

**U.S. District Court
Western District of Missouri (Springfield)
CRIMINAL DOCKET FOR CASE #: 6:10-cr-03060-DW-2**

Case title: USA v. Kastner et al

Date Filed: 07/28/2010

Date Terminated: 06/17/2011

Assigned to: District Judge Dean
Whipple

Defendant (2)

Kurt Ochoa

TERMINATED: 06/17/2011

represented by **Tracey D. Martin**

Martin Law Office, P.C.

430 W. 7th Street

Joplin, MO 64801

(417) 782-5900

Fax: (417) 782-5904

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Bar Status: Active

Pending Counts

UNLAWFUL TRANSPORT OF
FIREARMS, ETC.

(1)

Disposition

SENTENCE: Dft committed to custody of BOP for a period of 63 MONTHS on each count, with said terms to be served concurrently, for a total term of imprisonment of 63 MONTHS. Said term of imprisonment shall run consecutive to Dfts state sentences in Case #: 04CR746284-01, 05G4-CR02056-01, 06G4-CR01334-01, and 06G4-CR01324-01. Imprisonment shall be followed by 3 YEARS SUPERVISED RELEASE on each count, with said terms to run concurrently, for a total term of 3 YEARS SUPERVISED RELEASE. Court recommends that Dft be designated to an institution for participation in the 500-hour intensive substance abuse treatment program. FINE: waived; MPA: \$200. Stand Cond Super Rel; Spec. Cond Super Rel.: Dft shall successfully participate in a substance abuse counseling program; Dft shall not consume or possess alcoholic beverages or beer, including 3.2 percent beer, at any time, and shall not be present in any establishment where alcoholic beverages are the primary items for sale; Dft shall submit to search; Dft shall comply with the WDMO Offender Employment Guideline, and Dft shall be at his place of residence between the hours of 10:00

p.m. and 6:00 a.m., 7 days per week, unless his work schedule requires him to be at work past 10:00 p.m. Dft remanded to custody of the BOP and advised of right to appeal.

SENTENCE: Dft committed to custody of BOP for a period of 63 MONTHS on each count, with said terms to be served concurrently, for a total term of imprisonment of 63 MONTHS. Said term of imprisonment shall run consecutive to Dfts state sentences in Case #: 04CR746284-01, 05G4-CR02056-01, 06G4-CR01334-01, and 06G4-CR01324-01. Imprisonment shall be followed by 3 YEARS SUPERVISED RELEASE on each count, with said terms to run concurrently, for a total term of 3 YEARS SUPERVISED RELEASE. Court recommends that Dft be designated to an institution for participation in the 500-hour intensive substance abuse treatment program. FINE: waived; MPA: \$200. Stand Cond Super Rel; Spec. Cond Super Rel.: Dft shall successfully participate in a substance abuse counseling program; Dft shall not consume or possess alcoholic beverages or beer, including 3.2 percent beer, at any time, and shall not be present in any establishment where alcoholic beverages are the primary items for sale; Dft shall submit to search; Dft shall comply with the WDMO Offender Employment Guideline, and Dft shall be at his place of residence between the hours of 10:00 p.m. and 6:00 a.m., 7 days per week, unless his work schedule requires him to be at work past 10:00 p.m. Dft remanded to custody of the BOP and advised of right to appeal.

RECEIVE STOLEN FIREARMS

(2)

Highest Offense Level
(Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **James Joseph Kelleher**
United States Attorney's Office–Spgfd
901 St. Louis Street
Suite 500
Springfield, MO 65806–2511
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Email: James.Kelleher@usdoj.gov
ATTORNEY TO BE NOTICED
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
07/28/2010	<u>1</u>	7	INDICTMENT as to Daniel Kastner (1) count(s) 1, 2, 4, 5, Kurt Ochoa (2) count(s) 1, 2, Jason Golden (3) count(s) 4, Jackie Booth (4) count(s) 3. (Elayer, Glenda) (Entered: 07/28/2010)
07/28/2010	<u>2</u>		ORDER REFERRING CASE to Magistrate Judge James C. England as to Daniel Kastner, Kurt Ochoa, Jason Golden, Jackie Booth (Elayer, Glenda) (Entered: 07/28/2010)
07/28/2010	<u>3</u>		ORDER Authorizing Temporary Transfer of Custody on Consent as to Daniel Kastner, Kurt Ochoa, Jason Golden, Jackie Booth (Elayer, Glenda) (Entered: 07/28/2010)
09/07/2010	19		Administrative MOTION for Writ of Habeas Corpus ad prosequendum as to Kurt Ochoa. (Text Entry Only) (Howard, Linda) (Entered: 09/07/2010)
09/07/2010	<u>20</u>		ORDER granting 19 motion for Writ of Habeas Corpus ad prosequendum as to Kurt Ochoa (2) (Howard, Linda) (Entered: 09/07/2010)
09/07/2010			Writ of Habeas Corpus ad Prosequendum issued for 9/28/10 at 9:30 a.m. as to Kurt Ochoa. This is a text entry only – no document is attached.(Howard, Linda) (Entered: 09/07/2010)
09/23/2010			ARREST of Kurt Ochoa (Howard, Linda) (Entered: 09/29/2010)
09/28/2010	<u>28</u>		Minute Entry for proceedings held before Magistrate Judge James C. England: INITIAL APPEARANCE as to Kurt Ochoa held on 9/28/2010, dft in custody. To order a transcript of this hearing please contact Glenda Elayer, 417–865–3869. (Elayer, Glenda) (Entered: 09/28/2010)
09/28/2010	29		AFFIDAVIT of Financial Status of Kurt Ochoa. This document contains original signatures of non attorneys and is being maintained in a paper file at the court. (Elayer, Glenda) (Entered: 09/28/2010)
09/28/2010	<u>30</u>		ORDER APPOINTING COUNSEL UNDER CJA as to Kurt Ochoa Tracey D. Martin for Kurt Ochoa appointed. (Attachments: # <u>1</u> Notice)(Elayer, Glenda) (Entered: 09/28/2010)
09/28/2010	<u>31</u>		ORDER as to Kurt Ochoa Arraignment, Bail Review and Scheduling Conference set for 9/30/2010 09:30 AM in Magistrate Courtroom, Springfield

		(JCE) before Magistrate Judge James C. England.(Elayer, Glenda) (Entered: 09/28/2010)
09/29/2010	<u>33</u>	ARREST WARRANT RETURNED EXECUTED on 9/23/10 as to Kurt Ochoa. This document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Howard, Linda) (Entered: 09/29/2010)
09/30/2010	<u>34</u>	Minute Entry for proceedings held before Magistrate Judge James C. England: ARRAIGNMENT, BAIL REVIEW and SCHEDULING CONFERENCE as to Kurt Ochoa (2) Count 1,2 held on 9/30/2010, plea of not guilty entered to each count, dft continued in custody. To order a transcript of this hearing please contact Glenda Elayer, 417-865-3869. (Elayer, Glenda) (Entered: 09/30/2010)
09/30/2010	<u>35</u>	SCHEDULING AND TRIAL ORDER as to Kurt Ochoa (Elayer, Glenda) (Entered: 09/30/2010)
11/01/2010	<u>38</u>	ORDER setting pretrial conference as to Daniel Kastner, Kurt Ochoa, Jason Golden, Jackie Booth. Pretrial Conference set for 11/16/2010 09:30 AM in Magistrate Courtroom, Springfield (JCE) before Magistrate Judge James C. England.(Anderson, Christy) (Entered: 11/01/2010)
11/16/2010	49	ADMINISTRATIVE MOTION to continue trial setting by Kurt Ochoa, Jason Golden (no document attached) (Elayer, Glenda) (Entered: 11/16/2010)
11/16/2010	<u>50</u>	ORDER by Judge James C. England granting motion to continue 47 49 as to Kurt Ochoa (2), Jason Golden (3); Jackie Booth (4); jury trial reset on February Joint Crim Trial Docket (2/14/11) (Elayer, Glenda) (Entered: 11/16/2010)
12/21/2010	<u>53</u>	ORDER as to Kurt Ochoa Felony Change of Plea Hearing set for 12/29/2010 09:30 AM in Magistrate Courtroom, Springfield (JCE) before Magistrate Judge James C. England.(Elayer, Glenda) (Entered: 12/21/2010)
12/29/2010	<u>54</u>	Minute Entry for proceedings held before Magistrate Judge James C. England: CHANGE OF PLEA HEARING as to Kurt Ochoa held on 12/29/2010, Plea entered by Kurt Ochoa (2) Guilty Count 1,2, dft in custody. To order a transcript of this hearing please contact Glenda Elayer, 417-865-3869. (Elayer, Glenda) (Entered: 12/29/2010)
12/29/2010	<u>55</u>	NOTICE Regarding Entry of a Plea of Guilty as to Kurt Ochoa (Elayer, Glenda) (Entered: 12/29/2010)
12/29/2010	<u>56</u>	REPORT AND RECOMMENDATION by Judge James C. England on Plea of Guilty as to Kurt Ochoa Objections to R&R due by 1/18/2011(Elayer, Glenda) (Entered: 12/29/2010)
12/30/2010	<u>57</u>	ELECTRONIC TRANSCRIPT as to Kurt Ochoa of Change of Plea held December 29, 2010 before Judge James C. England. Court Reporter: Lissa Whittaker, 816-914-3613, rapidtranscript@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE:

			Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 1/6/2011. Release of Transcript Restriction set for 3/31/2011. (Whittaker, Lissa) (Entered: 12/30/2010)
01/04/2011	58		DOCUMENT DELETED. SEE NOTICE OF DOCKET MODIFICATION DATED 1/5/2011. MOTION Return to DOC for Treatment by Kurt Ochoa as to Daniel Kastner, Kurt Ochoa, Jason Golden, Jackie Booth. Suggestions in opposition/response due by 1/21/2011 unless otherwise directed by the court. (Attachments: # 1 Affidavit Waiver of Interstate Detainers Act)(Martin, Tracey) Modified on 1/5/2011 to reflect document being deleted. (Burch, C. Steve). (Entered: 01/04/2011)
01/05/2011			NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 01/04/2011 as Document No. 58, Motion to Return to DOC for Treatment. The document has been deleted as the document was inadvertently filed on behalf of all Defendants. Counsel will refile the Document on behalf of Defendant Ochoa only. This is a text entry only – no document is attached. (Burch, C. Steve) (Entered: 01/05/2011)
01/05/2011	<u>60</u>		MOTION Return to DOC for Treatment by Kurt Ochoa. Suggestions in opposition/response due by 1/24/2011 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Waiver Interstate Agreement on Detainers Act)(Martin, Tracey) (Entered: 01/05/2011)
01/05/2011	<u>61</u>		ORDER by Judge James C. England granting <u>60</u> motion for return to Dept of Corrections as to Kurt Ochoa (2) (Elayer, Glenda) (Entered: 01/05/2011)
01/19/2011	<u>68</u>		ACCEPTANCE of Plea of Guilty and Adjudication of Guilt as to Kurt Ochoa (2). Signed on 1/19/11 by District Judge Dean Whipple. (Elayer, Glenda) (Entered: 01/19/2011)
01/19/2011	69		Writ of Habeas Corpus ad Prosequendum returned executed on 01/13/11 as to Kurt Ochoa. This document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Anderson, Christy) (Entered: 01/19/2011)
04/20/2011	<u>83</u>		MOTION for extension of time to file response/reply to <i>Pre-Sentence Investigation</i> by Kurt Ochoa. Suggestions in opposition/response due by 5/9/2011 unless otherwise directed by the court. (Martin, Tracey) (Entered: 04/20/2011)
04/25/2011	<u>84</u>		ORDER – It is hereby ORDERED that the Defendants Motion for Enlargement of Time in Which to Submit Reply to Pre-Sentence Investigation Report (Doc. 83) is GRANTED. Signed on 04/25/2011 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 04/25/2011)
05/23/2011	98		NOTICE OF HEARING as to Kurt Ochoa. This is the official notice for this hearing. Sentencing set for 6/17/2011 09:45 AM in Courtroom 2, Springfield (VJC) before District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Diefenbach, Tracy) (Entered: 05/23/2011)
06/08/2011	102		ADMINISTRATIVE MOTION for Writ of Habeas Corpus ad prosequendum by USA as to Kurt Ochoa (no document attached) (Elayer, Glenda) (Entered: 06/08/2011)

06/08/2011	<u>103</u>		ORDER by Judge James C. England granting 102 motion for Writ of Habeas Corpus ad prosequendum as to Kurt Ochoa (2) (Elayer, Glenda) (Entered: 06/08/2011)
06/08/2011			Writ of Habeas Corpus ad Prosequendum issued for 6/17/11 at 9:45 AM as to Kurt Ochoa. This is a text entry only – no document is attached.(Elayer, Glenda) (Entered: 06/08/2011)
06/17/2011	<u>108</u>		Minute Entry for proceedings held before District Judge Dean Whipple: SENTENCING held on 6/17/2011 for Kurt Ochoa (2) as to Counts 1 and 2. To order a transcript of this hearing please contact Denna Lamken, 816-512-5622. (Burch, C. Steve) (Entered: 06/17/2011)
06/17/2011	<u>109</u>	10	JUDGMENT and COMMITMENT as to Kurt Ochoa (2) as to Counts 1 and 2. SENTENCE: Dft committed to custody of BOP for a period of 63 MONTHS on each count, with said terms to be served concurrently, for a total term of imprisonment of 63 MONTHS. Said term of imprisonment shall run consecutive to Dfts state sentences in Case #: 04CR746284-01, 05G4-CR02056-01, 06G4-CR01334-01, and 06G4-CR01324-01. Imprisonment shall be followed by 3 YEARS SUPERVISED RELEASE on each count, with said terms to run concurrently, for a total term of 3 YEARS SUPERVISED RELEASE. Court recommends that Dft be designated to an institution for participation in the 500-hour intensive substance abuse treatment program. FINE: waived; MPA: \$200. Stand Cond Super Rel; Spec. Cond Super Rel.: Dft shall successfully participate in a substance abuse counseling program; Dft shall not consume or possess alcoholic beverages or beer, including 3.2 percent beer, at any time, and shall not be present in any establishment where alcoholic beverages are the primary items for sale; Dft shall submit to search; Dft shall comply with the WDMO Offender Employment Guideline, and Dft shall be at his place of residence between the hours of 10:00 p.m. and 6:00 a.m., 7 days per week, unless his work schedule requires him to be at work past 10:00 p.m. Dft remanded to custody of the BOP and advised of right to appeal. Signed on 6/17/2011 by District Judge Dean Whipple.(Burch, C. Steve) (Entered: 06/17/2011)
06/24/2011	116		Writ of Habeas Corpus ad Prosequendum returned executed on 06/22/11 as to Kurt Ochoa. This document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Anderson, Christy) (Entered: 06/24/2011)
11/19/2012	140		CJA 20 as to Kurt Ochoa: Authorization to pay Tracey Martin. Total amount: \$4,250.00. Voucher #12MOW764. This document is being maintained in the finance office at the court. Signed on 10/24/2 by District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Kee, Georgia) (Entered: 11/19/2012)
07/18/2016	<u>174</u>	15	PROBATION JURISDICTION transferred to Western District of Michigan as to Kurt Ochoa Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (Schroepfel, Kerry) (Entered: 07/18/2016)

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,	)	No. 10-03060-01/04-CR-S-DW
)	
Plaintiff,	)	COUNTS ONE, THREE & FIVE
	)	18 U.S.C. § 922 (g)(1)
v.	)	NMT 10 Years Imprisonment
	)	NMT \$250,000 Fine
DANIEL KASTNER,	)	NMT 3 Years Supervised Release
[DOB: 01/03/1975]	)	Class C Felony
)	
KURT OCHOA	)	COUNTS TWO & FOUR:
[DOB: 05/19/1969],	)	18 U.S.C. § 922(j)
	)	NMT 10 Years Imprisonment
JASON GOLDEN, and	)	NMT \$250,000 Fine
[DOB: 12/07/1976]	)	NMT 3 years Supervised Release
	)	Class C Felony
JACKIE BOOTH)	
[DOB: 08/31/1953]	)	EACH COUNT:
	)	\$100 Special Assessment
Defendants.)	
)	
Defendants/Counts:)	
Daniel Kastner: 1, 2,4, 5)	
Kurt Ochoa: 1, 2)	
Jason Golden: 4)	
Jackie Booth: 3)	

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Between January 1, 2006 and April 14, 2008, in Greene County, in the Western District of Missouri, **DANIEL KASTNER** and **KURT OCHOA**, the defendants, aiding and abetting each other, each having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess, in and affecting commerce, firearms, all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2), and 2.

COUNT TWO

Between January 1, 2006 and April 14, 2008, in Greene County, in the Western District of Missouri, **DANIEL KASTNER** and **KURT OCHOA**, the defendants, aiding and abetting each other, unlawfully did possess stolen firearms, which had been transported in interstate commerce, and which the defendants knew and had reason to believe were stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2) and 2.

COUNT THREE

On or about April 18, 2008, in Greene County, in the Western District of Missouri, **JACKIE BOOTH**, the defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess, in and affecting commerce, a firearm, all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FOUR

Between January 20, 2009 and February 5, 2009, in Greene County and elsewhere, in the Western District of Missouri, **DANIEL KASTNER** and **JASON GOLDEN**, the defendants, aiding and abetting each other, unlawfully did possess stolen firearms, which had been transported in interstate commerce, and which the defendants knew and had reason to believe were stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2) and 2.

COUNT FIVE

Between January 20, 2009 and February 5, 2009, in Greene County and elsewhere, in the Western District of Missouri, **DANIEL KASTNER**, the defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess, in and affecting commerce, a firearm, all in violation of Title 18, United States Code, Sections

922(g)(1) and 924(a)(2).

A TRUE BILL

/s/ _____
Foreperson of the Grand Jury

/s/ James J. Kelleher _____
James J. Kelleher
Missouri Bar No. 51921
Special Assistant United States Attorney

DATE: July 27, 2010

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

-vs-

Case No.: 10-03060-02-CR-S-DW

KURT OCHOA

USM Number: 22564-045

Tracey D. Martin, CJA

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count 1 and 2 on 12/29/10 of the Indictment. Accordingly, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1), 924(a)(2) and 2	Possession of a Firearm by a Convicted Felon	April 14, 2008	1
18 USC 922(j), 924(a)(2) and 2	Possession of Stolen Firearms	April 14, 2008	2

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

IT IS ORDERED that the defendant shall 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 shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: June 17, 2011

/s/ Dean Whipple
DEAN WHIPPLE
UNITED STATES DISTRICT JUDGE

June 17, 2011

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **63 Months** on each count, the terms to be served concurrently. This sentence shall also run consecutive to the defendant's state sentences in Case Nos. 04CR746284-01, 05G4-CR02056-01, 06G4-CR01334-01, and 06G4-CR01324-01. Defendant to receive credit for time served.

The Court recommends to the Bureau of Prisons:

Defendant be designated to an institution for participation in the 500 hour residential substance abuse treatment program and participate in a vocational training program.
Defendant be designated to a facility as close to L'Anse, MI as possible.

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

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 U.S. Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years** on each count, the terms to run concurrently.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall 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 defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

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

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;

- 12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISED RELEASE

The defendant shall also comply with the following additional conditions of supervised release:

- 1. The defendant shall successfully participate in a substance abuse counseling program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office, and pay any associated costs as directed by the Probation Office.
- 2. The defendant shall not consume or possess alcoholic beverages or beer, including 3.2 percent beer, at any time, and shall not be present in any establishment where alcoholic beverages are the primary items for sale.
- 3. The defendant shall submit his person, residence, office or vehicle to a search, conducted by a U.S. Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- 4. The defendant shall comply with the Western District of Missouri Offender Employment Guideline which may include participation in training, counseling, and/or daily job searching as directed by the probation officer. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be required to perform up to 20 hours of community service per week until employed, as approved or directed by the probation officer.
- 5. Defendant shall be at his place of residence between the hours of 10:00 p.m. and 6:00 a.m., 7 days per week, unless his work schedule requires him to be at work past 10:00 p.m. If offender works beyond 10:00 p.m., he shall be at his place of residence within 30 minutes after his work day is complete.

ACKNOWLEDGMENT OF CONDITIONS

I have read or have had read to me the conditions of supervision set forth in this judgment and I fully understand them. I have been provided a copy of them.

I understand that upon finding of a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

Defendant

Date

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments set forth in the Schedule of Payments.

Total Assessment

\$200.00

Total Fine

\$

Total Restitution

\$

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

Note: Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

Lump sum payment of **\$200.00** due immediately.

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

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

Prob 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 10-03060-02-CR-S-DW	
<h2 style="margin: 0;">TRANSFER OF JURISDICTION</h2>		DOCKET NUMBER (Rec. Court) 2:16-pt-0002-RHB	
NAME AND ADDRESS OF PROBATION/SUPERVISED RELEASEE KURT OCHOA	DISTRICT Western District of Missouri	DIVISION 6 - Springfield	
	NAME OF SENTENCING JUDGE Dean Whipple		
	DATES OF PROBATION /SUPERVISED RELEASE:	From 04/22/2016	To 04/21/2019
OFFENSE Count 1: Possession of a Firearm by a Convicted Felon and Count 2: Possession of Stolen Firearms			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Western District of Michigan upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
June 29, 2016 <hr style="width: 80%; margin: 0 auto;"/> Date		/s/ Dean Whipple <hr style="width: 80%; margin: 0 auto;"/> Dean Whipple Senior U.S. District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN			
IT IS HEREBY ORDERED that jurisdiction over the above-named probation/supervised releasee be accepted and assumed by this Court from and after the entry of the order.			
July 11, 2016 <hr style="width: 80%; margin: 0 auto;"/> Effective Date		/s/ Robert Holmes Bell <hr style="width: 80%; margin: 0 auto;"/>	