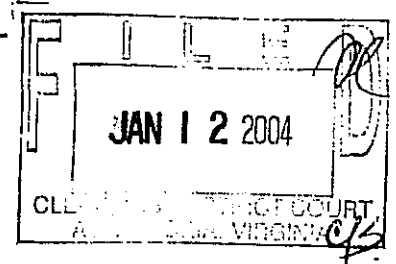


UNITED STATES DISTRICT COURT  
Eastern District of Virginia  
Alexandria Division



UNITED STATES OF AMERICA

v.

Case Number 1:03CR00365-001

SOLIMAN S. BIHEIRI,  
a/k/s Soliman J. Biheiri  
Soliman S. Beheiri  
Soliman J. Beheiri  
Soliman Behairy

Defendant.

JUDGMENT IN A CRIMINAL CASE

The defendant, SOLIMAN S. BIHEIRI, was represented by James C. Clark, Esquire and Nina Ginsburg, Esquire.

The defendant was found guilty on Count 1 and Count 3 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of the following count(s), involving the indicated offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. 1425(a)	Unlawful procurement of naturalization (Felony)	August 21, 2000	1
18 U.S.C. 1015(a)	False oath in matter relating to naturalization (Felony)	August 21, 2000	3

On motion of the United States, the Court has dismissed Count 2.

As pronounced on January 12, 2004, the defendant is sentenced as provided in pages 2 through 7 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this 12 day of January, 2004.

\_\_\_\_\_  
T. S. Ellis, III  
United States District Judge

Defendant's SSN: 072-70-1009  
Defendant's Date of Birth: 10/30/1951  
Defendant's address: No fixed legal address

Defendant: SOLIMAN S. BIHEIRI  
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**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWELVE (12) MONTHS as to each of Count One (1) and Count Three (3), these terms to run concurrently with one another, and with credit for time already served in connection with the instant offenses, pursuant to 18 U.S.C. 3585(b), as computed by the Bureau of Prisons.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

- c: P.O. (2) (3)
- Mshl. (4) (2)
- U.S. Atty.
- U.S. Coll.
- Dft. Cnsl.
- PTS
- Financial Registrar
- ob

By \_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: SOLIMAN S. BIHEIRI  
Case Number: 1:03CR00365-001

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3) YEARS as to each of Count One (1) and Count Three (3), these terms to run concurrently with one another.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of supervised release.

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.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm or destructive device.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

### STANDARD CONDITIONS OF SUPERVISED RELEASE

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below):

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the Probation Officer within 72 hours, or earlier if so directed, of any change in residence.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered.
- 9) The defendant 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.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant 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.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: SOLIMAN S. BIHEIRI  
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**SPECIAL CONDITIONS OF SUPERVISION**

While on supervised release, pursuant to this Judgment, the defendant shall also comply with the following additional conditions:

- 1.) The defendant must cooperate with Immigration and Customs Enforcement (ICE) to effect his prompt removal or deportatation.
- 2.) The defendant must not return to the United States during his term of supervised release.
- 3.) The defendant must not return to the United States after his term of supervised release without the express, advance permission of the Attorney General.
- 4.) The defendant must provide the Probation Officer with any requested financial information and records.
- 5.) The defendant must pay the fine as a condition of supervised release, in the event that the fine is not paid immediately.

Defendant: SOLIMAN S. BIHEIRI  
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### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total monetary penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Special Assessment</u>	<u>Fine</u>
1	\$100.00	\$7,500.00
3	\$100.00	\$7,500.00
<b><u>Total</u></b>	<b>\$200.00</b>	<b>\$15,000.00</b>

### FINE

The defendant shall pay a fine of \$15000.

This amount is the total of the fines imposed on individual counts, as follows:

SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) is imposed as to Count One (1), and SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) is imposed as to Count Three (3).

### SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

The special assessment is due in full immediately. If not paid immediately, the court authorizes the deduction of appropriate sums from the defendant's account while in confinement in accordance with the applicable rules and regulations of the Bureau of Prisons.

Any special assessment, restitution, or fine payments may be subject to penalties for default and delinquency.

If this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment.

All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

This fine plus interest is due and payable immediately and may be collected in accordance with the Bureau of Prisons Inmate Financial Responsibility Program.

Defendant: SOLIMAN S. BIHEIRI  
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**RESTITUTION AND FORFEITURE**

**RESTITUTION**

Restitution has not been ordered in this case.

**FORFEITURE**

Forfeiture has not been ordered in this case.

Defendant: SOLIMAN S. BIHEIRI  
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**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

**OR**

The Court adopts the factual findings and guideline application in the presentence report except that defendant did not receive the recommended 4-level role enhancement to his offense level pursuant to U.S.S.G. 3B1.1. Defendant did, however, receive a 2-level role enhancement to his offense level under that section.

**Guideline Range Determined by the Court:**

Total Offense Level: 10

Criminal History Category: I

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

Fine waived or below the guideline range because of inability to pay.

Restitution: \$                     

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by the application of the guidelines.

**OR**

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

**OR**

The sentence departs from the guideline range.

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):