

**CRIMINAL PROCEEDINGS - Change of Plea**

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

Judge Edward J. Lodge  
Case No. Cr. 04-064-S

Date: August 9, 2004  
Courtroom Deputy: Carol Vaughn  
Reporter: Lisa Yant

**UNITED STATES OF AMERICA vs Dick E. Butcher**

Counsel for United States: George Breitsameter  
Defendant: John DeFranco  
Probation Officer: None present

- (X) True Name: Dick E. Butcher - 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 - Class C Felony**

20 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 waived any defenses that would be applicable under Blakely.
- (X) Defendant entered a plea of guilty as charged in Count 32 of the Indictment. Plea was pursuant to a written Plea Agreement. Court accepted the plea. Counts 2, 26, 39, 47, 48, 50 and 60 to be dismissed at time of sentencing.

**Sentencing set for October 25, 2004 at 9:30am**

Presentence report ordered. Original report due to Counsel September 20<sup>th</sup>  
Notification of objections by Counsel and motions for departure, either upward or downward due October 4<sup>th</sup>. Final report due to Court and Counsel October 18<sup>th</sup>.

Defendant continued released pursuant to the terms and conditions of the Pre-trial Release Order previously entered.

Copy to: USMS/US Probation

Time: 9:10 - 9:30am  
Boise