

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

2004 OCT 23 PM 1:50  
CLERK OF DISTRICT COURT  
JULIE BLAKE  
200 N. GARDEN ST.  
BOISE, IDAHO 83725

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 RAMON LOPEZ-VASQUEZ, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

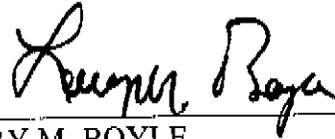
Case No. CR 04-182-E-BLW  
  
REPORT AND  
RECOMMENDATION

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.

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

DATED this 28<sup>th</sup> day of October, 2004.



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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-00182

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

Michelle R Mallard, Esq. 1-208-478-4175  
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FEDERAL DEFENDER'S OFFICE  
801 E Sherman  
Pocatello, ID 83201

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)