



**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

United States of America

v.

Samih Fadl Jamal
Aliases: Samih Fadl Jammal, "Sammy"

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed on or After November 1, 1987)

No. CR 03-00261-001-PHX-FJM

Robert J. Kavanagh (appointed)
Attorney for Defendant

USM#: 43484-008

THERE WAS A verdict of guilty on 4/26/2005 as to Count ONE, TWO, THREE, FOUR, FIVE, SIX, EIGHT, NINE through NINETEEN, TWENTY, and TWENTY-ONE the Superseding Indictment.

THERE WAS A verdict of not guilty on 4/26/2005 as to Count 22, 23, and 24 of the Superseding Indictment; the defendant is acquitted and discharged as to these counts.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating Title 18, USC §371, Conspiracy to Commit Interstate Transportation and Receipt of Stolen Property, a Class D Felony offense, as charged in Count ONE of the Superseding Indictment; Title 18, USC §2315, 2314 and 2, Interstate Receipt of Stolen Property and Aid and Abet, a Class C Felony offense, as charged in Counts TWO and FOUR of the Superseding Indictment; Title 18, USC §2315 and 2, Interstate Transportation of Stolen Property and Aid and Abet, a Class C Felony offense, as charged in Count THREE of the Superseding Indictment; Title 18, USC §1001 False Statement, a Class D Felony offense, as charged in Counts FIVE and SIX of the Superseding Indictment; Title 18, USC §1956(h), Conspiracy to Commit Money Laundering, a Class C Felony offense, as charged in Count EIGHT of the Superseding Indictment; Title 31, USC §5313(a), 5324(a)(3), 5322, and 5324(d)(2), and C.F.R. 103.11 and 103.22, Structuring Financial Transactions, a Class C Felony offense, as charged in Counts NINE through NINETEEN of the Superseding Indictment; Title 18, USC §1957, Money Laundering, a Class C Felony offense, as charged in Count TWENTY of the Superseding Indictment; Title 8, USC §1324a(a)(1)(A) and 1324a(f)(1), Unauthorized Employment of Aliens, a Class B Misdemeanor offense, as charged in Count TWENTY-ONE of the Superseding Indictment.

IT IS THE JUDGMENT OF THIS COURT THAT the defendant is hereby committed to the custody of the Bureau of Prisons for a term of **SIXTY (60) MONTHS** on Counts ONE, FIVE, SIX, and **ONE HUNDRED TWENTY (120) MONTHS** on Counts TWO, THREE, FOUR, EIGHT, NINE through NINETEEN, and TWENTY and **SIX (6) MONTHS** on Count TWENTY-ONE, said counts to run concurrently. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **THREE (3) YEARS** on Counts ONE, TWO, THREE, FOUR, FIVE, SIX, EIGHT, NINE through NINETEEN, and TWENTY.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk the following total criminal monetary penalties:

SPECIAL ASSESSMENT: \$1,910.00 **FINE:** Waived **RESTITUTION:** \$0.00

The Court finds the defendant does not have the ability to pay a fine and orders the fine waived.

If incarcerated, payment of criminal monetary penalties are due during imprisonment at a rate of not less than \$25 per quarter and payment shall be made through the Bureau of Prisons' Inmate Financial Responsibility Program. Criminal monetary payments shall be made to the Clerk of U.S. District Court, Attention: Finance, Suite 130, 401 West Washington Street, SPC 1, Phoenix, Arizona 85003-2118. Payments should be credited to the various monetary penalties imposed by the Court in the priority established under 18 U.S.C. § 3612(c). The total special assessment of \$1,910.00 shall be paid pursuant to Title 18, United States Code, Section 3013 for Counts ONE, TWO, THREE, FOUR, FIVE, SIX, EIGHT, NINE through NINETEEN, TWENTY and TWENTY-ONE of the Superseding Indictment.

Any unpaid balance shall become a condition of supervision and shall be paid within 90 days prior to the expiration of supervision. Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address. The Court hereby waives the imposition of interest and penalties on any unpaid balances.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant is placed on supervised release for a term of **THREE (3) YEARS** on Counts ONE, TWO, THREE, FOUR, FIVE, SIX, EIGHT, NINE through NINETEEN, and TWENTY, said counts to run concurrently.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

For offenses committed on or after September 13, 1994: The defendant shall refrain from any unlawful use of a controlled substance.

The defendant shall not possess a firearm, ammunition or other dangerous weapon as defined in 18 U.S.C. §921.

The defendant shall comply with the standard conditions of supervision adopted by this Court in General Order 04-11:

- 1) You shall not commit another federal, state, or local crime during the term of supervision.
- 2) You shall not leave the judicial district or other specified geographic area without the permission of the Court or probation officer.
- 3) You shall report to the Probation Office as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.
- 4) You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 5) You shall support your dependents and meet other family responsibilities.
- 6) You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You shall notify the probation officer at least ten days prior to any change of residence or employment.
- 8) You shall refrain from excessive use of alcohol and are subject to being prohibited from the use of alcohol if ordered by the Court in a special condition of supervision.
- 9) You shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 801) or any paraphernalia related to such substances, without a prescription by a licensed medical practitioner. Possession of controlled substances will result in mandatory revocation of your term of supervision.
- 10) You shall not frequent places where controlled substances are illegally sold, used, distributed or administered, or other places specified by the Court.
- 11) You shall not associate with any persons engaged in criminal activity, and shall not associate

- with any person convicted of a felony unless granted permission to do so by the probation officer.
- 12) You shall permit a probation officer to visit at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
 - 13) You shall immediately notify the probation officer (within forty-eight (48) hours if during a weekend or on a holiday) of being arrested or questioned by a law enforcement officer.
 - 14) You shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
 - 15) As directed by the probation officer, you shall notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm your compliance with such notification requirement.
 - 16) If you have ever been convicted of a felony, you shall refrain from possessing a firearm, ammunition, destructive device, or other dangerous weapon. If you have ever been convicted of a misdemeanor involving domestic violence, you shall refrain from possession of any firearm or ammunition. Possession of a firearm will result in mandatory revocation of your term of supervision. This prohibition does not apply to misdemeanor cases that did not entail domestic violence, unless a special condition is imposed by the Court.
 - 17) If supervision follows a term of imprisonment, you shall report in person to the Probation Office in the district to which you are released within seventy-two (72) hours of release.
 - 18) You shall pay any monetary penalties as ordered by the Court. You will notify the probation officer of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

The following special conditions are in addition to the conditions of supervised release or supersede any related standard condition:

1. You shall submit your person, property (including but not limited to computer, electronic devices, and storage media), residence, office, or vehicle to a search conducted by a probation officer, at a reasonable time and in a reasonable manner.
2. You shall provide the probation officer access to any requested financial information.
3. You are prohibited from making major purchases, incurring new financial obligations, or entering into any financial contracts without the prior approval of the probation officer.
4. You are restricted from engaging in the following occupation, business, or profession: Wholesale buying or selling of any commodities.
5. You shall cooperate in the collection of DNA as directed by the probation officer.
6. The defendant's interest in the property listed in the attached order shall be forfeited to the United States.

THE DEFENDANT IS ADVISED OF DEFENDANT'S RIGHT TO APPEAL WITHIN 10 DAYS OF ENTRY OF JUDGMENT.

The Court may change the conditions of probation or supervised release or extend the term of supervision, if less than the authorized maximum, at any time during the period of probation or supervised release. The Court may issue a warrant and revoke the original or any subsequent sentence for a violation occurring during the period of probation or supervised release.

IT IS FURTHER ORDERED that the Clerk of the Court deliver two certified copies of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons.

Date of Imposition of Sentence: **Friday, October 7, 2005**

DATED this 13th day of October, 2005.

Frederick J. Martone

Frederick J. Martone
United States District Judge

RETURN

I have executed this Judgment as follows: _____

Defendant delivered on _____ to _____ at _____, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

United States Marshal

By: _____
Deputy Marshal

CC: USA/CNSL(Robert J. Kavanagh)/PROB(2)/PTS/FIN/JUDGE/USM(2 certified)/Order Book