

FILED
DISTRICT OF WYOMING
U.S. DISTRICT COURT
FEB 25 2010
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DALE KELLOGG, a/k/a "JOHN DOE",)
)
 Defendant.)

JUDGMENT IN A CRIMINAL CASE

Case Number 2:08-M-6513
Violation Nos. F3690801,
F3690803 and F3690804

THE DEFENDANT was found guilty after trial on Violation Nos. F3690801; F3690803; and F3690804 and the Court recited its decision and findings and its intentions regarding sentencing in a document entitled JUDGMENT AND SENTENCE, filed the 20th day of November, 2009.

On December 7, 2009, the Defendant, by and through his attorney James T. Whiting, filed DEFENDANT'S WAIVER OF RIGHT TO BE PRESENT AT SENTENCING AND MOTION FOR SENTENCING TO OCCUR IN THE DEFENDANT'S ABSENCE, pursuant to F.R.Cr.P. 43(b)(2). As this case involved misdemeanor offenses and the Court determined that no jail time would be imposed on the Defendant, the Court grants the Defendant's motion and will proceed with sentencing the Defendant in his absence as requested.

The Defendant is found and adjudicated guilty of the following offenses:

1. Interfering With Federal Officer While Engaged in Duties, Violation No. F3690801;
2. No Driver's License in Possession, Violation No. F3690803; and
3. Resisting Arrest by Federal Officer, Violation No. F3690804.

The Defendant's Judgment and sentence is as follows:

It is ordered that the Defendant must notify the United States Attorney for this District within thirty (30) days of any change of name, residence or mailing address until all fines, costs and special assessments imposed by this Judgment are fully paid.

PROBATION AND CONDITIONS

The Defendant is hereby placed on unsupervised probation for a term of: six (6) months from the date of this Judgment and shall not violate any Federal, State, Local or Tribal laws during his probation period. In addition the Defendant shall comply with the following:

- (1) The Defendant shall perform forty (40) hours of community service with the community service site to be approved in advance by the Court. The Defendant shall submit the proposed community service site to the Court for approval by March 26, 2010, and he shall provide written proof to the Court that he has completed all community service hours within 120 days of this Judgment.
- (2) The Defendant shall complete a traffic course consisting of not less than four (4) hours and provide proof to the Court of its completion.
- (3) Failure to comply with any of the terms and conditions of this Judgment or failure to pay fines or assessments when due may result in the issuance of an Order requiring defendant to appear in Court to show cause, if any, he has, why he should not be held in Contempt of Court for failing to comply with the terms and conditions of this Judgment.

FINES AND ASSESSMENTS

The defendant is hereby ordered to pay the following fines and assessments:

Violation No. F3690801:	Interfering With Federal Officer While Engaged in Duties. \$475.00 plus \$25.00 fee.
Violation No. F3690803:	No Driver's License in Possession. \$200.00 plus \$25.00 fee.
Violation No. F3690804:	Resisting Arrest by Federal Officer. \$475.00 plus \$25.00 fee.
Total	Fines and Assessments \$1,225.00

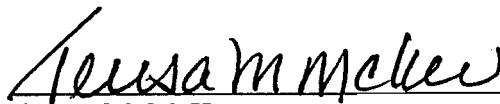
SCHEDULE OF PAYMENTS

The defendant shall make monthly payments of \$100.00 per month toward his fines and fees commencing the 26th day of March, 2010, and shall pay \$100 per month on or before the 26th day of each month thereafter until all fines and fees are paid in full. All Payments shall reference the violation numbers set forth in this Judgment and shall be made to the:

Central Violations Bureau
P.O. Box 70939
Charlotte, NC 28272-0939

DEFENDANT'S RIGHT OF APPEAL

Pursuant to Federal Rule of Criminal Procedure 58(g)(2)(b), the Defendant may appeal this Judgment of Conviction and Sentence within ten (10) days of the entry of this Judgment. Judgment is hereby entered this 25th day of February, 2010.



Teresa M. McKee,
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, Teresa M. McKee, hereby certify that on the 25th day of February, 2010, a true and correct copy of the foregoing JUDGMENT IN A CRIMINAL CASE was sent via facsimile and placed in the United States Mail, first class postage affixed, in envelopes addressed to the following:

Jason Conder
U.S. Attorney's Office
331 Main Street, Suite A
Lander, WY 82520
(307) 332-7104

James Whiting
Whiting Law, PC
315 Main Street
Lander, WY 82520
(307) 332-5562

