

KERRY J. JACOBSON  
Assistant United States Attorney  
District of Wyoming  
P. O. Box 449  
Lander, WY 82520-0449  
(307) 332-8195  
Fax: (307) 332-7104

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Case No.
v.	)	Violation No. L0121802
	)	
GLENN A. KAMAMURA,	)	
	)	
Defendant.	)	

**PLEA AGREEMENT, WRITTEN ENTRY OF GUILTY PLEA,  
WAIVER OF PERSONAL APPEARANCE AND CONSENT TO JUDGMENT**

**PARTICULARIZED TERMS:**

1. Pursuant to Rule 11(c)(1)(C), Fed. R. Crim. P., the United States by and through Assistant United States Attorney, GLENN A. KAMAMURA, for the District of Wyoming, and the Defendant, GLENN A. KAMAMURA, mutually agree as follows:

**COUNT PLEADING TO:**

2. The Defendant, GLENN A. KAMAMURA, agrees to plead guilty to the following:

**An Information alleging possessing, storing or transporting any part of a tree or other plant as specified in the order in violation of 36 C.F.R. § 261.58(t).**

**Class:** B misdemeanor pursuant to 16 U.S.C. § 551; a petty offense pursuant to 18 U.S.C. § 19; FRCrP 58.

**Maximum Potential Penalty:** 6 Months Imprisonment pursuant to 18 U.S.C. § 3581.

**Maximum Potential Fine:** \$500.00 pursuant to 16 U.S.C. § 551.

**Special Assessment:** None.

**Restitution:** None.

**WAIVER OF CONSTITUTIONAL RIGHTS:**

3. The Defendant acknowledges that by pleading guilty, he waives certain constitutional rights, including the following:

- a. If Defendant plead not guilty to the charges against him, he would have the right to a public and speedy trial. The trial would be a trial by the judge sitting without a jury.
- b. The judge would find the facts and determine, after hearing all the evidence, whether or not he was persuaded of Defendant's guilt beyond a reasonable doubt.
- c. At a trial, the Government would be required to present its witnesses and other evidence against Defendant. Defendant would be able to confront those Government witnesses and his attorney would be able to cross-examine them. In turn, Defendant could present witnesses

and other evidence in his own behalf. If the witnesses for Defendant would not appear voluntarily, he could require their attendance through the subpoena power of the court.

- d. At a trial, Defendant would have the privilege against self-incrimination so that he could decline to testify, and no inference of guilt could be drawn from his refusal to testify. If Defendant desired to do so, he could testify in his own behalf.

4. Defendant understands that by pleading guilty, he is waiving all the rights set forth in the prior paragraph.

5. The Defendant further acknowledges that he has read the Information setting forth the aforementioned charge against him. The Defendant acknowledges that he fully understands both the nature and elements of the crime with which he has been charged and the maximum and minimum penalties to which he could be subjected in the event he is ultimately convicted on said charge.

6. The Defendant agrees that he is pleading guilty because he is, in fact, guilty and not for the purpose of delay, or to protect family members, business associates, or other persons.

**FACTUAL BASIS:**

7. The Defendant agrees that the elements of the petty offense to which he is pleading guilty are as follows:

- a. On or about July 6, 2008;
- b. On land administered by the United States Forest Service;
- c. The defendant, GLENN A. KAMAMURA;
- d. Knowingly;
- e. Possessed, stored or transported any part of a tree or other plant, as specified in the order.

As a factual basis for the Court to accept his plea, the Defendant agrees that on or about July 6, 2008, on land administered by the United States Forest Service, he knowingly possessed, stored or transported any part of a tree or other plant, as specified in the order (attached) in violation of 36 C.F.R. § 261.58(t).

**JUDGE NOT A PARTY:**

8. The parties understand that the sentencing judge is not a party to this Agreement and can choose to either accept or reject this plea agreement. If the court should reject the agreement, the Defendant is not required to follow through with the agreement and may withdraw his plea if he so chooses and the United States may proceed with the original charges set forth in the violation notice as though no agreement had been entered.

**DEFENDANT AGREES:**

9. The Defendant agrees to cooperate fully and truthfully with the United States as follows:

- a. The Defendant agrees, pursuant to Rule 43(c)(2) Federal Rules of Criminal Procedure, by his signature hereon, consents to, and does hereby enter his plea of "guilty" to an Information.
- b. The Defendant acknowledges he has a right to appear in court personally, but has elected to enter his plea in writing to avoid the expense and inconvenience of appearing in court.
- c. The Defendant consents to entry of judgment against his consistent with this plea agreement.
- d. The Defendant agrees to pay court costs of \$25.00.
- e. The Defendant agrees to pay a fine of \$200.00.

**UNITED STATES AGREES:**

10. If the Defendant fully and completely satisfies the requirements set out above, the United States agrees that the sentence imposed should be as follows.

- a) The Defendant shall pay a fine in the amount of \$200.00.
- d) The Defendant shall pay a \$25.00 court costs.
- f) The Defendant shall mail payment of the fine and court costs upon the execution and return of this document, no later than March 30, 2009.

**SPECIAL ASSESSMENT, FINE AND/OR RESTITUTION:**

11. A fine or restitution which the Court states is due "in full immediately" is deemed delinquent if not paid within 30 days from the date of entry of judgment, and a penalty of ten percent (10%) of the principal amount delinquent will be imposed. A fine or restitution is considered in default if payment is more than 90 days past due, and a penalty of fifteen percent of the principal amount in default will be imposed. A penalty equal to 25 percent of the principal amount in default will thus be imposed if the Court orders payment "in full immediately", and the required payment is not made within 90 days of entry of the judgment. 18 U.S.C. § 3612(g).

The Court may allow payment of a fine or restitution in installments. An installment payment is deemed delinquent if not paid within 30 days from the date due, and a penalty of ten percent (10%) of the principal amount delinquent will be imposed. An installment payment is considered in default if payment is more than 90 days past due, and a penalty of fifteen percent of the principal amount in default will be imposed. Failure to pay an installment within 90 days of the due date also permits the United States to declare the entire unpaid balance of the fine or restitution, including penalties and interest if appropriate, due in full within 30 days. 18 U.S.C. § 3612(g).

Payment of a fine or restitution, whether due in full immediately or by installment payments, may be made by check or money order payable to: Central Violations Bureau, and returned with this agreement.

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GLENN A. KAMAMURA  
Defendant

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KERRY J. JACOBSON  
Assistant United States Attorney  
Attorney for the Government

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DATED

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DATED