

AUG 24 2001

UNITED STATES DISTRICT COURT

Western District of Washington

UNITED STATES OF AMERICA

V.

JAMES DALTON BELL

FILED RECEIVED
AUG 24 2001
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA
BY DEPUTY

JUDGMENT IN A CRIMINAL CASE

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

Case Number: CR00-5731JET

Robert M. Leen

Defendant's Attorney

THE DEFENDANT:

_____ pleaded guilty to _____
_____ pleaded nolo contendere to count(s) _____
which was accepted by the court.
XX was found guilty on counts II and III after a plea of not guilty.

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. § 2261A (1996)	Interstate Stalking	10/23/00	2
18 U.S.C. § 2261A(2)(B)(i)(2000)	Interstate Stalking	10/31/00	3

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

XX The defendant has been found not guilty on counts 1, 4 and 5

_____ Count(s) _____ (is)(are) dismissed on the motion of the United States.

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.

Defendant's Soc. Sec. No.: 510-60-5165

Robb London
ROBB LONDON
Assistant United States Attorney

Defendant's Date of Birth: 04/06/58

Defendant's USM No.: 26906-086

August 24, 2001
Date of Imposition of Sentence

Defendant's Residence Address:
c/o U.S. Marshals

Jack E. Tanner
Signature of Judicial Officer

Defendant's Mailing Address:

THE HONORABLE JACK E. TANNER
United States District Judge

7214 Corregidor

Name & Title of Judicial Officer

Vancouver, WA 98664

8-24-2001
Date

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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 total term of FIVE YEARS ON COUNT 2, FIVE YEARS ON COUNT 3,
TO RUN CONSECUTIVELY

___ The court makes the following recommendations to the Bureau of Prisons:

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

___ The defendant shall surrender to the United States Marshal for this district:

___ at ___ a.m./p.m. on _____
___ as notified by the United States Marshal.

___ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

___ before 2 p.m. on _____
___ as notified by the United States Marshal.
___ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this judgment.

United States Marshal

By: _____
Deputy U.S. Marshal

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3)
YEARS

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.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

XX The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

 The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

XX The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check if applicable.)

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 that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below):

SEE ATTACHED SPECIAL CONDITIONS OF SUPERVISION

STANDARD CONDITIONS OF SUPERVISION

- 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 10 days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a 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.

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Judgment-Page 4 of 8**ADDITIONAL SUPERVISED RELEASE TERMS**

1. The defendant shall be prohibited from possessing a firearm or destructive device as defined in 18 U.S.C. § 921.
2. The defendant shall submit to mandatory drug testing pursuant to 18 U.S.C. § 3563(a)(5) and 18 U.S.C. § 3583(d).
3. The defendant shall participate as instructed by his U.S. Probation Officer in a program approved by the probation office for treatment of narcotic addiction, drug dependency or substance abuse, which may include testing to determine if the defendant has reverted to the use of drugs or alcohol. The defendant shall also abstain from the use of alcohol and/or other intoxicants during the term of supervision.
4. The defendant shall submit to a search of his person, residence, office, property, storage unit or vehicle conducted in a reasonable manner and at a reasonable time by a probation officer.
5. The defendant shall participate as directed in a mental health program approved by the United States Probation Office, which may include defendant's mandatory participation and successful completion of the Financial Education Program through the U.S. Probation Office.
6. A fine in the amount of \$10,000 is due immediately. Any unpaid amount is to be paid during the period of supervision as directed by defendant's U.S. Probation Officer. Interest on the fine shall be waived.
7. The defendant shall provide his probation officer with access to any requested financial information, including authorization to conduct credit checks and obtain copies of defendant's Federal Income Tax Returns.
8. The defendant shall maintain a single checking account in defendant's name. The defendant shall deposit into this account all income, monetary gains, or other pecuniary proceeds, and make use of this account for payment of all personal expenses. This account, and all other bank accounts, must be disclosed to the probation office.
9. The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of defendant's U.S. Probation Officer.
10. The defendant shall cooperate with and furnish financial information and statements to the Internal Revenue Service to determine all taxes due and owing, including interest and penalties, and shall file any past tax returns in a timely manner. The defendant shall pay in full any outstanding tax liability once assessed, including interest and penalties, or enter into an installment payment plan with Collection Division of the Internal Revenue Service.
11. All employment shall be subject to the prior approval of defendant's U.S. Probation Officer.
12. If the defendant maintains interest in any business or enterprise, the defendant shall, upon request, surrender and/or make available for review, any and all documents and records of said business or enterprise to the probation office.

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ADDITIONAL SUPERVISED RELEASE TERMS (Continued)

13. The defendant shall disclose all assets and liabilities to the probation office. The defendant shall not transfer, sell, give away, or otherwise convey any asset, without first consulting with the probation office.
14. The defendant shall not use a computer or use the Internet without permission of the probation office.
15. The defendant shall allow a probation officer to inspect any personal computer owned or operated by defendant.
16. The defendant shall provide the probation office with the name and Internet address of any internet account use.
17. The defendant shall notify his probation officer of all computer software owned or operated by defendant at the commencement of supervision, and report any additional software purchase, acquisition, or use during the course of supervision.
- ~~18. The defendant shall not possess or use any computer encryption software programs, remailers, or anonymizers. (R.L.)~~
- ~~19. The defendant shall not possess or use address or locator computer database files such as, DMV, voter registration, national phone directories, real estate record, etc. (R.L.)~~
- ~~20. The defendant shall not advocate or propose assassinations or the violent overthrow of the government, or provide any assistance to any person involved in such a scheme. (R.L.)~~
21. The defendant shall not possess any chemicals, compounds, or equipment for use in making chemicals or compounds.
- ~~22. The defendant shall not possess carbon fiber or nickel carbon fiber. (R.L.)~~
- ~~23. The defendant shall not participate in any illegal activities or with groups which are likely to engage in illegal activities, such as, "Common Law Courts." (R.L.)~~
24. The defendant shall not obtain or disseminate the home address or phone number of any government employee (absent their express permission).
- ~~25. The defendant shall not knowingly be within 200 yards of the residence of any Federal Government employee (absent their express permission). (R.L.)~~
- ~~26. The defendant shall not be near or in any Federal property or building without a previously scheduled appointment and/or approval of the probation office. (R.L.)~~
27. The defendant shall not use aliases or false identities, to include communicating on the Internet using anything other than defendant's correct name.

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ADDITIONAL SUPERVISED RELEASE TERMS (Continued)

28. The defendant shall not obtain or possess any driver's license, social security number, birth certificate, passport, or any other form of identification in any other name other than defendant's true legal name, without the prior written approval of defendant's Probation Officer.
29. The defendant shall have no direct or indirect contact with the victim in this case, Special Agent Jeff Gordon.

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS:	\$200.00	\$10,000	\$

___ If applicable, restitution amount ordered pursuant to plea agreement..... \$ _____

FINE

___ The Court finds that the defendant is financially unable and is unlikely to become able to pay a fine and, accordingly, the imposition of a fine is waived.

The above fine includes costs of incarceration and/or supervision in the amount of \$ _____

RESTITUTION

___ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case will be entered after such determination.

___ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
Totals:	\$ _____	\$ _____	

INTEREST ON FINES AND RESTITUTION

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

~~XXXX~~ ^{PL/PA} The court has determined that the defendant does not have the ability to pay interest on any fine and/or restitution, and it is ordered that:

~~XX~~ ~~XX~~ The interest requirement is waived. ✓

___ The interest requirement is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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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.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A XX in full immediately; or
- B ___ \$ _____ immediately, balance due (in accordance with C, D, or E); or
- C ___ not later than _____; or
- D ___ in installments to commence ___ day(s) after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation officer shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or
- E ___ in _____ (*e.g., equal, weekly, monthly, quarterly*) installments of \$ ___ over a period of ___ year(s) to commence ___ day(s) after the date of this judgment.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Special instructions regarding the payment of criminal monetary penalties:

XX MAKE CHECK(S) FOR ALL CRIMINAL MONETARY PENALTIES, INCLUDING SPECIAL ASSESSMENTS, FINES, AND RESTITUTION, PAYABLE TO:

United States District Court Clerk, Western District of Washington. For restitution payments, the Court is to forward money received to the payees listed on pages ___ of this judgment.

___ The defendant shall pay the cost of prosecution.

___ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, 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, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program, are to be made as directed by the court, the probation officer, or the United States Attorney.

United States District Court
for the
Western District of Washington
August 24, 2001

* * MAILING CERTIFICATE OF CLERK * *

Re: 3:00-cr-05731

True and correct copies of the attached were mailed by the clerk to the following:

Robert Louis Jacob London, Esq.
U S ATTORNEY'S OFFICE
STE 5100
601 UNION ST
SEATTLE, WA 98101-3903
FAX 553-0755

Robert M Leen, Esq.
STE 4610
601 UNION ST
SEATTLE, WA 98101-3903
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PTS - Tacoma
PRETRIAL SERVICES
1717 PACIFIC AVE
TACOMA, WA 98402
FAX 1-253-593-6435

USPO - Tacoma
US PROBATION OFFICE
ROOM 1310
1717 PACIFIC AVE
TACOMA, WA 98402-3231
FAX 1-253-593-6378

6 cc to USMO

Financial

Judgment Book