

FILED  
KATHLEEN MURPHY  
CLERK

# United States District Court

SOUTHERN DISTRICT OF OHIO

MAR 9 9 14 AM '88

COURT  
SOUTHERN DIST. OHIO  
WEST DIV. CINCINNATI

UNITED STATES OF AMERICA

V.

MICHAEL FRY

## JUDGMENT IN A CRIMINAL CASE

Case Number: CR-1-87-89

Judge 4815  
Mag. \_\_\_\_\_  
Journal \_\_\_\_\_  
Motion # \_\_\_\_\_  
Issue CRIM, AUSA  
Card USM, Prob  
N/S \_\_\_\_\_  
Docketed AWH

(Name and Address of Defendant)

Wilbur M. Zevely, Esq.

Attorney for Defendant

### THE DEFENDANT ENTERED A PLEA OF:

guilty  nolo contendere] as to count(s) One and Two of the Information, and  
 not guilty as to count(s) \_\_\_\_\_

### THERE WAS A:

finding  verdict] of guilty as to count(s) One and Two of the Information.

### THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_  
 judgment of acquittal as to count(s) \_\_\_\_\_  
The defendant is acquitted and discharged as to this/these count(s).

APR 5 1988  
WEST DIVISION  
CINCINNATI

### THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE in violation of Title 21 of the United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18 of the United States Code, Section 2 as charged in Count One of the Information and FILING A FALSE INCOME TAX RETURN in violation of Title 26 of the United States Code, Section 7206(1) and Title 18 of the United States Code, Section 2 as charged in Count Two of the Information.

### IT IS THE JUDGMENT OF THIS COURT THAT:

The Defendant is committed to the custody of the Attorney General for a period of EIGHT (8) YEARS on Count One. The Defendant is committed to the custody of the Attorney General for a period of TWO (2) YEARS on Count Two. The sentence imposed on Count Two is to run concurrent with the sentence in Count One. The Deft further is placed on a FOUR (4) YEAR SUPERVISED RELEASE upon his release from the institution on Count One.

A THREE (3) WEEK STAY OF EXECUTION is granted and the Defendant is to report to the institution designated by the Bureau of Prisons on Monday, March 21, 1988 at 12:00 P.M. The \$5,000 O.R. Bond is continued during the Stay of Execution.

Medical Center for Federal Prisoners  
RECORD OFFICE  
MAR 21 1988  
RECEIVED

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

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CONDITIONS OF PROBATION.

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 100.00 (ONE HUNDRED DOLLARS) pursuant to Title 18, U.S.C. Section 3013 for count(s) ONE and TWO as follows:

IT IS FURTHER ORDERED THAT counts \_\_\_\_\_ are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court an amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

The Court orders commitment to the custody of the Attorney General and recommends:

February 29, 1988  
 Date of Imposition of Sentence  
 Signature of Judicial Officer  
 HERMAN J. WEBER, United States District Judge  
 Name and Title of Judicial Officer  
 3/8/88  
 Date

that this is a  
 part of the  
 Court's Office  
 3-9-88  
 A Hill  
 Deputy Clerk  
 3-9-88

RETURN

I have executed this Judgment as follows:

Defendant delivered on \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_ the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

DEFENDANT DELIVERED ON 3-21-88  
 TO MEDICAL CENTER FOR FEDERAL  
 United States Marshal  
 By \_\_\_\_\_  
 Deputy Marshal  
 BY R. Fulstone REC 3-21-88