



DEFENDANT: Lamar Gentry  
CASE NUMBER: 3:18-CR-30007-DRH-1

## PROBATION

The defendant is hereby sentenced to probation for a term of 5 years on Count 1 of the Indictment.

Other than exceptions noted on the record at sentencing, the Court adopts the presentence report in its current form, including the suggested terms and conditions of probation and the explanations and justifications therefor.

### MANDATORY CONDITIONS

*The following conditions are authorized pursuant to 18 U.S.C. § 3563(a) and as necessary for the defendant while on supervision as essential for the probation officer to successfully supervise the defendant and to provide defendant with the structure and monitoring needed to meet the objectives of supervision. The Court notes that the probation officer's explanations in the PSR for the conditions will help provide the defendant with an understanding of each of the conditions.*

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 mandatory drug testing condition is suspended as the Court determines that the defendant poses a low risk of future substance abuse.

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

### ADMINISTRATIVE CONDITIONS

*The following 8 administrative conditions are imposed, consistent with 18 USC § 3583(d) and § 3553(a), as necessary for the defendant while on supervision as essential for the probation officer to successfully supervise the defendant and to provide defendant with the structure and monitoring needed to meet the objectives of supervision. As the 7<sup>th</sup> Circuit has observed, the defendant is to be placed on supervised release not complete release. Further, the Supreme Court has noted that persons on supervised release are not entitled to the full range of constitutional liberties those not otherwise encumbered are. Therefore, the Court has attempted to fashion common sense conditions which give the probation officer supervising the defendant the proper authority to adequately observe and monitor the defendant for the protection of the public. The Court notes that the probation officer's explanations for the conditions will help provide the defendant with an understanding of each of the conditions, the defendant has acknowledged an understanding of the conditions and defendant and counsel have stated they do not object to any of these conditions. The conditions are imposed in an effort to deter future crimes and protect the public.*

The defendant shall not knowingly possess a firearm, ammunition, or destructive device. The defendant shall not knowingly possess a dangerous weapon unless approved by the Court.

The defendant shall not knowingly leave the judicial district without the permission of the Court or the probation officer.

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The defendant shall report to the probation officer in a reasonable manner and frequency directed by the Court or probation officer.

The defendant shall respond to all inquiries of the probation officer and follow all reasonable instructions of the probation officer.

The defendant shall notify the probation officer prior to an expected change, or within seventy-two hours after an unexpected change, in residence or employment.

The defendant shall not knowingly meet, communicate, or otherwise interact with a person whom the defendant knows to be engaged, or planning to be engaged, in criminal activity.

The defendant shall permit a probation officer to visit the defendant at a reasonable time at home or at any other reasonable location and shall permit confiscation of any contraband observed in plain view of the probation officer.

The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

**SPECIAL CONDITIONS**

*Imposed pursuant to 18 U.S.C. § 3553(a) and 18 U.S.C. § 3583(d) to protect the public, and for the reasons that are stated for each individual condition.*

The defendant shall cooperate fully with the Internal Revenue Service in determining and paying any tax liabilities. The defendant shall provide to the Internal Revenue Service all requested documents and information for purposes of any civil audits, examinations, collections, or other proceedings. It is further ordered that the defendant shall file accurate income tax returns and pay all taxes, interest, and penalties due and owing by the defendant to the Internal Revenue Service.

The defendant shall not engage in any occupation that involves fiduciary responsibility while on supervision without obtaining prior approval of the Court or probation officer.

**U.S. Probation Office Use Only**

A U.S. Probation Officer has read and explained the conditions ordered by the Court and has provided me with a complete copy of this Judgment. Further information regarding the conditions imposed by the Court can be obtained from the probation officer upon request.

Upon a finding of a violation of a condition(s) 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.

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

U.S. Probation Officer \_\_\_\_\_

Date \_\_\_\_\_

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**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$100.00	N/A	Waived	N/A

- The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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- Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).  
 The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for  fine  restitution.
  - the interest requirement for  fine  restitution is modified as follows:

\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

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

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### SCHEDULE OF PAYMENTS

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

- A.  Lump sum payment due immediately.
- B.  Payment to begin immediately (may be combined with  C,  D, or  F below; or
- C.  Payment in equal \_\_\_\_\_ (e.g., *weekly, monthly, quarterly*) installments of \$\_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., *months or years*), to commence \_\_\_\_\_ (e.g., *30 or 60 days*) after the date of this judgment; or
- D.  Payment in equal \_\_\_\_\_ (e.g., *weekly, monthly, quarterly*) installments of \$\_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., *months or years*), to commence \_\_\_\_\_ (e.g., *30 or 60 days*) after release from imprisonment to a term of supervision; or
- E.  Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., *30 or 60 days*) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F.  Special instructions regarding the payment of criminal monetary penalties:

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.

- Joint and Several  
Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.