

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

DOUGLAS M MILLER

Defendant.

CASE NUMBER: 2:16CR148-002

USM Number: 16707-027

**KEVIN E MILNER
DEFENDANT'S ATTORNEY**

JUDGMENT IN A CRIMINAL CASE

THE DEFENDANT pleaded guilty to count(s) 1 and 15 of the Superseding Indictment on September 6, 2018.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title, Section & Nature of Offense</u>	<u>Date Offense Ended</u>	<u>Count Number(s)</u>
18:1349 CONSPIRACY TO COMMIT WIRE FRAUD & SECURITIES FRAUD and FORFEITURE ALLEGATION	September 2014	1s
18:1001(a)(2) FALSE STATEMENTS	September 2014	15s

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) 2-7, 8-12, 13, 14 of the Indictment 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 any material change in economic circumstances.

March 14, 2019

Date of Imposition of Judgment

s/ Philip P. Simon

Signature of Judge

Philip P. Simon, United States District Judge

Name and Title of Judge

March 21, 2019

Date

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **24 months** on each of counts 1 and 15 of the Superseding Indictment, terms to be served concurrently.

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant be incarcerated at the federal facility located at Oxford, Wisconsin.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before **2:00 P.M.** on **January 7, 2020** as notified by the United States Marshal or United States Probation Office.

RETURN

I have executed this judgment as follows:

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

UNITED STATES MARSHAL

By: _____
DEPUTY UNITED STATES MARSHAL

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **2 years** on each count, terms to be served concurrently.

MANDATORY CONDITIONS OF SUPERVISION

Within 72 hours the judgment or after the defendant's release from the custody of the Bureau of Prisons, defendant shall report in person to the nearest United States Probation Office for this district between the hours of 8:00 a.m. and 4:30 p.m. While the defendant is on supervision pursuant to this judgment, the defendant shall comply with the following conditions:

1. Defendant shall not commit another federal, state or local crime.
2. Defendant shall not unlawfully use, possess, or distribute a controlled substance.
3. The mandatory drug testing condition is suspended, based on the Court's determination that the defendant poses a low risk of future substance abuse.
4. Defendant shall cooperate in the collection of DNA as directed by the probation officer.

DISCRETIONARY CONDITIONS OF SUPERVISION

While on supervision, the defendant shall comply with the following discretionary conditions:

1. The defendant shall not knowingly leave the judicial district without the permission of the court or probation officer. The probation office will provide a map or verbally describe the boundaries of the judicial district at the start of supervision.
2. The defendant shall report to the probation officer in the manner and as frequently as reasonably directed by the court or probation officer during normal business hours.
3. The defendant shall not answer falsely any inquiries by the probation officer. However, the defendant may refuse to answer any question if the defendant believes that a truthful answer may incriminate him.
4. The defendant shall follow the instructions of the probation officer as they relate to the conditions as imposed by the court. The defendant may petition the Court to seek relief or clarification regarding a condition if he believes it is unreasonable.
5. The defendant shall make reasonable effort to obtain and maintain employment at a lawful occupation unless he is excused by the probation officer for schooling, training, or other acceptable reasons such as child care, elder care, disability, age or serious health condition.
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or any time the defendant leaves a job or accepts a job. In the event that a defendant is involuntarily terminated from employment or evicted from a residence, the offender must notify the Probation Officer within forty-eight (48) hours.

7. The defendant shall not knowingly and intentionally be in the presence of anyone who is illegally selling, using or distributing a controlled substance and if such activity commences when he is present, the defendant must immediately leave the location.
8. The defendant shall not meet, communicate, or otherwise interact with a person whom he knows to be engaged or planning to be engaged in criminal activity.
9. The defendant shall permit a probation officer to visit him at any time at home or any other reasonable location between the hours of 8:00 a.m. and 10:00 p.m. and shall permit confiscation of any contraband observed in plain view by the probation officer.
10. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
11. The defendant shall not enter into any agreement to act as an informant for a law enforcement agency without the permission of the court.
12. The defendant shall notify the probation officer within 72 hours of any material change in his economic circumstances that might affect his ability to pay any unpaid amount of restitution and fines. Additionally, the defendant shall provide a probation officer with specific financial information regarding the defendant's ability to pay restitution, forfeiture, or a fine, upon a written or oral request by a probation officer, made to and approved by the Court. The request must be prompted by the defendant's failure to comply with a payment schedule ordered for a period of 60 consecutive days, and the request must describe the specific financial information needed for determining the defendant's current ability to pay.
13. The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
14. The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the defendant is in compliance with the installment payment schedule imposed for payment of restitution and/or a fine.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

\$200.00

Total Fine

NONE

Total Restitution

NONE

FINE

No fine imposed.

RESTITUTION

No restitution imposed.

FORFEITURE

The defendant shall forfeit the defendant's interest in the following property to the United States:

The defendant shall forfeit the sum of \$209,915.88 pursuant to the agreement between the parties.

Name: DOUGLAS M MILLER
Docket No.: 2:16CR148-002

ACKNOWLEDGMENT OF SUPERVISION CONDITIONS

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

I have reviewed the Judgment and Commitment Order in my case and the supervision conditions therein. These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

Defendant

Date

U.S. Probation Officer/Designated Witness

Date