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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON LEE ZUCKER,

Defendant.

NO: 2:13-CR-0024-TOR-5

ORDER ACCEPTING GUILTY PLEA
AND SETTING SENTENCING
SCHEDULE

On February 24, 2015, Jason Lee Zucker appeared before the Court and entered a plea of guilty to Count One of the Superseding Indictment filed on May 6, 2014, charging him with Conspiracy to Manufacture and Distribute 100 or More Marijuana Plants in violation of 21 U.S.C. §§ 841(a)(1) and 846. The Defendant was represented by Frank L. Cikutovich. The Government was represented by Caitlin A. Baunsgard.

The Court finds that Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charges and consequences of the plea and the plea of guilty is knowing, and voluntary, is not

1 induced by fear, coercion, or ignorance and is supported by an independent basis in
2 fact establishing each of the essential elements of the crime. Therefore, the
3 Defendant's plea of guilty is accepted.

4 **ACCORDINGLY, IT IS HEREBY ORDERED:**

5 1. A sentencing hearing is set for **June 17, 2015, at 9:00 a.m.**, in Spokane,
6 Washington. Absent truly exigent circumstances, the Court will not consider a
7 request for a continuance of sentencing unless: (1) the request is made by written
8 motion, (2) in accordance with Local Rule 7.1, and (3) the motion and supporting
9 declaration are filed at least seven (7) days before the scheduled sentencing
10 hearing.

11 2. The Defendant shall remain released pursuant to the conditions of
12 release previously imposed in this matter. ECF No. 110. **If a sentence of**
13 **incarceration is imposed, the Defendant shall be taken into custody at the time**
14 **of sentencing.**

15 3. The United States Probation Office shall prepare a Presentence Report.
16 Fed. R. Crim. P. 32(c).

17 4. Not later than **May 6, 2015**, the probation officer shall disclose the
18 Presentence Investigation Report (PSIR) to the Defendant, counsel for Defendant,
19 and the Government. Disclosure of the Presentence Investigation Report shall be
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1 subject to the limitations imposed by Rule 32 of the Federal Rules of Criminal
2 Procedure.

3 5. Not later than **May 15, 2015**, counsel shall communicate in writing to
4 the probation office (and opposing counsel) any objections they may have as to
5 legal and factual errors or omissions; sentencing classifications; sentencing
6 guideline ranges; and policy statements contained in or omitted from the report. If
7 an objection is filed, the probation officer shall conduct such additional
8 investigation as is necessary to assess the merits of the objection.

9 6. The probation officer shall submit the final Presentence Report to the
10 Court by **June 3, 2015**. The report shall be accompanied by an addendum setting
11 forth any objections counsel may have made, including those that have not been
12 resolved, together with the officer's comments and recommendations thereon.

13 7. Not later than **June 3, 2015**, counsel shall file and serve all motions and
14 memoranda pertaining to Defendant's sentence, including departures and variances,
15 and sentencing recommendations. FAILURE TO FILE AND SERVE A MOTION
16 OR MEMORANDUM FOR UPWARD OR DOWNWARD DEPARTURE AND
17 VARIANCES BY THIS DATE WILL BE DEEMED A WAIVER OF THE
18 RIGHT TO DO SO.

19 8. Not later than **June 10, 2015**, the opposing party shall file and serve its
20 response limited to no more than seven (7) pages.

ORDER ACCEPTING GUILTY PLEA AND SETTING SENTENCING
SCHEDULE ~ 3

1 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
2 this Order and provide copies to counsel and to the United States Probation Office.

3 **DATED** March 10, 2015.



Thomas O. Rice

5 THOMAS O. RICE
6 UNITED STATES DISTRICT JUDGE