

United States District Court
SOUTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA
V.

JUDGMENT IN A CRIMINAL CASE 11 11 AM '95
(For Offenses Committed On or After November 1, 1987)

Tony Riley
(Name of Defendant)

Case Number: CR495-00010-016

James R. Gardner
Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____.
- was found guilty on count one after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 U.S.C. § 846	conspiracy to possess with intent to distribute and distribution of cocaine hydrochloride and crack cocaine	January 25, 1995	one

ATTEST: A TRUE COPY

Certified to S. J. - 19 95

The defendant is sentenced as provided in pages 2 through 5 of this judgment. ~~The sentence is imposed pursuant to the Sentencing Reform Act of 1984.~~ The sentence is imposed pursuant to the _____
Deputy Clerk

- The defendant has been found not guilty on count(s) _____, and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count one, which shall be due immediately as follows:

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.: _____

Defendant's Date of Birth: _____

Defendant's Mailing Address: _____

In Federal Custody

Defendant's Residence Address: _____

Same

August 7, 1995
Date of Imposition of Sentence

[Signature]
Signature of Judicial Officer

Judge, U.S. District Judge
Name & Title of Judicial Officer

August 7, 1995
Date

Defendant: Tony Riley
Case Number: CR495-00010-016

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of: 292 months.

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 2:00 p.m. on _____.

as notified by the United States Marshal.

as notified by the probation 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 Marshal

Defendant: Tony Riley
Case Number: CR495-00010-016

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five years.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall report in person 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 pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.
- The defendant shall participate in any program of drug or alcohol abuse treatment and testing that is deemed necessary by the probation officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer 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;
- 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 of 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 narcotic or other controlled substance, or any paraphernalia related to such substances, 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 by 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 risk that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

Defendant: Tony Riley
Case Number: CR495-00010-016

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
(See attachments if necessary)

Guideline Range Determined by the Court:

Total Offense Level: 40

Criminal History Category: I

Imprisonment Range: 292 to 365 months

Supervised Release Range: --- to five years

Fine Range: \$ 25,000 to \$ 4,000,000

Fine is waived or is imposed below guideline range, because of defendant's inability to pay.

Restitution \$ N/A

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 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): Riley was actively involved in the Michael Woodard conspiracy. Trial testimony by codefendants and witness interviews confirmed that Riley was reasonably aware of the nature and scope of the drug conspiracy and was above average in intelligence and ability. Riley counted money, weighed drugs, and provided advice to Michael Woodard during the conspiracy. Riley also received user quantities of cocaine base on numerous occasions from Woodard and other members of the conspiracy. On August 5, 1993, Riley demonstrated his role in the conspiracy by assisting Michael Woodard in the attempted purchase of ten kilograms of cocaine from an undercover DEA agent. One view of his testimony is Riley attempted to minimize his actions during his perjurious trial testimony. The defendant's actions during the instant offense and the prosecution justify a sentence within the guidelines range. Therefore, a sentence of 292 months is imposed.

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):

Defendant: Tony Riley
Case Number: CR495-00010-016

DENIAL OF FEDERAL BENEFITS
(For Offenses Committed On or After November 18, 1988)

FOR DRUG TRAFFICKERS PURSUANT TO 21 U.S.C. § 862(a)

IT IS ORDERED that the defendant shall be:

ineligible for all federal benefits for a period of five years ending August 7, 2000.

ineligible for the following federal benefits for a period of _____ ending _____.

(specify benefits) _____

OR

Having determined that this is the defendant's third or subsequent conviction for distribution of controlled substances, IT IS ORDERED that the defendant shall be permanently ineligible for all federal benefits.

FOR DRUG POSSESSORS PURSUANT TO 21 U.S.C. § 862(b)

IT IS ORDERED that the defendant shall:

be ineligible for all federal benefits for a period of ___ ending ___.

be ineligible for the following federal benefits for a period of _ ending ___.

(specify benefits) _____

successfully complete a drug testing and treatment program.

perform community service, as specified in the probation or supervised release portion of this judgment.

Having determined that this is the defendant's second or subsequent conviction for possession of a controlled substance, IT IS FURTHER ORDERED that the defendant shall complete any drug treatment program and community service specified in this judgment as a requirement for the reinstatement of eligibility for federal benefits.

Pursuant to 21 U.S.C. § 862, this denial of federal benefits does not include any retirement, welfare, Social Security, health, disability, veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility.