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6
 7 IN THE UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA

9 SILVER GALINDO,
 10 Petitioner,
 11 vs.
 12 JOSIAS SALAZAR,
 13 Respondent.

2:17-CV-00302-EFB (HC)

REQUEST FOR REDACTION AND ~~PROPOSED~~ ORDER

14
 15 **REQUEST FOR REDACTION**

16 The United States of America, by and through its attorney of record in this case, Assistant United
 17 States Attorney, Megan A. S. Richards, requests that the Court replace the exhibit at 2:17-cv-00302-
 18 EFB, Doc. 11, Exhibit 1, with the redacted exhibit attached to this Motion. The undersigned
 19 inadvertently filed the document without redacting personal identifying information as required by Fed.
 20 R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. The document attached to this Request for Redaction is the
 21 same as the previously filed document, but has been redacted to comply with privacy rules.
 22 Accordingly, the United States asks that the Court order the attached document be substituted for the
 23 document currently filed as 2:17-CV-00302-EFB, Doc. 11, and Exhibit 1.

24 Dated: June 20, 2017

PHILLIP A. TALBERT
 United States Attorney

25
 26 By: /s/ Megan A. S. Richards
 Megan A. S. Richards
 27 Assistant United States Attorney
 28

1 **[PROPOSED] ORDER**

2 IT IS SO ORDERED this 26th day of June, 2017.

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THE HONORABLE EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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EXHIBIT 1

1 February 13, 1998 and admitted pursuant to new escape charges. Id. (“02/13/98
2 Admitted under Cr. No. 98-0007”).

3 7. Petitioner was released on parole on June 17, 2003. Id. at 2 (“06/17/03
4 RELEASED ON PAROLE”).

5 8. Attached as Ex. B is Petitioner’s Judgement in a Criminal Case in
6 federal Case No. 1:04-cr-00053 DAE. Following his release from Hawaii custody
7 on parole, Petitioner committed various felonies related to firearm possession and
8 drug distribution, from approximately July 2003 to March 2004. See Ex. B. at 2.

9 9. Attached as Ex. C is Petitioner’s Judgement of Conviction and
10 Sentence in Hawaii Case No. 03-1-2097. At some point during the commission of
11 his federal offenses from July 2003 to March 2004, Petitioner also gained
12 unauthorized entry in a motor vehicle in violation of state law. See Ex. C.

13 10. On September 12, 2003, a warrant was issued by the Hawaii Paroling
14 Authority for Petitioner’s arrest for new criminal conduct. See Ex. A (“09/12/03
15 HPA WARRANT 03-020-495 ISSUED THIS DATE”). This warrant related to
16 Petitioner’s conduct described in paragraphs (8) and (9) above.

17 11. Because Petitioner’s new criminal conduct violated the terms of his
18 parole, Petitioner’s “Parole [was] suspended effective 9/23/03.” Id. Petitioner’s
19 parole term was then extended to its maximum date of January 29, 2006. Id. (“Due
20 to suspension, maximum date of imprisonment has been extended. New maximum
21 date expires on 1/29/06 for Cr. # 94-1299 & 7/10/04 for Cr. #94-0007”).

22 12. Hawaii authorities arrested petitioner on March 11, 2004, pursuant to
23 HPA warrant 03-020-495. Id. (“03/11/04 Returned to custody on HPA warrant
24 #03-020-495”).

25 13. Attached as Ex. D is a true and correct copy of Petitioner’s United
26 States Marshals Service (U.S. Marshals) Individual Custody and Detention Report
27 (USM 129). In order to facilitate Petitioner’s presence for trial and sentencing in
28 federal court, the U.S. District Court for the District of Hawaii issued a writ of

1 Habeas Corpus Ad Prosequendum on March 19, 2004, pursuant to a motion from
2 the U.S. Attorney's Office. See Ex. D at 1 ("III. Status History - Status: WHCAP;
3 Status Date: 04/05/2004; Custody Date: 04/05/2004; Release Date: **/**/****;
4 Remark: Writ from AUSA").

5 14. On April 5, 2004, based on the order, the U.S. Marshals took the
6 Petitioner into custody and placed him in the Federal Detention Center, Honolulu,
7 HI (FDC Honolulu). Id. at 2, IV. Chronological Prisoner History, first entry.
8 Although Petitioner was in temporary federal custody while pending federal
9 sentencing, he remained under the primary jurisdiction of Hawaii. Accordingly,
10 Petitioner continued to earn credit toward his maximum parole date of January 29,
11 2006.

12 15. On October 14, 2008, Judge David E. Ezra of the U.S. District Court
13 for the District of Hawaii signed an order sentencing Petitioner to a 39 year and 2
14 month term of incarceration. Petitioner's total term reflected consecutively
15 imposed sentences of 110 months, 5 years, and 25 years. See Ex. B at 3.

16 16. When all of Petitioner's court appearances for his federal case had
17 concluded, but just prior to sentencing, Petitioner's Writ of Habeas Corpus Ad
18 Prosequendum was dissolved and Petitioner was returned from FDC Honolulu to
19 the Oahu Community Corrections Center, on October 10, 2008. See Ex. D at 2,
20 III. Status History, first entry on page 2 ("Status: RI-WHCAP; Status Date:
21 10/10/2008 . . . Remark: OCCC"). Hawaii still retained primary jurisdiction of
22 Petitioner at this time.

23 17. On January 12, 2009, Petitioner was sentenced in Case No. 03-1-
24 2097, his pending Hawaii state criminal matter, to 30 days incarceration with credit
25 for time served. See Ex. C. With Petitioner having satisfied all of his terms of
26 incarceration with Hawaii on January 12, 2009, Petitioner transferred from being
27 under the jurisdiction of Hawaii to the exclusive jurisdiction of the United States
28 on January 13, 2009.

1 18. Petitioner satisfied his state terms of parole on January 29, 2006, prior
2 to his new state sentence in Case No. 03-1-2097 . See Ex. A at 2 (“New Max Date
3 01/29/06”). Petitioner was sentenced to a 30-day term in Case No. 03-1-2097 on
4 January 12, 2009: a term running from December 12, 2009, to January 12, 2009.
5 Although Petitioner transferred to exclusive federal jurisdiction on January 13,
6 2009, he was not readmitted to a federal facility until January 14, 2009. See Ex. D
7 at 2, III. Status History, second entry on page 2 (“Status: READMIT; Status Date:
8 01/14/2009”).

9 19. Prior custody credit in the federal system is determined by 18 U.S.C.
10 § 3585(b): “A defendant shall be given credit toward the service of a term of
11 imprisonment for any time he has spent in official detention prior to the date the
12 sentence commences, that has not been credited against another sentence.”

13 20. Therefore, the BOP gave Petitioner prior federal custody credit for all
14 time from January 30, 2006, through December 13, 2008, and January 13, 2009,
15 for time in custody that was not credited toward his parole violation sentences or
16 his 30-day sentence with Hawaii.

17 21. Attached as Ex. E is an Order Regarding Motion for Sentence
18 Reduction Pursuant to 18 U.S.C. § 3582(c)(2) in Petitioner’s federal case.
19 Petitioner’s total 39 year and 2 month term of incarceration reflected consecutively
20 imposed sentences of 110 months, 5 years, and 25 years. See Ex. B at 3. On
21 November 1, 2015, the court reduced Petitioner’s 110 month term to a 92 month
22 term. See Ex. E. This reduction was due to a retroactive application of new
23 sentencing guidelines and not any sentencing error on the part of the court, BOP,
24 or state of Hawaii.

25 22. Petitioner’s current sentence calculation results from the interaction of

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1 three Hawaii sentences, one federal sentence, and the subsequent reduction of the
2 federal sentence due to sentencing guideline changes. Petitioner's current release
3 date is December 22, 2038.

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5 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the
6 foregoing is true and correct.

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8 Executed June 13th, 2017, at Grand Prairie, Texas.

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11 Dawn L. Giddings
12 Correctional Programs Specialist
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NAME : GALINDO, SILVER

A0195205

Previous Board Actions

- 09/16/93 Admitted under Cr. NO. 87-0677.
Admitted under Cr. NO. 87-0684.
- 01/10/94 Board minimum: Cr.#87-0677 - 2 yrs. Cr.#87-0684 - 2 yrs. (lp)
- 02/07/94 Received Motion for Nolle Prosequi under Cr. No, 93-1937.
- 03/08/94 Parole tentatively approved effective 4/7/94. Award of \$100 made under Act 201. Parole term shall be the maximum allowed by law. Conditions: 1. drug testing; 2. shall inform PO of prescribed drugs and allow physician to provide PO with information re drugs and/or treatment; 3. substance abuse treatment as directed; 4. waive confidentiality re treatment; 5. no drinking; 6. secure job within 30 days of release; 7. vocational training as directed; 8. home detention as directed; 10. shall not act as undercover agent or informant for any law enforcement agency without prior notice to and special written permission of the Board; 11. shall promptly and truthfully answer all inquiries of PO and allow PO to visit home, employment site or elsewhere and carry out all instructions PO gives. (kr)
- 04/07/94 RELEASED ON PAROLE.
- 06/07/94 RETURNED TO CUSTODY ON HPA WARRANT. (jm)
- 07/13/94 Found guilty of violation of Rule #1d, possessing a drug on 4/27/94; Rule #3, failing to report to and maintain contact with PO on 5/31/94 as instructed. Finding of guilt is based on plea of guilty to the violations as charged. Parole revoked for balance of maximum term. Parole hearing scheduled for January 1995. (kr)
- 01/17/95 Parole denied. New conviction. Hearing for parole consideration to be scheduled at expiration of new minimum sentence. (lp)
- 01/11/95 Admitted under Cr.No.94-1299,cts.1,3,5,6.
- 04/06/95 Minimum term fixed under Cr. #94-1299, Cts. 1 & 3: 4 Yrs. each count; and Cts. 5 & 6: 2 Yrs. each count, (jm)
- 01/29/97 (NHRG) Request for reduction of minimum denied. Minimum remains appropriate. (jm)
- 01/12/98 OCCC informs that inmate escaped from OCCC custody for 37 days. (jm)
- 02/13/98 Admitted under Cr. No. 98-0007.
- 05/04/98 Board minimum under Cr. No. 98-0007 set at 1 year 6 months. HPA recommends participation in RAD recommended programs. Parole is denied.(ft)
- 05/21/99 Parole tentatively approved effective 6/24/99 to Victory Ohana. No award is made under Act 201. Parole term shall be the maximum allowed by law. See file for special conditions. (jm)
- 06/24/99 RELEASED ON PAROLE. ASSIGNED TO ANDREW MORGAN.(ft)
- 11/30/99 (NHRG) Parole suspended effective 9/8/99.(ft)
- 10/12/00 RETURNED TO CUSTODY ON HPA WARRANT. Term extended for 1 yr. 1 mo. & 4 days. (ksb)
- 11/15/00 Found guilty based on pleas of guilt.
1. Violation of Rule #8, SP #12, failed to remain in the Victory Ohana program for six months; 2. Violation of Rule #5, failed to notify parole officer

Previous Board Actions

of change of address from Victory Ohana to an unknown address. Hearing for parole consideration will be scheduled for 05/03. However, HPA is willing to schedule an earlier hearing upon completion of recommended programs. HPA recommends participation in the substance abuse treatment (Clean & Sober Quad), cognitive skills (Parts I and II) and correctional industries workline. Due to suspension, maximum date of imprisonment has been extended. New maximum date expires on 08/17/2005. (tll)

05/14/02 Parole hearing scheduled in error. See in May 2003. (jm)

05/22/03 Parole tentatively approved effective 6/17/03. No award is made under Act 201. Parole term shall be the maximum allowed by law. See file for special conditions. (jm)

06/17/03 RELEASED ON PAROLE. ASSIGNED TO ISP. (ksb)

09/12/03 HPA WARRANT03-020-495 ISSUED THIS DATE.(nt)

10/29/03 (NHRG) Parole suspended effective 9/28/03. (jm)

03/11/04 Returned to custody on HPA warrant #03-020-495. Term Extended 5 Months; 12 Days. New Max Date 01/29/06.nt

04/21/04 Reschedule parole hearing to January 2005. Inmate transferred to FDC. (jm)

01/28/05 Revocation of hearing held. Parole is revoked for the balance of maximum sentence. No further hearing for parole scheduled.

Due to suspension, maximum date of imprisonment has been extended. New maximum date expires on 1/29/06 for Cr. # 94-1299 & 7/10/04 for Cr. # 94-0007. Found guilty of violation of Rule # 1d, possession and control of methamphetamine on 8/2/03 and 8/26/03. Found not guilty to Rule # 3, failed to report on 9/8/03. (lam)

AO 245B

(Rev. 6/05) Judgment in a Criminal Case
Sheet 1

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

United States District Court
District of Hawaii

OCT 14 2008
at 8 o'clock and 05 min A.M.
SUE BEITIA, CLERK

UNITED STATES OF AMERICA

v.

**SILVER JOSE GALINDO, aka DANIEL S.
GALINDO, aka TIMOTHY MAU**

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:04CR00053-001

USM Number: 95184-022

JACK F. SCHWEIGERT, ESQ.

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s): ____.
- pleaded nolo contendere to counts(s) ____ which was accepted by the court.
- was found guilty on count(s) 1, 2, 3, 4, 8, 9, 10, and 11 of the Third Superseding Indictment after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
See next page			

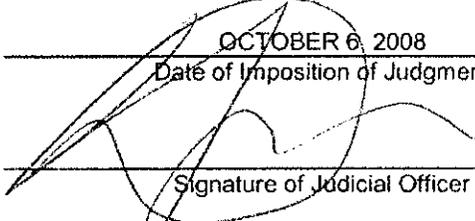
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on counts(s) ____ and is discharged as to such count(s).

Count(s) ____ (is)(are) dismissed on the motion of the United States.

It is further ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

OCTOBER 6, 2008
Date of Imposition of Judgment


Signature of Judicial Officer

DAVID ALAN EZRA, United States District Judge
Name & Title of Judicial Officer

OCT 14 2008
Date

AO 245B (Rev. 6/05) Judgment in a Criminal Case
Sheet 1A

CASE NUMBER: 1:04CR00053-001

Judgment - Page 2 of 7

DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU
ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§922(g)(1) and 924(a)(2)	Felon in possession of a firearm and/or ammunition	3/11/2004	1
21 U.S.C. §§841(a)(1) and 841(b)(1)(B)	Possession with intent to distribute 5 grams or more of methamphetamine	3/11/2004	2
18 U.S.C. §924(c)(1)	Possession of a firearm during and in relation to a drug trafficking offense	3/11/2004	3
18 U.S.C. §§922(g)(1) and 924(a)(2)	Felon in possession of a firearm and/or ammunition	2/29/2004	4
18 U.S.C. §§922(g)(1) and 924(a)(2)	Felon in possession of a firearm and/or ammunition	9/6/2003	8
18 U.S.C. §§922(g)(1) and 924(a)(2)	Felon in possession of a firearm and/or ammunition	7/31/2003	9
21 U.S.C. §§841(a)(1) and 841(b)(1)(B)	Possession with intent to distribute 5 grams or more of methamphetamine	7/31/2003	10
18 U.S.C. §924(c)(1)	Possession of a firearm during and in relation to a drug trafficking offense	7/31/2003	11

AO 245B (Rev. 6/05) Judgment in a Criminal Case
Sheet 2 - Imprisonment

CASE NUMBER: 1:04CR00053-001 Judgment - Page 3 of 7
DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 39 YEARS and 2 MONTHS

This term consists of THIRTY-NINE(39) YEARS and TWO(2) MONTHS, 110 MONTHS, as to Counts 1, 2, 4, and 8-10; 5 YEARS as to Count 3, which shall run consecutively to sentence imposed in Counts 1, 2, 4 and 8-10, 25 YEARS as to Count 11, which shall run consecutively to sentence imposed in Counts 1, 2, 3, 4 and 8-10

The court makes the following recommendations to the Bureau of Prisons:
Lewisburg, PA. 500 drug treatment program.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district.
 at ___ on ____.
 as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 before __ on ____.
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Officer.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

AO 245B (Rev. 6/05) Judgment in a Criminal Case
Sheet 3 - Supervised Release

CASE NUMBER: 1:04CR00053-001

Judgment - Page 4 of 7

DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 5 YEARS

This term consists of FIVE(5) YEARS, as to Counts 1, 2, 3, 4, 8, 9, 10, and 11, with all such terms to run concurrently

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

That the defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement on supervision and at least two periodic drug tests thereafter, but not more than 8 valid drug tests per month during the term of supervised release.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon (Check if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B

(Rev. 6/05) Judgment in a Criminal Case
Sheet 3 - Supervised Release

CASE NUMBER: 1:04CR00053-001

Judgment - Page 5 of 7

DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU

SPECIAL CONDITIONS OF SUPERVISION

- 1) Defendant shall participate in and comply with substance abuse treatment, which includes drug testing in a program approved by the Probation Office.
- 2) Defendant shall execute all financial disclosure forms and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
- 3) Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

AO 245 B (Rev. 6/05) Judgment in a Criminal Case
 Sheet 5 - Criminal Monetary Penalties

CASE NUMBER: 1:04CR00053-001 Judgment - Page 6 of 7
 DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 800.00	\$	\$

- The determination of restitution is deferred until . An Amended Judgment in a Criminal Case (AO245C) will be entered after such a determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. §3664(i), all non-federal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

TOTALS	\$ _	\$ _
---------------	------	------

- Restitution amount ordered pursuant to plea agreement \$ _
- The defendant must pay interest on restitution and a fine of more than \$2500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
 - the interest requirement is waived for the fine restitution
 - the interest requirement for the fine restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 6/05) Judgment in a Criminal Case
Sheet 6 - Schedule of Payments

CASE NUMBER: 1:04CR00053-001

Judgment - Page 7 of 7

DEFENDANT: SILVER JOSE GALINDO, aka DANIEL S. GALINDO, aka TIMOTHY MAU

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A Lump sum payment of \$ __ due immediately, balance due
 not later than __, or
 in accordance C, D, E, or F below, or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ __ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal __ (e.g., weekly, monthly, quarterly) installments of \$ __ over a period of __ (e.g., months or years), to commence __ (e.g., 30 or 60 days) after the release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within __ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number, Total Amount, Joint and Several Amount, and corresponding pay, if appropriate.

The defendant shall pay the cost of prosecution.

The defendant shall pay the following court cost(s):

The defendant shall forfeit the defendant's interest in the following property to the United States:

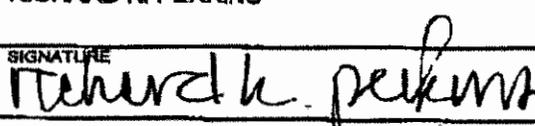
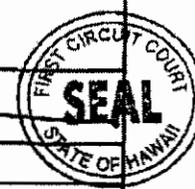
Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

JAN-15-2009 06:59

FROM-OCCC MODULE 5

+1-808-832-1828

T-844 P.001/001 F-473

STATE OF HAWAII CIRCUIT COURT OF THE FIRST CIRCUIT		JUDGMENT OF CONVICTION AND SENTENCE NOTICE OF ENTRY		CASE NUMBER: Cr. No. 03-1-2097	
STATE VS. (DEFENDANT) SILVER JOSE GALINDO AKA: Daniel S. Galindo Soc. Sec. No.: [REDACTED] (per HI arrest report) SID: A-195205 DOB: [REDACTED] (per HI arrest report)			DATE OF HEARING: January 12, 2009		REPORT NUMBER(S): 03-357691
Defense Counsel: William M. Bento					
DEFENDANT'S PLEA: GUILTY			CHANGE OF PLEA		
ORIGINAL CHARGE(S): UNAUTHORIZED CONTROL OF PROPELLED VEHICLE (§708-836, H.R.S.)			CHARGE(S) TO WHICH DEFENDANT PLED GUILTY OR NO CONTEST: UNAUTHORIZED ENTRY INTO A MOTOR VEHICLE IN THE 2ND DEGREE (§708-836.6, H.R.S.)		
DEFENDANT IS CONVICTED AND FOUND GUILTY OF: UNAUTHORIZED ENTRY INTO A MOTOR VEHICLE IN THE 2ND DEGREE (§708-836.6, H.R.S.)			PHOTOGRAPH (If Available)		FINGERPRINT (If Available)
FINAL JUDGMENT AND SENTENCE OF THE COURT: INCARCERATION: THIRTY (30) DAYS, WITH CREDIT FOR TIME SERVED					
I do hereby certify that this is a full, true, and correct copy of the original on file in this office.					
_____ Clerk, Circuit Court, First Circuit State of Hawaii					
Defendant shall provide specimen samples and print impressions as required by H.R.S. Chap. 844D					
DATE January 12, 2009		JUDGE RICHARD K. PERKINS SIGNATURE 			
NOTICE OF ENTRY					
THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.					
DATE January 12, 2009		CLERK S. TOYAMA			
					
FIRST CIRCUIT COURT STATE OF HAWAII FILED January 12, 2009 1:56 pm S. TOYAMA Clerk, 8th Division					

[] ORIGINAL FILE [] CPA [] CLERK-William M. Bento [] PROBATION [] POLICE [] PROSEC [] PUBLIC SAFETY [] TPA [] CASPERB



LIMITED OFFICIAL USE
 UNITED STATES MARSHALS SERVICE
 PRISONER TRACKING SYSTEM
 DISTRICT OF HAWAII
 DISTRICT: 22 OFFICE: HON
 INDIVIDUAL CUSTODY AND DETENTION REPORT USM 129
 NAME: GALINDO, SILVER JOSE
 USMS NUMBER: 95184022

I. IDENTIFICATION DATA

USMS NUMBER: 95184022	NAME: GALINDO, SILVER JOSE
ADDRESS: HALAWA HONOLULU, HI	PHONE:
DOB: [REDACTED]	AGE: 40
	POB: HONOLULU, HI
SEX: M	RACE: A
HAIR: BLK	EYE: BRO
HEIGHT: 510	WEIGHT: 190
SSN: [REDACTED]	FBI NBR:
	ALIEN NBR:

DETAINER DATE	ACTIVE	AGENCY	REMARK
//****	N		

PRISONER ALIAS	ALIAS REMARK
GALINDO, DANIEL	S.
MAU, TIMOTHY	

GENERAL REMARKS

II. CASE INFORMATION

CTR	STATUS	COURT CASE NUMBER	FEDERAL COURT CITY	JUDGE	US ATTORNEY	DEFENSE ATTORNEY
1	WT-DESIG	04-00053-001	HONOLULU	EZRA, DAVID	CHING, DARREN	SCHWEIGERT, JACK

CTR	ARREST DATE	ARRESTING AGENCY	ARREST LOCATION	WARRANT NUMBER
1	04/05/2004	U.S. MARSHALS SERVICE	USMS HONOLULU	

CTR	OFFENSE CODE	OFFENSE	REMARK	DISPOSITION
1	3572	AMPHETAMINE-POSSESS	21 USC 841 POSS/INTENT TO DIS. METH.	GUILTY (PLEA)
1	5299	WEAPON OFFENSE	21 USC 922 FELON IN POSS. FIREARM	GUILTY (PLEA)

CTR	SENTENCE DATE	SENTENCE	APPEAL DATE
1	10/06/2008	39 YEARS, 2 MONTHS	**/**/****

III. STATUS HISTORY

CTR	STATUS	STATUS DATE	CUSTODY DATE	RELEASE DATE	REMARK
1	WHCAP	04/05/2004	04/05/2004	**/**/****	WRIT FROM AUSA



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CTR	STATUS	STATUS DATE	CUSTODY DATE	RELEASE DATE	REMARK
1	RL-WHCAP	10/10/2008	**/**/****	10/10/2008	OCCC
1	READMIT	01/14/2009	01/14/2009	**/**/****	
1	WT-DESIG	01/15/2009	**/**/****	**/**/****	

IV. CHRONOLOGICAL PRISONER HISTORY

INST CODE	INSTITUTION NAME	ADMIT DATE	RELEASE DATE	DAYS BOARDED	ACTION OR DISPOSITION
HON	FDC HONOLULU	04/05/2004	10/10/2008	1649	WRIT OUT FROM HCF
HON	FDC HONOLULU	01/14/2009	**/**/****	2	
TOTAL DAYS BOARDED				1651	

V. MEDICAL CONDITION/TREATMENT HISTORY

DATE SERVICE PROVIDED	VENDOR	SERVICE PROVIDED
//****		

