

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS
Fort Worth Division

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

BENJAMIN LEE WISSINK

Case Number: 4:21-CR-00289-O(02)
U.S. Marshal's No.: 70140-509
Tiffany Eggers, Assistant U.S. Attorney
Guy Lewis, Attorney for the Defendant

On January 21, 2022 the defendant, BENJAMIN LEE WISSINK, was found guilty by jury verdict rendered as to Counts One through Ten of the Indictment filed on October 15, 2021. Accordingly, the defendant is adjudged guilty of such Counts, which involves the following offenses:

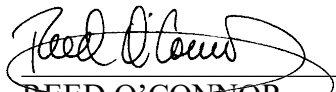
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §1349 (18 U.S.C. §1343)	Conspiracy to Commit Wire Fraud Affecting a Financial Institution	12/29/2015	One
18 U.S.C. §1349 (18 U.S.C. §1348)	Conspiracy to Commit Securities Fraud	12/29/2015	Two
18 U.S.C. §§1348 and 2	Securities Fraud and Aiding and Abetting	3/31/2015	Three, Four
18 U.S.C. §§1348 and 2	Securities Fraud and Aiding and Abetting	5/15/2015	Five, Six
18 U.S.C. §§1348 and 2	Securities Fraud and Aiding and Abetting	8/14/2015	Seven, Eight
18 U.S.C. §§1348 and 2	Securities Fraud and Aiding and Abetting	11/16/2015	Nine
18 U.S.C. §§1348 and 2	Securities Fraud and Aiding and Abetting	11/13/2015	Ten

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission pursuant to Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$1,000.00 (\$100 per Count) as to Counts One through Ten of the Indictment filed on October 15, 2021.

The defendant shall notify the United States Attorney for this district within thirty 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.

Sentence imposed May 20, 2022.


REED O'CONNOR
U.S. DISTRICT JUDGE

Signed May 23, 2022.

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IMPRISONMENT

The defendant, BENJAMIN LEE WISSINK, is hereby committed to the custody of the Federal Bureau of Prisons (BOP) to be imprisoned for a term of SIXTY (60) MONTHS as to Counts One through Ten of the Indictment filed on October 15, 2021, to run CONCURRENT for a TOTAL of **SIXTY (60) MONTHS**.

The Court makes a non-binding recommendation to the BOP that Defendant, if appropriately classified, be allowed to serve his term of imprisonment as near as geographically possible to a facility that can address his medical needs.

The Defendant is ordered to voluntarily surrender to the designated BOP facility before 2:00 pm on Tuesday, July 19, 2022.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of FIVE (5) YEARS as to Counts One through Ten of the Indictment filed on October 15, 2021, to run CONCURRENT for a TOTAL of **FIVE (5) YEARS**.

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

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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.

In addition the defendant shall:

not commit another federal, state, or local crime;

not illegally possess controlled substances;

cooperate in the collection of DNA as directed by the probation officer;

not possess a firearm, ammunition, destructive device, or any dangerous weapon;

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;

pay the assessment imposed in accordance with 18 U.S.C. § 3013;

not be employed by, affiliated with, own or control, or otherwise participate, directly or indirectly, in the business of financial investments and securities without the probation officer's approval;

not incur new credit charges or open additional lines of credit, either as a principal or cosigner or through any corporate entity, without approval of the probation officer; and,

provide to the probation officer complete access to all business and personal financial information.

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FINE/RESTITUTION

The Court orders a fine in the amount of \$50,000, payable immediately. If, upon commencement of the term of supervised release, any part of the \$50,000 fine ordered by this judgment remains unpaid, the defendant shall make payments on such unpaid amount to the U.S. District Clerk, 501 West 10th Street, Room 310, Fort Worth, Texas 76102, at the rate of at least \$900 per month. The first such payment shall be made no later than 60 days after the defendant's release from confinement and another payment to be made on the same day of each month thereafter until the fine amount is paid in full. Any unpaid balance of the fine ordered by this judgment shall be paid in full 60 days prior to the termination of the term of supervised release.

Restitution is not ordered because the Court finds the Government has not met their burden to show restitution should be imposed on Defendants as part of their sentence.

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 Marshal