UNITED STATES DISTRICT COURT

Eastern **District of** California

United States of America

V.

CALEB LEE COLE (10)

Defendant

ORDER SETTING CONDITIONS OF RELEASE

Case Number: 1:11-cr-00026 LJO

IT IS ORDERED that the release of the defendant is subject to the following conditions:

(1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.

(2) The defendant shall immediately advise the court and defense counsel in writing before any change in address and telephone number.

(3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) United States District Court, 2500 Tulare Street, Fresno, California 93721 (Place) on 2/11/2011 9:00 am (Date and Time)

before U.S. District Lawrence J. O'Neill (7th Floor, Courtroom #4). Prior to your hearing check-in at the U.S. Marshals Office on the 3rd floor for fingerprinting and photo processing.

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

( ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

( ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of _____ dollars ($ _____) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

(Defendant is ordered to appear.)

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

COLE, Caleb Lee
Docket No. 11CR0026 LJO

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

Name of person or organization

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: _____
CUSTODIAN OR PROXY

(X) (7) The defendant shall:

(X) (a) maintain or actively seek employment, and provide proof thereof to the PSO, upon request.
( ) (b) maintain or commence an educational program.
(X) (c) abide by the following restrictions on his personal associations, place of abode, or travel: Reside at a residence approved by the PSO, and not move or be absent from this residence for more than 24 hrs. without prior approval of PSO; travel restricted to the Eastern District of California , unless otherwise approved in advance by PSO.
(X) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses: Any named codefendants unless in the presence of counsel or otherwise approved in advance by the PSO.
(X) (e) report on a regular basis to the following agency: Pretrial Services and comply with their rules and regulations.
(X) (f) submit to drug and/or alcohol testing as directed by the PSO.
(X) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon. Additionally, you shall provide proof of divestment of all firearms currently under your control.
(X) (h) refrain from **ANY** use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 USC §802 unless prescribed by a licensed medical practitioner. *However, medical marijuana, prescribed or not, may not be used.*
( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: Including treatment for drug/alcohol dependency, and pay for costs as approved by the PSO.
( ) (j) executed a bond or an agreement to forfeit upon failing to appear or failure to abide by any of the conditions of release, the following sum of money or designated property:
( ) (k) post with the court the following indicia or ownership of the above-described property, or the following amount or percentage of the above-described money:
( ) (l) execute a bail bond with solvent sureties in the amount of $
( ) (m) return to custody each (week)day as of o'clock after being released each (week)day as of o'clock for employment, schooling, or the following limited purpose(s):
( ) (n) surrender any passport to the Clerk, United States District Court.
(X) (o) obtain no passport during the pendency of this case.
(X) (p) report in person to the Pretrial Services Agency on the first working day following your release from custody.

(Copies to: Defendant, US Attorney, US Marshal, Pretrial Services)

Advice of Penalties and Sanctions

TO THE DEFENDANT: CASE NUMBER: 1:11-cr-00026 LJO

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a $250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a $250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than $250,000 or imprisoned for not more than 10 years, or both;
(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than $250,000 or imprisoned for not more five years, or both;
(3) any other felony, you shall be fined not more than $250,000 or imprisoned not more than two years, or both;
(4) a misdemeanor, you shall be fined not more than $100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

1-21-11
Date

661-868-6300
Telephone

Directions to United States Marshal

(✓) The defendant is ORDERED released after processing.
( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judge at the time and place specified, if still in custody.

Date: 1/21/2011

Signature of Judge

Jennifer L. Thurston, U.S. Magistrate Judge
Name and Title of Judge

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL