IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiff, vs. TIMOTHY DEFOGGI Defendant.	**8:13CR105** **ORDER**

This matter is before the Court *sua sponte* regarding a refund of the special assessment for count I, paid by the defendant, Timothy DeFoggi.

On January 5, 2015, the court imposed a $100.00 special assessment for each guilty count, totaling $500.00. The Clerk of the Court verified that the defendant has paid the $500.00 special assessment in full. On October 6, 2016, the Eighth Circuit Court of Appeals, vacated the conviction on count I and remanded the case for resentencing. In light of that ruling, count I of the Indictment was dismissed by the court, entitling the defendant to a refund of $100.00 of the special assessment fee.

IT IS ORDERED:

1. The Clerk of the Court shall refund $100.00 to the defendant, Timothy DeFoggi, at his last known address.

Dated this 3rd day of February, 2017.

BY THE COURT:

s/ Laurie Smith Camp
Chief United States District Judge

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