UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:17CR421 (#17)
	)	
Plaintiff,	)	JUDGE BENITA Y. PEARSON
	)	Magistrate Judge George J. Limbert
v.	)	
	)	
MICHAEL SLOAN,	)	REPORT AND RECOMMENDATION
	)	OF MAGISTRATE JUDGE
Defendant.	)	

Pursuant to General Order 99-49, this case was referred on April 18, 2018, to United States Magistrate Judge George J. Limbert for the purposes of receiving, on consent of the parties, Defendant Michael Sloan's ("Defendant"), proffer of a plea of guilty, conducting the colloquy prescribed by Fed. R. Crim. P. 11, causing a verbatim record of the proceedings to be prepared, conducting a presentence investigation, and submitting a Magistrate Judge's Report and Recommendation stating whether the plea should be accepted and a finding of guilty entered. ECF Dkt. #240. The following, along with the transcript or other record of the proceedings submitted herewith, constitutes the Magistrate Judge's Report and Recommendation concerning the plea of guilty proffered by Defendant Sloan.

1. On April 23, 2018, Defendant Michael Sloan, accompanied by Attorney Leif B. Christman, executed a consent to referral of his case to a United States Magistrate Judge for the purpose of receiving his guilty plea.

2. Defendant Sloan then proffered a plea of guilty to Count One of the Indictment.

3. Prior to such proffer, Defendant Sloan was examined as to his competency, advised of the charges and consequences of conviction, informed that the Court is not bound to apply the

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Federal Sentencing Guidelines but must consult the guidelines and take them into consideration when it imposes the sentence and of the possibility of a departure from the Guidelines, notified of his rights, advised that he was waiving all of his rights except the right to counsel, and, if such were the case, his right to appeal, and otherwise provided with the information prescribed in Fed. Crim. R. 11.

4. The undersigned was advised that a written plea agreement existed between the parties, and no other commitments or promises have been made by any party, and no other written or unwritten agreements have been made between the parties.

5. The undersigned questioned Defendant Sloan under oath about the knowing, intelligent, and voluntary nature of the plea of guilty, and the undersigned believes that Defendant Sloan's plea was offered knowingly, intelligently, and voluntarily.

6. The parties provided the undersigned with sufficient information about the charged offenses and Defendant Sloan's conduct to establish a factual basis for the plea.

In light of the foregoing, and the record submitted herewith, the undersigned concludes that Defendant Sloan's plea was knowing, intelligent, and voluntary, and all requirements imposed by the United States Constitution and Fed. R. Crim. P. 11 have been satisfied.

Accordingly, the undersigned recommends that the plea of guilty be accepted and a finding of guilty be entered by the Court as to Count One of the Indictment.

Date: April 23, 2018

/s/George J. Limbert
George J. Limbert
United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within fourteen (14) days of service of this notice. Fed. R. Crim. P. 59. Failure to file objections within the specified time constitutes a WAIVER of the right to appeal the Magistrate Judge's recommendation.