

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CRIMINAL PLEA MINUTES
INDICTMENT / INFORMATION

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
DEC 28 2016

DATE: DECEMBER 28, 2016
LOCATION: Albany, New York
TIME: START: 10:⁴⁰30 A.M. / STOP: 11:17 AM
PRESIDING: Hon. Lawrence E. Kahn
CLERK: Scott A. Snyder / Britney Norton / Maria Blunt
COURT REPORTER: Theresa Casal / Lisa Tennyson /

LAWRENCE K. BAERMAN, CLERK
ALBANY


UNITED STATES OF AMERICA

VS.

NO. 1:16-CR-0265 (LEK)

ILIE SITARIU

APPEARANCES:

EMMET J. O'HANLON, AUSA.	For the Government
GENE V. PRIMOMO, AFPD.	For the Defendant
	Probation / Pretrial Officer
None	Interpreter

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USA VS SITARIU

	Waiver of Indictment
	Filing of Information
✓	Entry of Guilty Plea
✓	Change of Plea to Count(s) <u>1-5</u>

✓	Defendant appears in court <u>with</u> without counsel.
✓	Defendant is advised of <u>his</u> / her constitutional rights.
✓	Defendant states TRUE NAME is <u>Ilie Sitariu</u> .
	Waiver of Indictment is executed in open court.
	Waiver is accepted / rejected by the Court.
	Defendant signs Waiver Form and Information is filed.
✓	Defendant waives reading of the <u>Indictment / Information</u> .
	Information / Indictment is read by Deputy Clerk.
✓	Defendant enters plea of GUILTY to Count(S) <u>1-5</u> .
✓	Defendant is questioned regarding background, education, understanding and consequences of a plea and willingness to plead guilty.
✓	Defendant advised of the maximum penalties under the law and proof to be offered if case went to trial.
✓	Penalties are pursuant to ADVISORY GUIDELINES under the Sentencing Reform Act.
	Offense occurred PRIOR TO THE SENTENCING REFORM ACT (before November 1, 1987).
✓	Court makes inquiry of defendant's waiver of appeal rights.
✓	Court <u>accepts</u> / rejects Guilty plea. Plea agreement <u>is</u> / <u>is not</u> handed up for filing.
	Remaining count(s) # _____ of Indictment to be dismissed at time of sentencing.
✓	SENTENCING scheduled for <u>May 10th, 2017</u> at <u>11:00</u> <u>4</u> .M. in <u>ALBANY</u> , New York.
✓	Presentence Report <u>is ordered</u> / waived.

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	An expedited presentence report is requested by the Court / defense counsel / both.
✓	Immigration consequences are discussed with the defendant and the defendant is aware that deportation is a possible outcome of this criminal proceeding.
✓	Additional Information: <i>USA reads summary of Offer of Prof into record.</i> <i>- ASPD places on record that Mr. SITARIU speaks + reads English. Interpreter not required. Δ agrees.</i>
	Defendant is continued on bail as previously set / R.O.R.
✓	Defendant is remanded to the custody of U. S. Marshal.
✓	Defendant's Attorney was <u>appointed</u> / retained.

ADVISORY MAXIMUM SENTENCING GUIDELINES

estimate

Imprisonment:	^{1/23/4/5/} 5/10/15/2 mo/yrs	Applicable Guideline Section:	
Fine:	\$250,000/count	Base Offense Level:	20
Supervised Release:	3 + 2 Year(s)	Base Offense Enhancement:	
Special Assessment:	\$100.00 COUNT	Criminal History Category:	I
Possible ^{probable} Deportation:	✓	Reduction for Acceptance:	
Forfeiture:	✓	Total Offense Level:	
Restitution:	✓	Imprisonment Range:	48-54 Months
Mandatory Minimum:	2 mo(yrs) count 5	The defendant waives his / her right to appeal:	— Months or less
		Safety Valve Eligible: _____	