

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH JEFFEREY BRICE,

Defendant.

Case No. CR-11-00075-LRS-1**CRIMINAL MINUTES****DATE: 6/11/13****LOCATION: SPOKANE****SENTENCING HEARING**

Judge LONNY R. SUKO			
Laura McClure	Beth Wehrkamp	N/A	Jody Pope
Courtroom Deputy	Law Clerk	Interpreter	Court Reporter
Russell E. Smoot		Matthew A. Campbell	
Plaintiff's Counsel		Defendant's Counsel	
Probation Officer: Gloria Petretee			
<input checked="" type="checkbox"/> Open Court		<input type="checkbox"/> Chambers	
		<input type="checkbox"/> Telecon	

Defendant **present** in custody of US Marshal

Preliminary comments by the Court.

Special Agent Leland McEuen, called by the Government, sworn to testify.

Direct examination by Mr. Smoot.

Exhibits 1 - 21 admitted without objection and referenced.

10:33 am Court recessed and reconvened at 10:47 am.

Direct examination by Mr. Smoot continued.

Exhibits 22 - 26 admitted, over objection of the Defendant, and referenced.

Cross examination by Mr. Campbell.

12:11 pm Court recessed and reconvened at 1:15 pm.

Redirect examination by Mr. Smoot.

Re-cross examination by Mr. Campbell.

(Continued)

CONVENED: 8:33 AM 10:47 AM 1:15 PM 3:39 PM	ADJOURNED: 10:33 AM 12:11 PM 3:25 PM 5:05 PM	TIME: 2 HR/00 MINUTES 1 HR/24 MINUTES 2 HR/10 MINUTES 1 HR/26 MINUTES TOTAL: 7 HOURS	CALENDARED []
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Special Agent Joseph Cleary, called by the Government, sworn to testify.

Direct examination by Mr. Smoot.

Cross examination by Mr. Campbell.

Redirect examination by Mr. Smoot.

The Court ruled regarding objections to the PSIR.

The following people addressed the Court on behalf of the Defendant: Stephanie Brice, Emily Brice, Amy Betts, and Kathy Brice.

Sentencing recommendations presented by Mr. Campbell.

3:25 pm Court recessed and reconvened at 3:39 pm.

Defendant Brice addressed the Court.

Sentencing recommendations presented by Mr. Smoot.

Sentence: 10 years in custody on Count 1;

12 years, 6 months in custody on Count 3, concurrent with Count 1, credit time served

Supervised Release: Life

Fine: Waived

SPA: \$200.00

Conditions of Supervised Release: Standard conditions and the following Special Conditions

- You shall not possess or use any computer; except that you may, with the advance approval of the supervising officer, use a computer in connection with authorized employment;
- You shall provide the supervising officer with access to any requested financial information, including authorization to conduct credit checks and obtain copies of your Federal income tax returns. You shall disclose all assets and liabilities to the supervising officer. You shall not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer;
- You shall not obtain any form of identification, including a driver's license or state identification card, social security number, birth certificate, credit card, or passport, in the name of any other person. Further, you shall use no other name, other than your true, legal name;
- You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay;
- You shall submit your person, residence, office, or vehicle to a search, conducted by a U.S. probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You shall warn persons with whom you share a residence that the premises may be subject to search;

(Continued)

- You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider;
- You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances;
- You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance;
- You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Defendant advised of right to appeal

All remaining counts dismissed.