

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

2004 OCT 27 PM 6:37
FILED
CLERK OF DISTRICT COURT
IDAHO

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ELLIS R. JACKMAN,)
)
Defendant.)
_____)

Case No. CR 04-206-E-BLW
REPORT AND
RECOMMENDATION

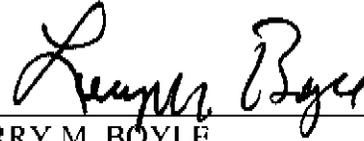
On October 26, 2004 Defendant appeared before the undersigned United States Magistrate Judge to enter a change of plea pursuant to a written plea agreement. Defendant executed a written waiver of the right to have the presiding United States District Judge take his/her change of plea. Thereafter, the Court explained to Defendant the nature of the charges, the maximum penalties applicable, his/her constitutional rights, the effect of the Sentencing Guidelines, and that the District Judge would not be bound by the agreement of the parties as to the penalty to be imposed.

Having conducted the change of plea hearing and having inquired of Defendant and his/her counsel, and counsel for the United States, the Court concludes that there is a factual basis for Defendant's plea of guilty, and that it was entered voluntarily and with full knowledge of the consequences, and that the plea should be accepted.

7

Based upon the foregoing, this Court recommends that the District Court accept Defendant's plea of guilty to Count One of the Information.

DATED this 28th day of October, 2004.



LARRY M. BOYLE
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT

United States District Court
for the
District of Idaho
October 29, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 4:04-cr-00206

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Jack B Haycock, Esq. 1-208-478-4175
US ATTORNEY
801 E Sherman
Pocatello, ID 83201

Dean C Brandstetter, Esq.
COX OHMAN & BRANDSTETTER
PO Box 51600
Idaho Falls, ID 83405

U.S. Marshal
HAND DELIVERED

Probation
HAND DELIVERED

Chief Judge B. Lynn Winmill
 Judge Edward J. Lodge
 Chief Magistrate Judge Larry M. Boyle
 Magistrate Judge Mikel H. Williams

Visiting Judges:
 Judge David O. Carter
 Judge John C. Coughenour
 Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 11-1-04

BY: wm
(Deputy Clerk)