

CRIMINAL PROCEEDINGS - Change of Plea

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Judge B. Lynn Winmill

Date: October 28, 2004

Case No. **CR04-193-E-BLW**

Deputy Clerk: Pamela Fulwyler

Place: Pocatello, ID

ESR: Nicole Lynch

Time: 2:00 p.m. - 2:25 p.m.

UNITED STATES OF AMERICA v FRANCISCO UBALDO ERIVES-ALTAMIRANO

Counsel for United States (AUSA) - Jack Haycock

Counsel for Defendant- (Federal Defender's Office) - Nick Vieth

Interpreter Herman Garcia (Previously Sworn)

- (X) Defendant sworn for examination by the Court.
- (X) Defendant advised of Constitutional Rights & Right to Counsel & JURY TRIAL.
- (X) Court advised defendant of Maximum Penalties.
- (X) Maximum Penalties: 20 years imprisonment and/or \$250,000 fine
3 years supervised release on each count
\$100 Special Assessment on each count
- (X) Defendant's Constitution Rights explained.
- (X) Sentencing Guidelines explained.
- (X) Original Plea Agreement filed today with the Court.
- (X) Court reviewed the Plea Agreement.
- (X) Defendant withdrew previous plea of NOT GUILTY, and **entered a GUILTY Plea to the Sole Count of the Indictment** pursuant to the Plea Agreement. Court accepts plea, and plea agreement taken UNDER ADVISEMENT pending review of the Presentence Report.
- (X) Court ordered a Presentence Investigation Report.
 - Original report to Counsel: **December 2, 2004**
 - Notification of Objections: **December 16, 2004**
 - Final Report Due: **December 30, 2004**
 - SENTENCING SET:** **January 06, 2005 at 8:30 a.m. in Pocatello before Judge Winmill**
- (X) Defendant remanded to the custody of the U.S. Marshal Service.