

## MINUTES

CASE NUMBER: CR 10-00527SOM  
CASE NAME: USA vs. (08) Stephen Elmer Callo  
ATTYS FOR PLA: Kenneth Sorenson  
Nick Baron (FBI)  
ATTYS FOR DEFT: 08 Howard Luke/Richard Sing  
Carter Lee (USPO)

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JUDGE:	Susan Oki Mollway	REPORTER:	Debra Chun
DATE:	8/12/2013	TIME:	3:05 - 5:10

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COURT ACTION: EP: Sentencing to Count 26 of the Superseding Indictment -

Defendant (08) Stephen Elmer Callo present.

Discussion held re: objections to the psr.

Court adopts the PSR, as amended, and it is placed under seal and is available to counsel.

The Memorandum of Plea Agreement has been accepted by the Court.

Allocution by the defendant.

ADJUDGED:

Probation: 3 Years.

Fine: \$3,000.00.

Special Assessment: \$100.00.

CONDITIONS:

- ▶ The defendant shall abide by the standard conditions of supervision.
- ▶ The defendant shall not commit any crimes, federal, state, or local (mandatory condition).

- ▶ The defendant shall not possess illegal controlled substances (mandatory condition).
- ▶ The defendant shall cooperate in the collection of DNA as directed by the probation officer (mandatory condition).
- ▶ The defendant shall submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter but no more than eight valid drug tests per month during the term of supervision. The Court waives the mandatory drug test condition.
- ▶ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ The fine of \$3,000 is due and any remaining balance be paid during the period of supervision on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of his monthly gross income. Interest shall commence to accrue on any remaining balance upon his release on supervision.
- ▶ The defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
- ▶ The defendant is prohibited from incurring credit charges and lines of credit without the approval of the Probation Office, until such time that the fine is paid in full.
- ▶ The defendant shall perform 300 hours of community service as directed by the Probation Office.
- ▶ The defendant shall submit his person, property, house, residence, vehicle, papers, computers as defined in 18 U.S.C. § 1030(e)(1), other electronic communications or data storage devices or media, or place of employment, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
- ▶ The defendant shall not be employed in any position that requires licensing and/or certification by any local, state, or federal agency without the prior approval of the

Probation Office.

- ▶ The defendant shall provide to the Probation Office a signed release authorizing credit checks and an accurate financial statement, with supporting documentation, as to all sources and amounts of income and all expenses of the defendant and any business owned, in whole or in part, by the defendant.
- ▶ The defendant shall provide the Probation Office with access to any and all business records, financial records, client lists, and other records, pertaining to the operation of any business owned, in whole or in part, by the defendant, as directed by the Probation Office.
- ▶ The defendant must serve a total of 30 days of intermittent confinement for 15 consecutive weekends at the Federal Detention Center (FDC) commencing on Friday, 09/06/2013 at 6:00 p.m. and shall be released on Saturday, 09/07/2013, no later than 12:00 p.m. The defendant shall thereafter report to the FDC by 6:00 p.m. on every succeeding Friday and shall be released by 12:00 p.m. the following Saturday, and shall continue with this schedule for 15 consecutive weekends. The defendant shall comply with the rules and regulation set forth by the FDC. Should the defendant require admission to a medical facility during any period of intermittent confinement, the order of custody as to that period only shall cease, and the FDC shall notify the United States Probation Office. The defendant is expected to report to the FDC for service of any remaining periods of custody as ordered above.

Defendant advised of his right to appeal.

Government's motion to dismiss the remaining counts as to this defendant only - Granted.

Submitted by: Toni Fujinaga, Courtroom Manager.