

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

vs

**Case Number. 8:16-cr-36-T-33TGW
USM Number: 66752-018**

MARCIA CAULDER

Charles E. Lykes, Jr., Retained

CORRECTED JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count One of the Information. Accordingly, the Court has adjudicated that the defendant is guilty of the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
18 U.S.C. § 371	Conspiracy to Commit Wire and Mail Fraud	March 31, 2012	One

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

IT IS ORDERED that the defendant shall 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 shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: September 19, 2016



VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

October 17, 2016

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **SIXTY (60) MONTHS**.

The Court recommends to the Bureau of Prisons that the defendant: Be confined as close to Fayetteville, North Carolina, as possible.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons on or after **February 28, 2017**, as notified by the United States Marshal.

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

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **THREE (3) YEARS**.

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

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

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The mandatory drug testing requirements of the Violent Crime Control Act are waived. However, the Court orders the defendant to submit to random drug testing not to exceed 104 tests per year.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervision that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents 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 **at least ten (10) 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 by the probation officer;

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11. The defendant shall notify the probation officer within **seventy-two (72) 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.

ADDITIONAL CONDITIONS OF SUPERVISED RELEASE

1. Defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, or obligating herself for any major purchases without approval of the probation officer.
2. Defendant shall provide the probation officer access to any requested financial information.
3. Defendant shall perform 100 hours of community service as directed by the probation officer. This community service may be substituted on an hourly basis for gainful employment.
4. Defendant shall refrain from engaging in any employment related to preparing financial documents, accounts receivable, or invoicing.
5. The mandatory drug testing provisions of the Violent Crime Control Act are waived. The Court authorizes random drug testing not to exceed 104 tests per year.
6. The defendant shall cooperate in the collection of DNA, as directed by the Probation Officer.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$100.00	Waived	\$57,797,575.90

The defendant shall make restitution (including community restitution) to the following payees in the amount listed below. Restitution is payable to the Clerk, U.S. District Court for distribution to the victims.

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(l), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>
See attached restitution schedule	57,797,575.90	\$57,797,575.90

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SCHEDULE OF PAYMENTS

Special assessment shall be paid in full and is due immediately.

Defendant shall pay the balance in monthly payments of \$200. While in Bureau of Prisons' custody, defendant shall either (1) pay at least \$25 quarterly if you have a non-Unicor job or (2) pay at least 50% of monthly earnings if you have a Unicor job. Upon release from custody, your financial circumstances will be evaluated, and the Court may establish a new payment schedule accordingly. At any time during the course of post-release supervision, the victim, the government, or the defendant, may notify the Court of a material change in the defendant's ability to pay and the Court may adjust the payment schedule accordingly.

Joint and Several

Restitution shall be paid jointly and severally with Tanisha Melvin (8:16-cr-34-17JSS), Amber Mathias (8:16-cr-35-35MAP), and Gary Todd Smith (8:16-cr-120-17TGW).

FORFEITURE

Defendant shall forfeit to the United States those assets previously identified in the Forfeiture Money Judgment, that are subject to forfeiture. [SEE FORFEITURE MONEY JUDGMENT ATTACHED.]

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

<u>Last Name</u>	<u>First Name</u>	<u>Restitution Amount</u>
Abbruzzese	Michael	\$415,000.00
Adams	Tim	\$18,380.00
Ametrano	Joe	\$57,681.14
Asante-Korang	Alfred	\$100,000.00
Bader	Linda	\$103,925.17
Baggett	Kelvin	\$159,000.00
Beck	Steve	\$103,480.06
Berger	Craig	\$10,000.00
Biancamano	Diane	\$168,617.73
Biancamano	Carollne	\$200,000.00
Bobb	Eric and Elizabeth	\$92,500.00
Carlton	Susan J	\$42,497.00
Carroll	Stephen and Mary	\$540,000.00
Chapman	Jim (c/o attorney Noel McDonell)	\$3,364,634.06
Chapman (trusts)	Jim (c/o attorney Noel McDonell)	\$75,000.00
Chapman (1616)	Jim (c/o attorney Noel McDonell)	\$48,369.91
Cobbs	James(Chris)	\$50,000.00
Collins	Karen A	\$32,000.00
Diana	David L	\$100,000.00
Duffy	John and Sharon	\$780,000.00
Dunn	George (*deceased, see Joe Jenkins)	\$20,000.00
Dupee	Richard and Gretchen	\$470,000.00
Dy	Daniel D and Robin A	\$0.00
Fioretti	Joe	\$45,330.00
Gallatin	Michael and Marie	\$512,500.00
Graham	Christian	\$8,450.00
Gubbay	David	\$200,000.00
Hammons	Robert	\$100,000.00
Henley	John	\$312,581.00
Horlacher	Christopher	\$80,000.00
Hugill	Teresa A	\$150,000.00
Jacobson	David	\$29,250.00
Jenkins	Camp	\$4,850.00
Jenkins	Joe	\$161,175.00
Kaplan	Marvin	\$24,228,535.00
Keith	Tom J	\$22,500.00
Klomp	Catherine	\$215,000.00
Ledingham	Grant	\$100,000.00
Lennon	Benjamin	\$12,600.00
Lennon	John	\$253,080.00
Lisciotti	Gregg	\$200,000.00
Liscotti	Henry	\$70,000.00
Liscotti	Loretta	\$65,000.00
Mahle	Michael	\$873,110.00
Mathews	Brett	\$125,000.00
Mathews	Ron	\$490,700.00
Mathews(Taco Properties)	Ron	\$118,000.00
Mirescu	Alexander	
Morro	John T	\$0.00
Morro	Anthony and Jane	\$575,000.00
Morro	Gina	\$209,000.00
Mlynski	Jenn	\$393,000.00
Nettles	Lloyd L	\$190,000.00
Nix	Paul	\$200,000.00
O'Connor	Helen	\$900,000.00
Padgett	James C	\$120,000.00
Pantelakos	Steve	\$255,000.00
Paolini	Daniel J	\$50,000.00
Regions Bank	c/o Robert Shaw	\$6,343,000.00
Rose	Charles A. Jr.	\$9,150.00
Rose	Charles and Jane	\$182,475.00
Southland Solutions	Charles Rose	\$58,000.00

Rosenberg	David	\$1,950,000.00
Rosenblum	Harry (Trust)	\$200,000.00
Rynard	Bob and Dorothy	\$645,000.00
Sabattini	Robin	\$15,985.00
Sadat	Jina Muzgan	\$50,000.00
Schulz	Matthew	\$456,580.00
Schulz	Michael and Susannah	\$18,886.00
Schulz	Walter	\$6,603,000.00
Scribner	John	\$80,000.00
Smith	Margaret	\$100,000.00
Snow	Richard A	\$66,250.00
Starr	Charles L III	\$1,266,616.26
Sweetser	Chandler, Susan Jewett, Jared, Chandler III	\$203,645.00
Tamm	Brenda	\$6,100.00
Vallillo	James	\$31,425.00
Vallillo	Joe	\$15,000.00
Uba	Daniel	\$300,000.00
Walcott	William S	\$150,000.00
Weiler	Marlin Sidney	\$63,120.05
Weiler	Ruth A	\$45,312.23
Wellons	Billy	\$465,000.00
Woodcock	Michael	\$252,285.29
		\$57,797,575.90

Totals

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:16-cr-36-T-33TGW

MARCIA CAULDER

FORFEITURE MONEY JUDGMENT

The United States moves pursuant to 18 U.S.C. § 982(a)(2)(A) and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, for a forfeiture money judgment against defendant Marcia Caulder in the amount of \$120,000.00, representing the proceeds she obtained as a result of the conspiracy charged in Count One of the Information.

The defendant pleaded guilty to conspiracy to commit wire and mail fraud, in violation of 18 U.S.C. § 371, as charged in count one of the Information, and the Court accepted her plea and adjudged her guilty. Being fully advised of the relevant facts, the Court finds that the defendant obtained \$120,000.00 in proceeds.

Accordingly, it is **ORDERED** that the motion of the United States is **GRANTED**.


It is **FURTHER ORDERED** that, pursuant to 18 U.S.C. § 982(a)(2)(A) and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, the defendant is jointly and severally liable for a forfeiture money judgment in the amount of \$120,000.00 with co-conspirators Tanisha Melvin, Amber Mathias, and any other co-

conspirators upon their conviction for the wire and mail fraud conspiracy charged in Count One.

Pursuant to Rule 32.2(b)(4) and the defendant's Plea Agreement (Doc. 3, p. 8), this order of forfeiture is final as to the defendant.

The Court retains jurisdiction to complete the forfeiture and disposition of any property belonging to the defendant that the government is entitled to seek under 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1), as a substitute asset to satisfy the defendant's money judgment.

DONE and ORDERED in Tampa, Florida, on Sept. 22, 2016.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to:
All Parties/Counsel of Record