

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
UNITED STATES PROBATION OFFICE

JOHN R. LONG
CHIEF U.S. PROBATION OFFICER

401 Courthouse Square
Alexandria 22314-5797
703-299-2300

March 23, 2001

REPLY TO: Alexandria

Suite 1
320-B Charles Dimmock Parkway
Colonial Heights 23834
804-504-7520

Suite 100
10500 Battleview Parkway
Manassas 20109
703-366-2100

Room 300, Post Office Bldg.
101 25th Street
Newport News 23607
757-223-4640

Suite 200, U.S. Courthouse
600 Granby Street
Norfolk 23510
757-222-7300

Room 205, U.S. Courthouse Annex
1100 East Main Street
Richmond 23219
804-916-2500

RE: United States v. Gil Saleet
Case No. 00-00294-A

To the victims of this offense:

Federal law provides that all identified victims directly and proximately harmed as a result of the commission of the offense in the above-entitled case receive notice of the following information:

On February 20, 2001, defendant Gil Saleet was convicted of Odometer Fraud. The sentencing hearing will be held on May 18, 2001, at 9:00 a.m. at the United States District Court, located at 401 Courthouse Square, Alexandria, Virginia, before the Honorable Albert V. Bryan, Jr.. According to our records, you **may** be entitled to restitution which has not yet been determined. However, our office cannot guarantee that restitution, or any particular amount of restitution will be awarded to you at sentencing. That determination will be made by the Court.

You are invited to submit information concerning the amount of your losses to the below-signed probation officer. A complete explanation of the type(s) of compensation you may be entitled to receive is included with this letter. If you wish to have such information considered in the preparation of the presentence report, please contact me to confirm your losses no later than April 2, 2001.

The law also permits you to file a separate affidavit relating to the amount of loss subject to restitution. A declaration form

which has the same legal effect as an affidavit, but which need not be notarized, is enclosed. I will submit the declaration to the Court on your behalf should you wish to exercise your right to submit such a form, if the information materially differs from that contained in the presentence report. However, the statute provides that the burden shall be on the attorney for the Government for demonstrating your losses as a result of the offense.

If you are awarded restitution by the Court in this case, you may request the Clerk of the Court to issue an abstract of judgment certifying that a judgment has been entered in your favor in the amount specified in the order. Upon registering, recording, docketing, or indexing the abstract in accordance with the rules and requirements of the State of Virginia, the abstract of judgment shall be a lien upon the property of the defendant located in Virginia in the same manner and to the same extent and under the same conditions as a judgment of a court of general jurisdiction of Virginia. In the event you are awarded restitution, it is your responsibility to notify the United States Attorney's Office in this district and the Court of any change in your mailing address while restitution is still owed. This information will be maintained confidentially.

In the event you have additional questions, please feel free to contact me at (703) 299-2300.

Sincerely,

F. Kurt Bubenhofer
U.S. Probation Officer

FKB/

Enclosures

cc: SUSPO, Alexandria, Virginia

Explanation of Losses Subject to Restitution

The Mandatory Restitution Act of 1996 provides that you may be entitled to an order of restitution for certain losses suffered as a direct or proximate result of the commission of the offense for which the defendant was convicted. The types of losses for which the statute provides restitution are explained below. You have the right to explain these losses in detail in the attached affidavit form.

In the case of an offense resulting in damage to or loss or destruction of property of a victim of the offense, the court may order: the return the property to the owner of the property or someone designated by the owner; or if return of the property is impossible, impractical, or inadequate, the court may order payment in an amount equal to the greater of--the value of the property on the date of the damage, loss, or destruction, or the value of the property on the date of sentencing, less the value (as of the date the property is returned) of any part of the property that is returned.

In the case of an offense resulting in bodily injury to a victim, the court may order: payment of an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care, including nonmedical care and treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; payment of an amount equal to the cost of necessary physical and occupational therapy and rehabilitation; and reimbursement to the victim for income lost by such victim as a result of such offense.

In the case of an offense resulting in bodily injury that also results in the death of a victim, the court may order payment of an amount equal to the cost of necessary funeral and related services.

In any case, the court may order reimbursement to the victim for lost income and necessary child care, transportation, and other expenses related to participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense.

In any case, if the victim (or if the victim is deceased, the victim's estate) consents, the court may order the defendant to make restitution in services in lieu of money, or to make restitution to a person or organization designated by the victim or the estate. (18 U.S.C. § 3663)

In addition, the victim may at any time assign the victim's interest in restitution payments to the Crime Victim's Fund in the Treasury without in any way impairing the obligation of the defendant to make such payments. (18 U.S.C. § 3664)

If a victim has received compensation from insurance of any other source with respect to a loss, the court shall order that restitution be paid to the person who provided or is obligated to provide the compensation, but the restitution order shall provide that all restitution of victims required by the order be paid to the victims before any restitution is paid to such a provider of compensation. (18 U.S.C. § 3664)