 135 months and Marshall to 188 months imprisonment for the bank fraud offenses and Marshall to a concurrent

¹The Honorable Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa.

120 months for his money laundering offense. They separately appeal their sentences. The sole issue raised in each appeal is whether the district court erred in using intended loss in calculating the advisory sentencing guidelines range. We have not consolidated the appeals, but they raise the same issue so we will address them in a single opinion. See United States v. Shuler, 598 F.3d 444, 446 (8th Cir. 2010).

Section 2B1.1 of the Guidelines provides the base offense level for embezzlement, theft, fraud, and other economic offenses. It provides for an enhancement “[i]f the loss exceeded \$6,500” in § 2B1.1(b)(1), with escalating penalties for greater losses. The commentary explains that “loss is the greater of actual loss or intended loss.” USSG § 2B1.1, comment. (n.3) (2023).

In Stinson v. United States, 508 U.S. 36, 38 (1993), the Supreme Court held that “commentary in the Guidelines Manual that interprets or explains a guideline is authoritative unless it violates the Constitution or a federal statute, or is inconsistent with, or a plainly erroneous reading of, that guideline.” Our cases have followed and applied this commentary since at least 1997, “look[ing] to the amount of loss a defendant actually intended to cause his creditors.” United States v. Holthaus, 486 F.3d 451, 455 (8th Cir. 2007) (citations omitted). Defendants argue Stinson no longer correctly describes the deference we must give to Sentencing Guidelines commentary after the Supreme Court’s decision in Kisor v. Wilkie, 588 U.S. 558 (2019).² The

²Anticipating this issue, the Sentencing Commission amended § 2B1.1 in November 2024, moving the intended loss language from the commentary to the text of the Guideline. See USSG § 2B1.1, note (A) (2024). Currie and Marshall were sentenced in August and October 2025. Ordinarily, the 2024 Sentencing Guidelines would apply, but the *Ex Post Facto* Clause complicates the analysis because it applies to a “retrospective increase in the Guidelines range [that] creates a sufficient risk of a higher sentence.” United States v. Roberts, 747 F.3d 990, 991 (8th Cir. 2014), quoting Peugh v. United States, 569 U.S. 530, 544 (2013); see USSG § 1B1.1(b)(1).

Supreme Court has granted certiorari to consider a circuit split on this issue. See Beaird v. United States, No. 25-5343, 2026 WL 1052007 (U.S. Apr. 20, 2026).

In United States v. Nock, we rejected this argument, as both defendants acknowledge:

[E]ven after Kisor we consider the Guidelines together with their commentary . . . [which] will be given controlling weight unless plainly erroneous. Our court, moreover, has applied the commentary directing courts to use the greater of actual and intended loss even after Kisor. Precedent therefore forecloses Nock’s contention.

148 F.4th 607, 619 (8th Cir. 2025) (quotation and citations omitted), cert. denied, 146 S. Ct. 1814 (2026). Therefore, the district court correctly followed controlling Eighth Circuit precedent when it considered intended loss in calculating Currie and Marshall’s offense levels.

As this is the sole argument Currie and Marshall raise on appeal, the judgments of the district court are affirmed.

P R O C E E D I N G S

(In open court, with the defendant present.)

THE COURT: Thank you. Please be seated. We are here in the matter of the United States of America vs. Latroy Currie. This is Case Number 4:24-cr-108. This is the time and date set for a sentencing hearing in this matter. My name, as you know, is Rebecca Goodgame Ebinger, and I am the district judge presiding.

If counsel would please identify themselves for purposes of the record.

MR. LUBBEN: Joseph Lubben and Kristin Herrera on behalf of the Government.

MR. RIGG: Keith Rigg on behalf of Mr. Currie.

THE COURT: Mr. Currie is personally present, and we have with us United States Probation Officer Heidi Laird who is the author of the presentence investigation report in this case.

Mr. Currie, do you recall being charged along with a number of other individuals with a number of fraud-related offenses back -- first on August 20th of 2024 here in the Southern District of Iowa?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You initially entered pleas of not guilty to all of the charges against you, and then on March 19th of this year, you pleaded guilty to Count 1 of the 50-count indictment. Do you recall that, sir?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: That charge is conspiracy to commit bank
3 fraud, in violation of Title 18, United States Code, Section
4 1349. And as the magistrate judge explained to you at the time
5 of your plea, that carries with it a maximum term of
6 imprisonment of 30 years. Do you recall that, sir?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: The magistrate judge recommended to me that
9 I accept your plea of guilty and adjudicate you guilty, and I
10 did so on April 3rd of this year.

11 Do you understand, sir, that you are here today for the
12 purpose of being sentenced on that plea of guilty?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you continue to acknowledge that you are
15 indeed guilty of the crime charged in Count 1, conspiracy to
16 commit bank fraud?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: Before I proceed further with the hearing,
19 I need to confirm that you are fully able to participate here
20 today. Are you currently under the influence of alcohol?

21 THE DEFENDANT: No, I'm not.

22 THE COURT: Are you under the influence of any illegal
23 substances?

24 THE DEFENDANT: No.

25 THE COURT: Are you taking any prescription

1 medications?

2 THE DEFENDANT: No.

3 THE COURT: Are you suffering from any mental health or
4 physical illness or ailment that would cause you to be unable to
5 understand or participate in today's hearing?

6 THE DEFENDANT: No.

7 THE COURT: I just want to confirm. At some point it
8 says that the Polk County Jail had prescribed you trazodone to
9 help with sleep. Are you not taking that anymore?

10 THE DEFENDANT: Yeah, I take it at night.

11 THE COURT: Okay. So you are prescribed that
12 medication?

13 THE DEFENDANT: Yes.

14 THE COURT: And you are taking that as prescribed?

15 THE DEFENDANT: Yes.

16 THE COURT: And there is nothing about that that would
17 negatively affect your ability to understand or participate in
18 today's hearing?

19 THE DEFENDANT: No.

20 THE COURT: Are there any other medications that you
21 are currently taking?

22 THE DEFENDANT: No.

23 THE COURT: If at any time during this hearing,
24 Mr. Currie, you do not understand something I say or you have a
25 question, would you please stop me and let me know?

1 THE DEFENDANT: Yes.

2 THE COURT: The most important thing is that you
3 understand the proceedings.

4 In anticipation of this hearing, the United States
5 Probation Office prepared a presentence investigation report. I
6 have reviewed that report.

7 As reflected in the front of that report, there are a
8 number of codefendants to this case, and I have sentenced a
9 number of them already.

10 I have reviewed the sentencing memoranda that were filed by
11 the parties and the proposed exhibits.

12 For the Government, I have 1 through 6. For the defense, I
13 have A and B, plus letters of support docketed at 939.

14 I received some materials in regards to restitution from
15 the Government as well.

16 I have reviewed the docket as a whole and the materials
17 related to the plea.

18 Are there any other materials that need to be brought to my
19 attention at this time?

20 MR. LUBBEN: No, Your Honor.

21 THE COURT: Do you have any objection to the defense
22 exhibits, Mr. Lubben?

23 MR. LUBBEN: I do not.

24 THE COURT: So A and B are admitted.

25 Any other materials?

1 MR. RIGG: No, I don't think so, Your Honor.

2 THE COURT: Do you have any objection to the
3 Government's proposed exhibits?

4 MR. RIGG: I do not.

5 THE COURT: So 1 through 6 are admitted as well.

6 Okay. Let's turn our attention then to the presentence
7 investigation report.

8 Mr. Lubben, have you had the opportunity to review the
9 report on behalf of the United States?

10 MR. LUBBEN: I have, Your Honor.

11 THE COURT: And does the Government have any
12 outstanding factual objections or corrections to the report?

13 MR. LUBBEN: It does not.

14 THE COURT: My understanding is that you have withdrawn
15 previous objections, but those weren't factual. Those were some
16 guideline objections that you had; is that right?

17 MR. LUBBEN: That's correct.

18 THE COURT: Okay. Thank you.

19 Mr. Rigg, have you and your client had the opportunity to
20 review the presentence investigation report in this case?

21 MR. RIGG: We have, Your Honor.

22 THE COURT: Could you make a record as to how you went
23 about reviewing the document with Mr. Currie.

24 MR. RIGG: When the draft report came out, I did
25 provide a copy of the draft report in full to Mr. Currie so he

1 could review it carefully and have time to review it. I did
2 then meet with him to discuss any possible factual objections
3 that he saw in the report as well as to discuss how the
4 guidelines work and what the guidelines were showing in the
5 particular report. So we did have a full opportunity to go
6 through it and file objections, which he also has a copy of.

7 When the final report came out, he also was provided a full
8 copy of the final report, and last week we had a chance to sit
9 down and go through that as well.

10 THE COURT: After that review, in reviewing your
11 sentencing materials, it appears you have maybe two outstanding
12 factual objections, is that correct, or do those remain?

13 MR. RIGG: I think at this point --

14 THE COURT: They seemed more like commentary.

15 MR. RIGG: Yeah. And they're not in relation to
16 guideline calculations, things like that.

17 THE COURT: So I just wanted to talk about that
18 briefly. Paragraph 23, there was some commentary about the
19 amount of checks found. You don't object to the fact that those
20 photos were on there, and that amount isn't used -- the \$20
21 million isn't used for calculation for any purposes. You were
22 just indicating that those, while present, were not all used to
23 perpetuate the fraud?

24 MR. RIGG: Correct.

25 THE COURT: Okay. No Court action required?

1 MR. RIGG: No.

2 THE COURT: And then on paragraph 49, there was some
3 discussion of that in regards to the victim impact versus
4 restitution. My understanding is that document that was
5 provided was not a request for restitution but was, in fact,
6 just an impact statement, and no action is required of the
7 Court; is that right?

8 MR. RIGG: That's correct, and I believe that the
9 report was corrected in some fashion because of the note that I
10 made about it.

11 THE COURT: Yes. So at this time no outstanding
12 factual objections to the report, although we have some
13 guidelines issues to discuss?

14 MR. RIGG: Correct.

15 THE COURT: Thank you.

16 Mr. Currie, we have been talking about the presentence
17 investigation report in this case. Mr. Rigg explained to me how
18 you-all went about reviewing this document. Do you recall going
19 over the report with Mr. Rigg as he described?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Have you had a full and fair opportunity to
22 review the material contained in the report?

23 THE DEFENDANT: Yes.

24 THE COURT: After that review, Mr. Rigg has made some
25 legal objections about the guidelines that we're going to talk

1 about in a moment, but right now we are talking about the facts
2 in the report. And he has indicated to me that there are no
3 facts that are wrong or things that are factually incorrect that
4 he needs to bring to my attention. Do you understand that, sir?

5 THE DEFENDANT: Yes.

6 THE COURT: Do you agree that the report is factually
7 accurate or correct?

8 THE DEFENDANT: Yes.

9 THE COURT: Thank you, sir.

10 Based upon that record, the Court will rely upon the
11 unobjected-to factual information contained in the presentence
12 investigation report for purposes of determining the appropriate
13 sentence to impose in this case.

14 That brings us to a discussion of the United States
15 Sentencing Guidelines. As we know, the United States Sentencing
16 Guidelines are advisory, and the Court treats them as such, but
17 I am required to accurately calculate and consider the
18 applicable advisory guideline range.

19 In this case, the offense level computation begins on page
20 17 at paragraph 54 with the base offense level of a 31, applying
21 the adjustments related to the amount of loss between 9,500,000
22 and \$25 million as well as the number of victims and the
23 sophisticated means.

24 There is a four-level upward adjustment because of the
25 defendant's role in the offense.

1 There are two levels reduced for acceptance of
2 responsibility.

3 Does the Government move for the third level?

4 MR. LUBBEN: Yes, Your Honor.

5 THE COURT: The Court grants that motion.

6 The total offense level therefore is a 32.

7 Defendant is a criminal history category II.

8 That results in an advisory guideline range of between 135
9 and 168 months.

10 Supervised release is recommended between two and five
11 years.

12 Probation is not an option.

13 And the fine is recommended between 35,000 and \$1 million.

14 I understand the Government has no objections at this time
15 to those calculations; is that correct?

16 MR. LUBBEN: That's correct, Your Honor.

17 THE COURT: Mr. Rigg, do you maintain your objections?

18 MR. RIGG: Yes, Your Honor. One thing I did forget to
19 mention when we were talking about materials for this, in the
20 sentencing memorandum, I mentioned some factual data about
21 deposits in -- Mr. Currie's -- to the business account and his
22 personal account. Those are not in the guidelines. I did have
23 a chance to discuss that matter with the Government. We did not
24 feel the need to really give the Court a bunch of bank
25 statements. And so I believe we were just going to stipulate

1 that those amounts were correct. So we should probably note
2 that as well for the record.

3 THE COURT: Okay. So can you point me to where in your
4 memorandum that material would be?

5 MR. RIGG: It is on page...

6 MR. LUBBEN: I think it's page 6.

7 MR. RIGG: I believe that's correct.

8 MR. LUBBEN: And just to jump in real quick, I think
9 specifically referring to the end of paragraph 3 on page 6 of
10 Defendant's memorandum regarding Mr. Currie personally profiting
11 a total of \$559,555.49. And so the Government would agree that
12 he received approximately that amount personally as a result of
13 the fraudulent activity.

14 THE COURT: Is that what you're referring to, Mr. Rigg?

15 MR. RIGG: It is, Your Honor.

16 THE COURT: Okay. So as part of the record, the Court,
17 by agreement of the parties, reflects that the discovery
18 materials support that he had a personal profit of \$559,555.49?

19 MR. RIGG: Correct.

20 MR. LUBBEN: That's correct, Your Honor.

21 THE COURT: And that is a supplement to the materials
22 contained in the presentence report? It isn't inconsistent with
23 those materials in that they don't create any type of accounting
24 for Mr. Currie's personal profit?

25 MR. RIGG: Correct. There wasn't any calculation of

1 that in the report itself, so it's just additional information.

2 THE COURT: Okay. And no objection to that?

3 MR. LUBBEN: No objection, Your Honor.

4 THE COURT: Thank you.

5 But we were talking about guideline objections. Could you
6 please articulate what you're maintaining at this time.

7 MR. RIGG: So our position is that the November 2024
8 amendment to 2B1.1, which changed the definition of loss amount
9 from the commentary into the guideline itself, would, in
10 Mr. Currie's case, raise his guideline level from what it would
11 have been during when the offense conduct happened. So we
12 believe that the 2023 guideline would be the appropriate
13 guideline to use in this case because of that, because of the ex
14 post facto concern.

15 THE COURT: Would you agree that the Eighth Circuit has
16 been applying the commentary as it's been prior to the
17 amendment, and the amendment only codified, in essence, the case
18 law that's been in existence as to intended and actual loss in
19 the Eighth Circuit for years?

20 MR. RIGG: I would agree with that. I would also agree
21 that the Eighth Circuit has ruled against pretty much everything
22 that I'm about to say.

23 THE COURT: Most recently, days ago in the *Nock*
24 opinion, it was a pretty clear refutation of the position that
25 you are taking right now?

1 MR. RIGG: Absolutely.

2 THE COURT: Okay.

3 MR. RIGG: And we are maintaining the objection
4 because, as noted, there is -- seems to be a circuit split as to
5 whether or not commentary should be considered or not considered
6 in the same way because of recent Supreme Court decisions. So
7 our position is that the Eighth Circuit essentially is on the
8 wrong side of that split.

9 And then to continue that, then our position is that the
10 *Banks* opinion actually is the correct statement of law under the
11 guidelines before the November 2024 amendment so that actual
12 loss should be the measure here rather than intended loss. And,
13 again, as noted in the sentencing memorandum, I understand that
14 the Eighth Circuit at the moment disagrees with that position,
15 again, because there is a certain split there, and our position
16 is consistent with the other side of that split.

17 THE COURT: So, obviously, we're not in the Third.
18 Your position is a two-layered one in that you disagree with how
19 the guidelines were being applied prior to the amendment and
20 that the Court shouldn't rely on the commentary in applying the
21 guideline, contrary to Eighth Circuit precedent. And then your
22 second argument is that I can't apply the new guideline, which
23 you knowledge would encompass a greater loss amount because of
24 ex post facto concerns?

25 MR. RIGG: Correct. And I understand that you are

1 bound by Eighth Circuit precedent, and so you need to overrule
2 those objections because of that. But I think in order to
3 maintain the record, I need to actually still make -- as for the
4 ruling, basically.

5 THE COURT: I appreciate that. You're preserving your
6 client's rights. I just want to make sure that the record is
7 clear as to what your objections specifically are.

8 The Court overrules the objection. I am bound by Eighth
9 Circuit law. And, notably, Eighth Circuit law prior to the
10 amendment is clear that the intended loss is the correct
11 calculation. The *Nock* opinion reaffirms the fact that this is
12 still -- their view of the commentary remains, and there is not
13 an ex post facto concern because of that.

14 I don't believe any additional record is necessary?

15 MR. LUBBEN: No, Your Honor, not from the Government.

16 MR. RIGG: No, Your Honor.

17 THE COURT: Okay.

18 The matter is preserved for purposes of the record. Should
19 a circuit split get to the Supreme Court on this issue,
20 Mr. Currie's rights are retained.

21 All right. No other objections to the guideline
22 calculation; correct?

23 MR. RIGG: No, Your Honor.

24 THE COURT: Okay.

25 So the Court will look to that advisory guideline range as

1 one factor to consider in determining the appropriate sentence
2 to impose in this case.

3 I don't believe either party sought a traditional
4 departure?

5 MR. LUBBEN: That's correct, Your Honor.

6 MR. RIGG: That's correct.

7 THE COURT: So that brings us to the ultimate question
8 in the case, which is the appropriate disposition.

9 I've noted the evidence that's already in the record as to
10 disposition.

11 Any additional evidence the Government would like to submit
12 on disposition?

13 MR. LUBBEN: No, Your Honor.

14 THE COURT: Any evidence on disposition, Mr. Rigg?

15 MR. RIGG: No, Your Honor.

16 THE COURT: Would you like to be heard by way of
17 argument?

18 MR. RIGG: Thank you, Your Honor.

19 So, obviously, we've talked about the legal side of actual
20 versus intended loss. The other part of that is, in this
21 particular case, whether or not looking at the difference
22 between those two numbers is significant in this case. And I
23 think it is for a couple reasons.

24 First of all, because the actual loss is, in fact,
25 substantial. We are saying that he'd be looking at a 16-point

1 bump under 2B1.1 just because of the actual loss. We are saying
2 that the amount that didn't happen, that extra four points, is
3 something where we are getting to very much a situation where
4 these folks knew what they were doing. They were sophisticated
5 in doing it, and that's one thing which obviously argues against
6 Mr. Currie having a lower sentence. But at the same time, if
7 we're going to acknowledge that sophistication, we should also
8 acknowledge that they were fully aware they were not going to
9 get the full amount of every check. That became clear over time
10 with the efforts that were being done.

11 So in this case, it seems to me that using that intended
12 loss, which is still a substantial sentence, over seven years in
13 prison is still a lot of prison time, particularly for somebody
14 who's never been to prison before. And we think that given all
15 of the factors, as explained in the sentencing memorandum, that
16 that's sufficient, but not greater than necessary. So we think
17 a sentence within that range is, in fact, appropriate.

18 And even though there was very limited numbers of people in
19 the last five years who had kind of the same range and criminal
20 history, it certainly showed that something closer to what we
21 are talking about, which would be within that guideline range,
22 is more appropriate than the sentence that the Government has
23 recommended in this case.

24 So unless you have any other questions, that would be my
25 argument.

1 THE COURT: Thank you, Mr. Rigg.

2 Mr. Currie, now is the time during the hearing where you
3 have the opportunity to speak. You do not have to say anything,
4 but if you'd like to, the Court will consider it. Is there
5 anything you would like to say, sir?

6 THE DEFENDANT: Yes. I was going to say good morning,
7 Your Honor. I hope you're having a blessed and wonderful day.

8 I take full responsibility for my actions. I want to
9 apologize to the United States, my family, and my community. I
10 am a father of three children that mean the world to me, and
11 every day I see the impact of the choices I have made on them.
12 I have a 1-year-old daughter that has had several surgeries on
13 her kidneys since I've been incarcerated, and I was unable to
14 attend any of her surgeries. I have a newborn son that is now 3
15 months old, and I was unable to see him be born. I know I have
16 failed him in many ways, but I am committed to becoming a better
17 man and better father. I respectfully ask for your mercy on my
18 sentencing. I know I must face consequences for my actions, but
19 I hope I may receive a sentence that allows me to continue being
20 there for my children.

21 THE COURT: Thank you, sir.

22 On behalf of the United States?

23 MR. LUBBEN: Thank you, Your Honor. The Government is
24 requesting a 168-month sentence. Here, the defendant was a
25 founding member of this bank fraud and laundering conspiracy, a

1 conspiracy that attempted over \$15 million worth of fraud, a
2 conspiracy that victimized dozens of banks, credit unions and
3 businesses, a conspiracy that profited the defendant, people
4 like the defendant millions of dollars, and Defendant admits he
5 personally received just about \$560,000 of those profits.

6 The defendant was integral to the laundering and the fraud.
7 He purchased stolen checks for the conspiracy. He went out and
8 stole checks himself. He recruited heads and managers to commit
9 fraud, to commit laundering across the country, and he
10 threatened heads or the lower-level bank fraudsters who crossed
11 him. He threatened to go to their jobs. He threatened their
12 children.

13 He made hundreds of thousands of dollars from the scheme.
14 He laundered those funds through a fake laundering company that
15 he maintained, MM Transportation, and he did this for years
16 before his crimes came to light.

17 And his relatively minimal criminal history here is
18 misleading. It's just that he was good at not getting caught.
19 He participated in these conspiracies, again, for several years.
20 And even looking at the instant conspiracy, it's not a one-off
21 event. He didn't hit one bank. He didn't deposit one check.
22 He didn't call it quits after that.

23 As Mr. Currie's counsel said today, the defendant knew what
24 he was doing. We have hundreds of stolen checks. We have
25 millions of dollars in actual losses and tens of millions of

1 dollars in intended losses. We have dozens of victims here.

2 He continued to run these conspiracies. He continued to
3 commit millions of dollars in fraud despite getting caught in
4 January of '24, despite one of his co-conspirators being
5 arrested, and despite him learning about other co-conspirators
6 being arrested across the country.

7 He continued running these conspiracies because he was
8 making hundreds of thousands of dollars from them. He
9 acknowledges this in his sentencing memo and again today, but he
10 attempts to downplay his criminal conduct. He claims, well, he
11 shouldn't be on the hook for intended losses because he was
12 aware the conspiracy wasn't always going to be successful.

13 In other words, the defendant here is positing that because
14 he committed so much fraud, that because he intended so much
15 loss, he intended to victimize so many banks and businesses that
16 the Court should disregard the unsuccessful attempts because the
17 actual attempt or the actual losses are sufficient. But this
18 would ignore sentencing's purpose to deter others from
19 committing serious offenses, even if they don't believe they're
20 going to be successful every time.

21 And we know Mr. Currie's conduct goes far beyond even the
22 instant conspiracy. We see evidence of other kinds of check
23 fraud, tax fraud, PPP fraud, of identity theft in the sentencing
24 materials and in the PSR.

25 We see in Government's Exhibit 6 large quantities of drugs,

1 in Exhibit 6, possessing illegal firearms, guns with extended
2 magazines, drum magazines, what appears to be an automatic
3 rifle. We see an image of him flaunting drugs and guns together
4 in a residential neighborhood and children depicted in the
5 background of that image.

6 For those reasons, the Government requests a
7 top-of-the-guideline sentence here, not only to deter the
8 defendant from committing similar crimes in the future, but to
9 protect the public, to deter other members of the public from
10 committing similar crimes.

11 THE COURT: Thank you, Mr. Lubben.

12 The Court is required to consider a number of factors
13 before deciding on an appropriate sentence in this and every
14 case, and those factors are set forth in Title 18, United States
15 Code, Section 3553(a). They include the defendant's history and
16 characteristics and the nature and circumstances of the offense.

17 The Court must also consider the need for the sentence
18 imposed to reflect the seriousness of the offense, to promote
19 respect for the law, to provide just punishment, and to
20 adequately deter future criminal conduct, both for this
21 defendant and for others who might contemplate committing such
22 an offense in the future.

23 The Court has to consider the need for the sentence to
24 protect the public and to provide the defendant with
25 correctional treatment in the most effective manner.

1 The Court has to consider the sentencing guidelines and the
2 advice they provide as well as the need to avoid unwarranted
3 sentencing disparity.

4 The Court also has to consider restitution, which we'll
5 talk about subsequently.

6 I may not speak about each one of the statutory
7 considerations specifically in articulating the reasoning for my
8 sentence, but in determining the appropriate sentence to impose,
9 I have considered each and every one of them.

10 Ultimately, the sentence the Court imposes must be
11 sufficient, but not greater than necessary, to serve these
12 purposes.

13 As both parties acknowledge, this is a very serious
14 offense, and it's an offense that involved a large number of
15 people, an incredible amount of money, a level of
16 sophistication, and an intent to defraud that is remarkable.
17 The Court has, over the years, spent a lot of time talking about
18 intended fraud versus actual fraud and intended loss versus
19 actual loss. But the reality is that each time one of these
20 checks that was prepared by the defendant or his co-conspirators
21 or received and prepared with the documents that created the
22 false entities to perpetuate the fraud, they intended to receive
23 the money on the check. And if they did not, it was not because
24 they didn't want it or didn't intend it. It's because some
25 level of institutional controls or investigation caused the

1 institution to protect themselves from the fraud.

2 Nothing about the defendant's conduct or the defendant's
3 intent or the defendant's actions in any way suggests that he
4 did not intend to get every dollar he sought from every check
5 presented to every institution involved in this crime. And that
6 is why intended loss is the appropriate calculation in assessing
7 the seriousness of the offense.

8 Looking at the defendant's history and characteristics,
9 there are aggravating and mitigating aspects of that. The
10 Government highlighted some of the evidence that suggests the
11 defendants engaged in other illegal conduct involving illegal
12 drugs and dangerous firearms.

13 The defendant's history suggests that he has been the
14 victim of gun violence in the past, has witnessed gun violence
15 as a child in paragraph 86. Paragraphs 105 and 106 show that
16 he's twice been a shooting victim in the past. He had the early
17 onset use of marijuana and alcohol, with marijuana as early as
18 13 and alcohol at 16, as reflected in the presentence report.

19 The defendant does have limited criminal history, but the
20 Court is concerned about the history that is there. Paragraph
21 70, at the age of 21, a weapons offense. Defendant was on
22 probation at the time of this offense because of the number of
23 points that the defendant has and the newly enacted provisions
24 of the guidelines in that regard. No additional points are
25 assessed for the fact that he was on probation, but that is an

1 aggravator as the Court sees it.

2 The length of time of the conspiracy here and the
3 persistence in regards to the illegal action even after it
4 became clear that law enforcement was succeeding in
5 investigating other members of the conspiracy, that also
6 highlights the need for deterrence in this case.

7 Counsel, do you know of any legal reason why the Court
8 should not impose sentence at this time?

9 MR. LUBBEN: No, Your Honor.

10 MR. RIGG: No, Your Honor.

11 THE COURT: So for the foregoing reasons and after
12 considering all of the relevant statutory factors and the
13 materials I previously discussed, it is the judgment of the
14 Court that the defendant, Latroy L. Currie, is sentenced to a
15 term of imprisonment of 135 months. That sentence is at the
16 bottom of the advisory guideline range and is imposed for the
17 reasons I have previously stated.

18 I have sentenced at the bottom of the range because of the
19 mitigating factors present here, including the defendant's
20 history of challenges in regards to being exposed to gun
21 violence and being the victim of gun violence, his early
22 exposure to illegal substances.

23 I recognize my authority to vary downward further, as
24 advocated for by the defense, to sentence at the top of the
25 range, as advocated for by the Government, or anywhere up to 30

1 years, as authorized by statute. Having considered all of the
2 relevant statutory factors, I have concluded that that 135-month
3 sentence is sufficient, but not greater than necessary, to serve
4 the purposes of sentencing.

5 I do not impose a fine, finding that any monies available
6 should be directed towards restitution, and the defendant does
7 not have the reasonable ability to pay a fine.

8 Let's talk about restitution. I was advised that there was
9 some discussion about restitution before I came into the
10 courtroom.

11 Mr. Lubben, where are we on restitution?

12 MR. LUBBEN: Your Honor, the Government continues to
13 request restitution in the amount of \$110,446, as reflected in
14 paragraph 48, which there was no prior objection to, as the
15 amount of loss suffered by Cumis Insurance Company as a result
16 of Mr. Currie's specific conduct in relation to Community Choice
17 Credit Union in August of 2024.

18 THE COURT: Should that amount be ordered joint and
19 several with any other defendant?

20 MR. LUBBEN: Yes, it should be, Your Honor. I don't
21 have the names of those defendants offhand, but I can certainly
22 provide those to the Court at a later date.

23 THE COURT: Mr. Rigg, would you like to be heard?

24 MR. RIGG: Well, we certainly agree that the loss
25 amount was \$110,000. My question that came up the last couple

1 days when we were discussing restitution was -- I was curious
2 why they were asking for \$446 more than the loss amount, and the
3 Government provided me documentation that the insurance company
4 had sent, which shows a gross amount of \$110,446.

5 But then right next to it, it has an amount of \$85,446. So
6 my question was, was there some sort of reason that they may
7 have paid less than the full amount? And at the moment I don't
8 know that I have a good answer for that.

9 So I guess that was my only concern about it was I'm not
10 quite sure where these -- where those other numbers are coming
11 from other than the loss amount that was indicated, you know,
12 whether or not there was some sort of level that the insured had
13 to reach before payment was made or something like that.

14 THE COURT: Mr. Lubben?

15 MR. LUBBEN: Your Honor, I would -- I'm not exactly
16 sure why there are -- I know what Mr. Rigg is referring to in
17 relation to the different amounts. I'm not sure what the
18 \$85,000 number is specifically referring to. There was no
19 objection to the restitution request in the PSR in paragraph 48.
20 So --

21 THE COURT: We don't want to do it incorrectly, even if
22 there was not an objection. I understand that you don't -- you
23 don't have the documentation because you didn't believe it was a
24 contested issue. Is that what -- your comment?

25 MR. LUBBEN: Yes. That's fair, Your Honor.

1 THE COURT: Yeah. But --

2 MR. RIGG: What I suggested this morning was I am
3 certainly fine with at this point agreeing to the \$85,446. And
4 if they can simply show that they paid the remaining amount, I'd
5 be fine with self-limiting it for the remaining amount that -- I
6 just want to make sure they actually paid it rather than...

7 THE COURT: So I have been given a number of documents
8 that I know you-all have as well. I can't tell from those
9 documents anything about the breakdown. I have a document from
10 Community Choice Credit Union that shows a total loss of
11 \$210,182. And then my understanding is that that's reflected in
12 paragraph 48. And then the only loss that you are assessing to
13 Mr. Currie from that amount is \$110,446 that occurred in August
14 2024?

15 MR. LUBBEN: That's correct, Your Honor.

16 THE COURT: And is there any reason -- I don't
17 understand where the -- I don't have anything that shows me the
18 \$85,000, so help me understand.

19 MR. RIGG: I have a copy of Mr. Lubben's email from
20 yesterday. I can show it to you to kind of just show what my
21 confusion is.

22 THE COURT: I don't know that email between counsel is
23 evidence in regards to -- there's some reason why Mr. Lubben
24 provided that. What is the basis for the issue about \$85,000?

25 MR. LUBBEN: Initially, Mr. Rigg had reached out to me

1 wondering about the \$110,000 versus \$110,446. And so the only
2 documentation that I had that was provided by Cumis Insurance
3 Company was -- I subsequently provided to Mr. Rigg. That lists
4 \$110,446 on it as the gross amount, and then -- this is going
5 off of memory. And then there are a number of other amounts
6 listed on that as well.

7 But that's the only documentation that I received, and then
8 I've just provided that to Mr. Rigg.

9 THE COURT: So you agree that the maximum amount of
10 restitution that would be appropriately ordered is the amount
11 that you've sought as \$110,446; correct?

12 MR. LUBBEN: That's correct, Your Honor.

13 THE COURT: And you agree that if the documentation
14 supports that, that's appropriately ordered?

15 MR. LUBBEN: Yes.

16 THE COURT: And you're suggesting that your only
17 concern is the lack of understanding of this variable as to
18 \$85,000?

19 MR. LUBBEN: Right.

20 MR. RIGG: And, like I said, I'm fine at this point
21 with agreeing to the 85,446. I just think maybe we should find
22 out if there was something which kept the insurance company's
23 liability at that point rather than the full amount.

24 THE COURT: So we're not going to do this in an in
25 seriatim way. What we'll do, unless there is an objection from

1 the parties, is to, consistent with the statute, leave the
2 restitution amount open for a period of two weeks.

3 I would ask for the parties to jointly submit to the Court
4 a filing that documents the amount of loss at the -- either the
5 \$110,446 or the \$85,000, and the Court, without further hearing,
6 will order that consistent with that record in an amended
7 judgment entered consistent with the record.

8 Any objection to proceeding in that way?

9 MR. LUBBEN: I don't, although -- and I'm fine with
10 submitting a joint document to supplement the record. The only
11 thing I just want to clarify is I don't believe anyone's
12 disputing that there was a loss of at least \$110,000.

13 THE COURT: But there is a difference between a loss
14 and appropriate restitution. If they didn't actually pay that
15 amount, they can't get restitution for it.

16 MR. LUBBEN: Correct. Yes.

17 THE COURT: And so we're not talking about loss. We're
18 talking about restitution. And so that's Mr. Rigg's concern is
19 they don't get to -- they don't get a windfall, the insurance
20 company.

21 MR. LUBBEN: Correct.

22 THE COURT: Okay. So do you have any objection to
23 proceeding in that way?

24 MR. LUBBEN: I don't, Your Honor.

25 THE COURT: Mr. Rigg?

1 MR. RIGG: No, Your Honor.

2 THE COURT: All right.

3 So we have been talking about this a lot, but that's
4 because I want to make sure that we get this correct. We will
5 leave the restitution open consistent with the statute. We will
6 not have further hearing on the matter. I will for no reason
7 order anything greater than what we have discussed here today,
8 which is \$110,446.

9 The way that I've handled it with some of the other
10 defendants is said joint and several with all applicable
11 defendants in this docket number.

12 Any objection to that phrasing?

13 MR. LUBBEN: No, Your Honor.

14 MR. RIGG: No, Your Honor.

15 THE COURT: Okay. So that's what we'll order at the
16 appropriate time. Whatever the amount that's documented,
17 whether it's the 85,000 or 110,000, we'll do that.

18 Anything further on restitution?

19 MR. LUBBEN: No, Your Honor.

20 MR. RIGG: No, Your Honor.

21 THE COURT: Okay.

22 I do impose the \$100 special assessment due and payable
23 without interest to the United States Clerk of Court for the
24 Southern District of Iowa.

25 In addition to the term of imprisonment, I'll also impose a

1 term of supervised release. I am going to impose a five-year
2 term.

3 Mr. Currie, within 72 hours of your release from the
4 custody of the Bureau of Prisons, you'll be required to report
5 in person to the jurisdiction to which you are released.

6 While you are on supervised release, you shall not commit
7 another state, federal, or local crime.

8 You shall not unlawfully possess a controlled substance,
9 and you shall not unlawfully use a controlled substance.

10 You will be subject to at least one drug test within 15
11 days of your release and at least 2 more thereafter.

12 And you must cooperate in the collection of DNA.

13 You are a felon. You cannot possess a firearm, destructive
14 device, or ammunition either during your period of supervised
15 release or any time thereafter.

16 You will be required to abide by the standard conditions of
17 supervised release that have been set forth by the United States
18 Sentencing Commission, and those will be reflected in the
19 written judgment entered here today as well as the special
20 conditions of supervision that were proposed in the presentence
21 investigation report and were unobjected to by the defense.

22 I'll briefly summarize those for you now, sir. You should
23 note they will be implemented and enforced in full as written.
24 They are in part F of the report beginning at paragraph 150.

25 You must participate in a program of testing and treatment

1 for substance abuse.

2 In furtherance of that treatment, you must not use alcohol
3 or any other intoxicants while you're on supervision.

4 You must pay restitution in the amount that will be
5 determined by the Court.

6 You'll cooperate with the probation office in coming up
7 with a payment plan. It can also involve Treasury offsets or
8 other garnishment of wages.

9 In order to ensure that that restitution is paid, you must
10 not apply for, solicit, or incur any debt without first getting
11 the written permission from the U.S. Probation Officer to do
12 that.

13 You must provide complete access to your financial
14 information to the probation office. Again, that's designed to
15 make sure the restitution gets paid.

16 You'll be subject to a search condition, and that search
17 condition can be effectuated with or without the assistance of
18 law enforcement, including the marshals service.

19 I also believe you would benefit from one additional
20 condition, and that's a mental health evaluation and then any
21 treatment that's recommended from that. It could be inpatient
22 treatment, outpatient treatment, it could be medication
23 management, and you'd be required to contribute to the costs of
24 that to the extent you are reasonably able to do so.

25 Any objection to that additional condition?

1 MR. RIGG: No, Your Honor.

2 THE COURT: Both the length of the term of supervision
3 and the conditions I have imposed are based upon an
4 individualized assessment of this defendant's supervision needs
5 after reviewing and considering the relevant factors under 18
6 United States Code Section 3553(a) and 3563(b).

7 Any requests as to designation or programming?

8 MR. RIGG: Yes, Your Honor. We would request a
9 recommendation to the Bureau that Mr. Currie be placed as close
10 to the Chicago area as possible so that he can be close to
11 family. We would also request a recommendation of RDAP given
12 his substance abuse history.

13 We also have talked about -- it was noted in the sentencing
14 memorandum that he is interested in pursuing learning skills.
15 So if available, a recommendation to the electrician
16 apprenticeship program and/or any trucking programs that might
17 be available would also be appreciated.

18 THE COURT: So the Court will recommend to the Bureau
19 of Prisons that the defendant be designated to a facility in
20 close proximity to the Chicago area consistent with his security
21 classification, that he be afforded the opportunity to
22 participate in the 500-hour residential drug abuse treatment
23 program and any other substance abuse treatment program, and
24 that he be afforded the opportunity to participate in vocational
25 training, specifically the electricians apprenticeship program

1 or trucking program.

2 Did I miss anything, Mr. Rigg?

3 MR. RIGG: No.

4 THE COURT: Forfeiture has been withdrawn from the
5 Government?

6 MR. LUBBEN: That's correct, Your Honor.

7 THE COURT: Or by the Government.

8 Counts to be dismissed?

9 MR. LUBBEN: The Government moves to dismiss Count 14.

10 THE COURT: The Court grants that motion.

11 Mr. Currie, you do have the right to appeal the sentence
12 that I have just imposed. If you wish to pursue an appeal, you
13 must file a written notice of appeal within 14 days of the entry
14 of judgment. Do you understand the time limit for filing a
15 notice of appeal, sir?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Additionally, if you wish to pursue an
18 appeal and you cannot afford an attorney, one can be appointed
19 to represent you. You can also have transcripts of this or any
20 other relevant proceedings made at no cost to you in furtherance
21 of your appeal if you qualify financially. Do you understand
22 your appeal rights, sir?

23 THE DEFENDANT: Yes.

24 THE COURT: Mr. Lubben, anything you need to bring to
25 my attention?

1 MR. LUBBEN: No, Your Honor. Thank you.

2 THE COURT: Anything further on behalf of the
3 Government?

4 MR. LUBBEN: No, Your Honor.

5 THE COURT: Mr. Rigg, anything you need to bring to my
6 attention?

7 MR. RIGG: No, Your Honor.

8 THE COURT: The defendant is committed to the custody
9 of the United States Marshals Service for transportation to the
10 designated Bureau of Prisons facility.

11 Mr. Currie, I wish you the best moving forward, sir.

12 THE DEFENDANT: Thank you.

13 THE COURT: That will conclude the hearing.

14 (The proceedings concluded at 10:47 a.m.)
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I N D E XE X H I B I T SGOVERNMENT EXHIBITS:ADMITTED

1. Group Chat Messages, ECF 935-1	6
2. Video Depicting 32 Checks, ECF 935-2	6
3. Video Depicting 10 Checks, ECF 935-3	6
4. Chat Messages, ECF 935-4	6
5. Photos, ECF 935-5	6
6. Photos, ECF 935-6	6

DEFENSE EXHIBITS:

A. Edovo Transcript and Certificates, ECF 944-1	5
B. High School Diploma, ECF 944-2	5

C E R T I F I C A T E

I, Karla M. Ray, a Certified Shorthand Reporter of the State of Iowa and Federal Official Realtime Court Reporter in and for the United States District Court for the Southern District of Iowa, do hereby certify, pursuant to Title 28, United States Code, Section 753, 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.

Dated at Des Moines, Iowa, September 14th, 2025.

/s/ Karla M. Ray
Karla M. Ray, CSR, CRR, RDR
Federal Official Court Reporter

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA

AMENDED JUDGMENT IN A CRIMINAL CASE**V.**LATROY L. CURRIE
ALSO KNOWN AS
MOOK

Case Number: 4:24-cr-00108-004

USM Number: 34488-511

J. Keith Rigg

Defendant's Attorney

Date of Original Judgment: 8/14/2025**(Or Date of Last Amended Judgment)****Reason for Amendment:**

- ☐ Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
- ☐ Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
- ☐ Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
- ☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

- ☐ Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
- ☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
- ☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
- ☐ Direct Motion to District Court Pursuant ☐ 28 U.S.C. § 2255 or ☐ 18 U.S.C. § 3559(c)(7)
- ☒ Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:☒ pleaded guilty to count(s) One of the Indictment filed on August 20, 2024.☐ 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:

Title & Section ?	Nature of Offense	Offense Ended	Count
18 U.S.C. § 1349	Conspiracy to Commit Bank Fraud	05/2024	1

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☐ See additional count(s) on page 2

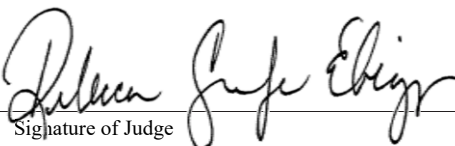
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)☒ Count(s) 14 ☒ 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.

September 4, 2025

Date of Imposition of Judgment



Signature of Judge

Rebecca Goodgame Ebinger, U.S. District Judge

Name of Judge

Title of Judge

Appendix, page C-1

September 4, 2025

Date

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK
CASE NUMBER: 4:24-cr-00108-004

IMPRISONMENT

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

135 months as to Count One.

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

The defendant be designated to a facility in close proximity to Chicago, Illinois, to facilitate family visitation, commensurate with his security and classification needs; be provided the opportunity to participate in the 500-hour residential drug abuse treatment program (RDAP) and any other substance abuse treatment; and be provided the opportunity to participate in vocational training in electrician apprenticeship and trucking programs.

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

☐ The defendant is remanded to the custody of the United States Marshal for surrender to the ICE detainer.

☐ 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 _____ 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 _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK
CASE NUMBER: 4:24-cr-00108-004

Judgment Page: 3 of 7

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of :
Five years as to Count One.

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 other conditions on the attached page.

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK
CASE NUMBER: 4:24-cr-00108-004

Judgment Page: 4 of 7

STANDARD CONDITIONS OF SUPERVISION

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

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

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK
CASE NUMBER: 4:24-cr-00108-004

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SPECIAL CONDITIONS OF SUPERVISION

You must participate in a program of testing and/or treatment for substance abuse, as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Office. At the direction of the probation office, you must receive a substance abuse evaluation and participate in inpatient and/or outpatient treatment, as recommended. Participation may also include compliance with a medication regimen. You will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment. You must not use alcohol and/or other intoxicants during the course of supervision.

- * You must pay restitution in the amount of \$85,446. You will cooperate with the U.S. Probation Officer in developing a monthly payment plan consistent with a schedule of allowable expenses provided by the U.S. Probation Office. You may be required to participate in an IRS Offset Program and/or Treasury Offset Program which may include the garnishment of wages or seizure of all or part of any income tax refund and/or any government payment to be applied toward the restitution balance.

You must not apply for, solicit, or incur any further debt, included but not limited to loans, lines of credit, or credit card charges, either as a principal or cosigner, as an individual, or through any corporate entity, without first obtaining written permission from the U.S. Probation Officer.

You must provide complete access to financial information, including disclosure of all business and personal finances, to the U.S. Probation Officer.

You must submit to a mental health evaluation. If treatment is recommended, you must participate in an approved treatment program and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment and/or compliance with a medication regimen. You will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

You will submit to a search of your person, property, residence, adjacent structures, office, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), and other electronic communications or data storage devices or media, conducted by a U.S. Probation Officer. Failure to submit to a search may be grounds for revocation. You must warn any other residents or occupants that the premises and/or vehicle may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you have violated a condition of your release and/or that the area(s) or item(s) to be searched contain evidence of this violation or contain contraband. Any search must be conducted at a reasonable time and in a reasonable manner. This condition may be invoked with or without the assistance of law enforcement, including the U.S. Marshals Service.

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK

Judgment Page: 6 of 7

CASE NUMBER: 4:24-cr-00108-004

CRIMINAL MONETARY PENALTIES

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

☐ Pursuant to 18 U.S.C. § 3573, upon the motion of the government, the Court hereby remits the defendant's Special Penalty Assessment; the fee is waived and no payment is required.

	Assessment	Restitution	Fine	AVAA Assessment*	JVTA Assessment**
TOTALS	\$ 100.00	*\$85,446.00	\$ 0.00	\$ 0.00	\$ 0.00

☐ 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.

Name of Payee	Total Loss***	Restitution Ordered	Priority or Percentage
*CUMIS Insurance Society (CCCU)		\$85,446.00	
P.O. Box 1221			
Madison, WI 53701			
TOTALS	\$0.00	\$85,446.00	

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

*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, 106A, 106B, 106C, 106D, 106E, 106F, 106G, 106H, 106I, 106J, 106K, 106L, 106M, 106N, 106O, 106P, 106Q, 106R, 106S, 106T, 106U, 106V, 106W, 106X, 106Y, 106Z, 106AA, 106AB, 106AC, 106AD, 106AE, 106AF, 106AG, 106AH, 106AI, 106AJ, 106AK, 106AL, 106AM, 106AN, 106AO, 106AP, 106AQ, 106AR, 106AS, 106AT, 106AU, 106AV, 106AW, 106AX, 106AY, 106AZ, 106BA, 106BB, 106BC, 106BD, 106BE, 106BF, 106BG, 106BH, 106BI, 106BJ, 106BK, 106BL, 106BM, 106BN, 106BO, 106BP, 106BQ, 106BR, 106BS, 106BT, 106BU, 106BV, 106BW, 106BX, 106BY, 106BZ, 106CA, 106CB, 106CC, 106CD, 106CE, 106CF, 106CG, 106CH, 106CI, 106CJ, 106CK, 106CL, 106CM, 106CN, 106CO, 106CP, 106CQ, 106CR, 106CS, 106CT, 106CU, 106CV, 106CW, 106CX, 106CY, 106CZ, 106DA, 106DB, 106DC, 106DD, 106DE, 106DF, 106DG, 106DH, 106DI, 106DJ, 106DK, 106DL, 106DM, 106DN, 106DO, 106DP, 106DQ, 106DR, 106DS, 106DT, 106DU, 106DV, 106DW, 106DX, 106DY, 106DZ, 106EA, 106EB, 106EC, 106ED, 106EE, 106EF, 106EG, 106EH, 106EI, 106EJ, 106EK, 106EL, 106EM, 106EN, 106EO, 106EP, 106EQ, 106ER, 106ES, 106ET, 106EU, 106EV, 106EW, 106EX, 106EY, 106EZ, 106FA, 106FB, 106FC, 106FD, 106FE, 106FF, 106FG, 106FH, 106FI, 106FJ, 106FK, 106FL, 106FM, 106FN, 106FO, 106FP, 106FQ, 106FR, 106FS, 106FT, 106FU, 106FV, 106FW, 106FX, 106FY, 106FZ, 106GA, 106GB, 106GC, 106GD, 106GE, 106GF, 106GG, 106GH, 106GI, 106GJ, 106GK, 106GL, 106GM, 106GN, 106GO, 106GP, 106GQ, 106GR, 106GS, 106GT, 106GU, 106GV, 106GW, 106GX, 106GY, 106GZ, 106HA, 106HB, 106HC, 106HD, 106HE, 106HF, 106HG, 106HH, 106HI, 106HJ, 106HK, 106HL, 106HM, 106HN, 106HO, 106HP, 106HQ, 106HR, 106HS, 106HT, 106HU, 106HV, 106HW, 106HX, 106HY, 106HZ, 106IA, 106IB, 106IC, 106ID, 106IE, 106IF, 106IG, 106IH, 106II, 106IJ, 106IK, 106IL, 106IM, 106IN, 106IO, 106IP, 106IQ, 106IR, 106IS, 106IT, 106IU, 106IV, 106IW, 106IX, 106IY, 106IZ, 106JA, 106JB, 106JC, 106JD, 106JE, 106JF, 106JG, 106JH, 106JI, 106JJ, 106JK, 106JL, 106JM, 106JN, 106JO, 106JP, 106JQ, 106JR, 106JS, 106JT, 106JU, 106JV, 106JW, 106JX, 106JY, 106JZ, 106KA, 106KB, 106KC, 106KD, 106KE, 106KF, 106KG, 106KH, 106KI, 106KJ, 106KK, 106KL, 106KM, 106KN, 106KO, 106KP, 106KQ, 106KR, 106KS, 106KT, 106KU, 106KV, 106KW, 106KX, 106KY, 106KZ, 106LA, 106LB, 106LC, 106LD, 106LE, 106LF, 106LG, 106LH, 106LI, 106LJ, 106LK, 106LL, 106LM, 106LN, 106LO, 106LP, 106LQ, 106LR, 106LS, 106LT, 106LU, 106LV, 106LW, 106LX, 106LY, 106LZ, 106MA, 106MB, 106MC, 106MD, 106ME, 106MF, 106MG, 106MH, 106MI, 106MJ, 106MK, 106ML, 106MM, 106MN, 106MO, 106MP, 106MQ, 106MR, 106MS, 106MT, 106MU, 106MV, 106MW, 106MX, 106MY, 106MZ, 106NA, 106NB, 106NC, 106ND, 106NE, 106NF, 106NG, 106NH, 106NI, 106NJ, 106NK, 106NL, 106NM, 106NN, 106NO, 106NP, 106NQ, 106NR, 106NS, 106NT, 106NU, 106NV, 106NW, 106NX, 106NY, 106NZ, 106OA, 106OB, 106OC, 106OD, 106OE, 106OF, 106OG, 106OH, 106OI, 106OJ, 106OK, 106OL, 106OM, 106ON, 106OO, 106OP, 106OQ, 106OR, 106OS, 106OT, 106OU, 106OV, 106OW, 106OX, 106OY, 106OZ, 106PA, 106PB, 106PC, 106PD, 106PE, 106PF, 106PG, 106PH, 106PI, 106PJ, 106PK, 106PL, 106PM, 106PN, 106PO, 106PP, 106PQ, 106PR, 106PS, 106PT, 106PU, 106PV, 106PW, 106PX, 106PY, 106PZ, 106QA, 106QB, 106QC, 106QD, 106QE, 106QF, 106QG, 106QH, 106QI, 106QJ, 106QK, 106QL, 106QM, 106QN, 106QO, 106QP, 106QQ, 106QR, 106QS, 106QT, 106QU, 106QV, 106QW, 106QX, 106QY, 106QZ, 106RA, 106RB, 106RC, 106RD, 106RE, 106RF, 106RG, 106RH, 106RI, 106RJ, 106RK, 106RL, 106RM, 106RN, 106RO, 106RP, 106RQ, 106RR, 106RS, 106RT, 106RU, 106RV, 106RW, 106RX, 106RY, 106RZ, 106SA, 106SB, 106SC, 106SD, 106SE, 106SF, 106SG, 106SH, 106SI, 106SJ, 106SK, 106SL, 106SM, 106SN, 106SO, 106SP, 106SQ, 106SR, 106SS, 106ST, 106SU, 106SV, 106SW, 106SX, 106SY, 106SZ, 106TA, 106TB, 106TC, 106TD, 106TE, 106TF, 106TG, 106TH, 106TI, 106TJ, 106TK, 106TL, 106TM, 106TN, 106TO, 106TP, 106TQ, 106TR, 106TS, 106TT, 106TU, 106TV, 106TW, 106TX, 106TY, 106TZ, 106UA, 106UB, 106UC, 106UD, 106UE, 106UF, 106UG, 106UH, 106UI, 106UJ, 106UK, 106UL, 106UM, 106UN, 106UO, 106UP, 106UQ, 106UR, 106US, 106UT, 106UU, 106UV, 106UW, 106UX, 106UY, 106UZ, 106VA, 106VB, 106VC, 106VD, 106VE, 106VF, 106VG, 106VH, 106VI, 106VJ, 106VK, 106VL, 106VM, 106VN, 106VO, 106VP, 106VQ, 106VR, 106VS, 106VT, 106VU, 106VV, 106VW, 106VX, 106VY, 106VZ, 106WA, 106WB, 106WC, 106WD, 106WE, 106WF, 106WG, 106WH, 106WI, 106WJ, 106WK, 106WL, 106WM, 106WN, 106WO, 106WP, 106WQ, 106WR, 106WS, 106WT, 106WU, 106WV, 106WW, 106WX, 106WY, 106WZ, 106XA, 106XB, 106XC, 106XD, 106XE, 106XF, 106XG, 106XH, 106XI, 106XJ, 106XK, 106XL, 106XM, 106XN, 106XO, 106XP, 106XQ, 106XR, 106XS, 106XT, 106XU, 106XV, 106XW, 106XX, 106XY, 106XZ, 106YA, 106YB, 106YC, 106YD, 106YE, 106YF, 106YG, 106YH, 106YI, 106YJ, 106YK, 106YL, 106YM, 106YN, 106YO, 106YP, 106YQ, 106YR, 106YS, 106YT, 106YU, 106YV, 106YW, 106YX, 106YY, 106YZ, 106ZA, 106ZB, 106ZC, 106ZD, 106ZE, 106ZF, 106ZG, 106ZH, 106ZI, 106ZJ, 106ZK, 106ZL, 106ZM, 106ZN, 106ZO, 106ZP, 106ZQ, 106ZR, 106ZS, 106ZT, 106ZU, 106ZV, 106ZW, 106ZX, 106ZY, 106ZZ

Appendix, page C-6

DEFENDANT: LATROY L. CURRIE ALSO KNOWN AS MOOK
CASE NUMBER: 4:24-cr-00108-004

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 \$ 85,546.00 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:

All criminal monetary payments are to be made to:

Clerk's Office, United States District Court, P.O. Box 9344, Des Moines, IA 50306-9344.

While on supervised release, you shall cooperate with the United States Probation Office in developing a monthly payment plan, which shall be subject to the approval of the Court, consistent with a schedule of allowable expenses provided by the United States Probation Office.

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

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

* ☒ **Joint and Several**

Case Number

Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several
Amount

Corresponding Payee,
if appropriate

Latroy L. Currie and all applicable defendants in
Docket Number 4:24-cr-00108

85,446.00

85,446.00

Cumis Insurance Society
(Community Choice Credit Union)

- ☐ 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) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.