

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HONORABLE JANE J. BOYLE PRESIDING COURT REPORTER/TAPE: SHAWNIE ARCHULETA
DEPUTY CLERK PEGGY MUNROE USPO EDITH FOSTER
LAW CLERK INTERPRETER

CR. No. 3:09-CR-210-B DEFT. No. 01

UNITED STATES OF AMERICA v. JESSE WILLIAM MCGRAW
CANDINA S. HEATH AUSA
TODD A. DURDEN
Counsel for Deft. Appt-(A), Retd-(R), FPD-(F)

SENTENCING

Date Held: 03/17/11

Hearing Type: [ ] Sentencing Hearing - Contested [X] Sentencing Hearing - Non-Evidentiary

Time in Court: 2 Hrs 45 min

Trial Status: [ ] Completed by Jury Verdict [ ] Continued from Previous Month [ ] Directed Verdict [ ] Evidence Entered
[ ] Hung Jury [ ] Jury Selection Only, continued [ ] Jury Selection or Verdict Only (No Trial Before this Judge)
[ ] Mistrial [ ] Settled/Guilty Plea [ ] None

Days in Trial:

Hearing Concluded: [X] Yes [ ] No

[X] Sentencing held. [X] Objections to PSI heard. [ ] Plea agreement accepted. [ ] Plea agreement NOT accepted.
[ ] Sentencing Guidelines [ ] Departs Upward [ ] Departs Downward

SENTENCING TEXT:

- [ ] Deft. placed on: Probation for
[X] Deft. committed to custody of the AG/BOP to be imprisoned for a TOTAL term of 110 months each ct,
[X] Deft. placed on: Supervised Released for 3 years each ct, concurrently
[X] Restitution ordered in the amount of \$ 31,881.75 and/or Fine imposed in the amount of \$ N/A
[X] Count(s) superceeding indict dismissed on government's motion.
[ ] Order dismissing original Indictment/Information to be entered upon government's written motion.
[X] \$ 200 special assessment on Count(s) 1 and 2
of [ ] Complaint [X] Indictment [ ] Information [ ] Superseding Indictment [ ] Superseding Information.
[ ] Deft ordered to surrender to the designated institution on
[ ] Deft failed to appear, bench warrant to issue.
[ ] Bond [ ] continued [ ] revoked
[X] Deft Advised of his right to appeal.
[ ] Deft requests Clerk to enter notice of Appeal.
[ ] Deft Custody/Detention continued.
[X] Deft REMANDED to custody. Court recommends incarceration at FCI Ft. Worth , 2nd choice FCI Seagoville

OTHER PROCEEDINGS/INFORMATION: Objections: #1 - sophisticated means - over ruled; #2 a 2 level enhancement - overruled;
#3 and #4 were withdrawn by defendant; #5 and #6 withdrawn. Mot for role of offense - sustained (4 level increase). Mot for upward
departure - sustained. Mot for intended loss (reasonably foreseeable) - denied. Government's exhibit #2 admitted on the record.