

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
HON. Lynn Adelman, presiding

SENTENCING MINUTES

DATE: 4/21/08  
CASE NO.: 05 CR 311  
UNITED STATES v. Ronald Miserendino

Dep. Clerk: Deitrid  
Ct. Repr.: Cindy  
Time Called: 10:32  
Time Concluded: 11:07

United States By: Matt Jacobs  
Probation Officer: Jennifer Morgan  
Interpreter: \_\_\_\_\_  Sworn

Deft. Ronald Miserendino in person, and by Attorney Jonathan Marks

Custody of Bureau of Prisons

48 months on Count(s) 9, 10  
\_\_\_\_ months on Count(s) \_\_\_\_

to run concurrently/consecutively  
for a total of 48 months

Supervised Release/Probation

3 years on Count(s) 9, 10  
\_\_\_\_ years on Count(s) \_\_\_\_

to run concurrently/consecutively  
for a total of 3 years

Court's recommendation to Bureau of Prisons: place near Chicago

COUNT(S) DISMISSED on motion of Government: remaining counts

Special Conditions of Supervised Release/Probation

- report within 72 hours of release
- no firearms or other dangerous weapons
- no illegal possession, use of controlled substances std. testing
- community correction center for \_\_\_\_\_
- cooperate with I.N.S.
- submit to search by p.o.
- program of drug & alcohol testing and treatment as p.o. directs; no alcohol; pay cost of program as p.o. directs
- no work at or patronizing taverns
- pay restitution/fine balance at \$\_\_\_\_/month; apply all tax refunds to restitution/fine; change tax exemptions only if p.o. oks
- if job with fiduciary duties, report conviction to employer; self-employment with fiduciary duties only if p.o. oks
- no major financial transactions unless p.o. oks (likewise new lines of credit or using current lines of credit)
- financial disclosure; file all taxes
- attend to child support
- cooperate with I.R.S.
- DNA collection
- other: MH treatment

FINE: \$ \_\_\_\_\_ on Count(s) \_\_\_\_\_.

Terms:

- Fine waived ~~or reduced~~ due to defendant's inability to pay.
- Interest on fine waived.
- Deft. to participate in FBP Inmates' Financial Responsibility Program

COSTS of incarceration, community confinement and supervision

- WAIVED
- IMPOSED

RESTITUTION: \$ \_\_\_\_\_ Payee: \_\_\_\_\_

Terms:

- Interest on restitution waived.
- Deft. to participate in FBP Inmates' Financial Responsibility Program

SPECIAL ASSESSMENT: \$ 200 on Count(s) \_\_\_\_\_.

- To be paid immediately.
- To be paid prior to close of business day.
- To be paid prior to expiration of this sentence.
- Other:

FORFEITURE:

CUSTODY STATUS:

- Defendant remanded to custody of U.S. Marshal.
- Execution of sentence stayed until \_\_\_\_\_
- Voluntary surrender to institution.

Defendant advised of right to appeal.

OTHER: Understanding re: SS put on record.

STATEMENT OF REASONS

The Court adopts the factual findings and guideline application in the presentence report

or

The Court adopts the factual findings and guideline application in the presentence report except:

Advisory Guideline Range Determined by the Court:

Total Offense Level: 28  
Criminal History Category: I  
Imprisonment Range : 78 to 97 months  
Supervised Release Range: 2 to 3 years  
(Probation Range: \_\_\_\_\_ to \_\_\_\_\_ years)  
Fine Range: \$12,500 to \$500,000

Restitution: \$ \_\_\_\_\_  Full restitution is not ordered for the following reasons:

The sentence is within the guideline range.

or

The court departs from the guideline range

Upon motion of the government, as a result of defendant's substantial assistance.

For the following reason(s):

or

The court imposes a non-guideline sentence under 18 U.S.C. § 3553(a).