

**CRIMINAL PROCEEDINGS - Change of Plea**

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO**

Judge Edward J. Lodge  
Case No. Cr. 04-092-S

Date: August 16, 2004  
Courtroom Deputy: Carol Vaughn  
Reporter: Lisa Yant

**UNITED STATES OF AMERICA vs Francisco J. Castillo-Machuca**

Counsel for United States: Rafael Gonzalez  
Defendant: Charles Peterson  
Interpreter: Eduardo Silva  
Probation Officer: None present

- (X) True Name: Francisco J. Castillo-Machuca - Sworn
- (X) Defendant waived the reading of the Indictment.
- (X) At the request of the Court, Counsel for Plaintiff stated for the record the elements and evidence of the charge.

**Maximum Penalties - Sentences could run consecutive**

**Count 6 - Class C Felony**

10 years and/or a \$250,000.00 fine  
3 years supervised release

**Count 7 - Class D Felony**

5 years and/or a \$250,000.00 fine  
3 years supervised release

- (X) Defendant's Constitutional Rights explained.
- (X) Defendant waived the reading of the Plea Agreement.
- (X) Defendant entered pleas of guilty to Counts 6 and 7 of the Indictment. Pleas were pursuant to a written Plea Agreement. Court accepted the pleas. Count 1 to be dismissed at time of sentencing. Defendant waived any defenses that would be applicable under Blakely.

**Sentencing set for October 26, 2004 at 9:30am**

Presentence report ordered. Original report due to Counsel September 21<sup>st</sup>  
Notification of objections by Counsel and motions for departure, either upward or downward due October 5<sup>th</sup>. Final report due to Court and Counsel October 19<sup>th</sup>.

Defendant remanded back to the custody of the U.S. Marshal.

Copy to: USMS/US Probation

Time: 2:45 - 3:15pm/Boise