

UNITED STATES DISTRICT COURT

for
DISTRICT OF ARIZONA

✓ FILED	LOTT
RECEIVED	CURY
NOV - 4 2008	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

United States v. Brandon James Blackowl

Docket No. 05CR00772-001-TUC-JMR (GEE)

Petition to Revoke Supervised Release

COMES NOW PROBATION OFFICER Patricia Romero presenting an official report on Brandon James Blackowl who was committed to the Bureau of Prisons on March 17, 2006, by the Honorable John M. Roll presiding in the District Court of Arizona. A 36-month period of supervised release was imposed, and supervision commenced upon the offender's discharge from imprisonment on June 12, 2007. The defendant's supervised release was revoked March 20, 2008, and a second term of supervised release commenced September 30, 2008. In addition to the general terms and conditions adopted by the court, the offender was ordered to comply with the following special conditions:

1. You shall participate as instructed by the probation officer in a program of substance abuse treatment which may include testing for substance abuse. You shall contribute to the cost of treatment in an amount to be determined by the probation officer.
2. You shall submit your person, property (including but not limited to computer, electronic devices, and storage media), residence, office, or vehicle to a search conducted by a probation officer, at a reasonable time and in a reasonable manner.
3. You shall reside and participate in a residential re-entry center for 180 days, unless discharged earlier by the probation officer. The Court recommends that placement be at a facility at or near Riverside, California.
4. You are prohibited from owning, maintaining or using a firearm.
5. You shall abstain from all use of alcohol or alcoholic beverages.

Brandon James Blackowl was convicted of Possession of a Firearm with an Obliterated Serial Number in violation of 18 U.S.C. § 922(k) and 924(a)(1)(B), a Class D felony.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

- A. **VIOLATION OF SPECIAL CONDITION No. 4:** You shall reside and participate in a community corrections center to 180 days, unless discharged earlier by the probation officer. The Court recommends that placement be at a facility at or near Riverside, California. A Grade C violation. §7B1.1(a)(3)(B).

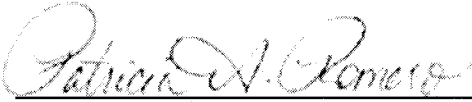
Blackowl did not participate in the Dismas Residential Re-entry Center as evidenced by his unsuccessful discharge from the facility on October 24, 2008. Blackowl failed to return from job search at his assigned return time. He called the facility indicating he was running late and then called again approximately two hours later to report he was not going to return. He was advised by staff to report to the facility immediately; he was placed on abscond status when he failed to do so.

*WCC
PO
MEM*

Copies Distributed *WCC*

AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

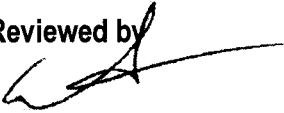


Patricia Romero,
U.S. Probation Officer

October 31, 2008

Date

Reviewed by



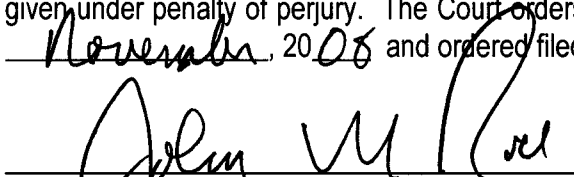
David Ouellette
Supervisory U.S. Probation Officer

October 31, 2008

Date

ORDER OF COURT

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 3rd day of November, 2008 and ordered filed and made a part of the records in the above case.



The Honorable John M. Roll,
Chief U.S. District Judge

Defense Counsel:

Brick P. Storts, III (Appointed)
271 North Church
Tucson, Arizona 85701
(520) 882-2802