

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

\* \* \* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 21-CR-024-WMC

STEPHEN J. ROBESON,

Madison, Wisconsin

October 19, 2021

Defendant.

2:00 p.m.

\* \* \* \* \*

STENOGRAPHIC TRANSCRIPT OF PLEA HEARING  
HELD BEFORE THE HONORABLE WILLIAM M. CONLEY

APPEARANCES:

For the Plaintiff:

Office of the United States Attorney  
BY: ELIZABETH ALTMAN  
CHADWICK ELGERSMA  
Assistant United States Attorney  
222 West Washington Avenue, Suite 700  
Madison, Wisconsin 53703

For the Defendant:

Federal Defender Services of Wisconsin, Inc.  
BY: JOSEPH A. BUGNI  
Madison Branch Office  
22 East Mifflin Street, Suite 1000  
Madison, Wisconsin 53703

Also Present:

Stephen J. Robeson, Defendant  
Special Agent Corey Baumgardner, FBI

CHERYL A. SEEMAN, RMR, CRR  
Official Court Reporter  
United States District Court  
120 North Henry Street, Room 410  
Madison, Wisconsin 53703  
1-608-261-5708

1 (Called to order 2 p.m.)

2 THE CLERK: Case No. 21-CR-24-WMC, *United States*  
3 *of America v. Stephen Robeson*, called for a plea hearing.  
4 May I have the appearances, please?

5 MS. ALTMAN: Good afternoon, Your Honor. The  
6 United States appears by Elizabeth Altman and Chad  
7 Elgersma. And also with us at the counsel table is FBI  
8 Special Agent Corey Baumgardner.

9 MR. BUGNI: Good afternoon, Your Honor. Joe  
10 Bugni appearing on behalf of Mr. Robeson.

11 THE COURT: Good afternoon all. We are here for  
12 a plea hearing based on a written plea agreement signed by  
13 the defendant almost a year ago and now provided to this  
14 Court.

15 MS. ALTMAN: Your Honor, I'm sorry, he actually  
16 misdated it. It's actually dated for -- it was dated 11  
17 something '21, so he postdated it -- predated it.

18 THE COURT: It hasn't been signed by --  
19 Mr. Bugni, let me just direct it to you. Have you and  
20 your client signed a plea agreement?

21 MR. BUGNI: Yes, Your Honor.

22 THE COURT: And I don't have a copy of it.

23 MR. BUGNI: All right.

24 THE COURT: And I assume it's properly dated?

25 MR. BUGNI: It is. We corrected the date.

1 Sorry, Your Honor.

2 THE COURT: That's fine. I just -- it was never  
3 provided to the Court.

4 MS. ALTMAN: It should be docket 27, Your Honor.

5 THE COURT: All right. I guess it was not  
6 provided to me. And, Mr. Bugni, it's your representation  
7 that your client actually signed the agreement on  
8 September 1st of this year?

9 MR. BUGNI: Yes, Your Honor.

10 THE COURT: And you signed it the following day?

11 MR. BUGNI: No, Your Honor. He had COVID and so  
12 we sent it to him, went over it, he signed it. And then  
13 it took about three weeks to get back to our office and  
14 then I signed it on September 23rd.

15 THE COURT: The reason I have -- and I don't --  
16 I'm not trying to hold this up, but it looks like -- I get  
17 it. So your client signed it on September 1st and you  
18 signed it on September 22nd of this year?

19 MR. BUGNI: Yes, Your Honor.

20 THE COURT: And those signatures are acceptable  
21 to the government?

22 MS. ALTMAN: Yes, Your Honor.

23 THE COURT: All right. With that preliminary out  
24 of the way --

25 MS. ALTMAN: And, Your Honor, do you want me to

1 refile -- to file that document that Mr. Bugni just gave  
2 you as an amended plea agreement?

3 THE COURT: No. If it is in fact the plea  
4 agreement and it has, as you represent it and as it  
5 appears, been docketed at plea agreement No. 27 -- or  
6 Docket No. 27, then that is the version that I will use.

7 MS. ALTMAN: We probably made this more  
8 complicated than it needed to be. But the one that  
9 Mr. Bugni just gave you --

10 THE COURT: I guess they're both -- I don't know  
11 how it happened, but somehow they both --

12 MS. ALTMAN: It happened because I printed out a  
13 copy of docket 27 and brought it in today for Mr. Bugni  
14 and Mr. Robeson to correct the dates on.

15 THE COURT: So in fact it has not been docketed  
16 with the Court in the form currently, so I think you  
17 should docket the actual properly-dated agreement and  
18 remove -- well, just we will work off the current version,  
19 which is not Docket No. 27, but will be docketed as the  
20 plea agreement as I've described it on the record.

21 And with that preliminary then, Mr. Bugni, I'll  
22 simply ask whether your client and you have had an  
23 opportunity to read and review a copy of the indictment  
24 and ask whether you wish it read allowed or waive reading.

25 MR. BUGNI: We have reviewed it, Your Honor. We

1 would waive reading.

2 THE COURT: All right. And, Ms. Altman, would  
3 you then state the penalty -- applicable penalties, should  
4 the defendant be found guilty of Count 1 of the  
5 indictment, as contemplated by the plea agreement?

6 MS. ALTMAN: Yes, Your Honor. Count 1 charges a  
7 violation of 18, 922(g)(1), which carries maximum  
8 penalties of ten years in prison, a \$250,000 fine, a  
9 three-year period of supervised release and a \$100 special  
10 assessment.

11 THE COURT: And, Mr. Bugni, have you had an  
12 opportunity to review with your client these possible  
13 charges, as well as the penalties just described, and any  
14 defenses that he may have to those charges?

15 MR. BUGNI: I have, Your Honor.

16 THE COURT: Then, Mr. Robeson, I'll just confirm,  
17 my understanding is that you do wish to enter a plea of  
18 guilty today. Is that correct?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Before accepting your plea, it's my  
21 obligation to determine whether you're acting freely and  
22 voluntarily, with an understanding of both the charges  
23 against you and the penalties involved, as well as confirm  
24 that there's a factual basis for your plea. To do those  
25 things, I'll need to ask you a series of questions under

1 oath. So I would ask you to stand at this time, raise  
2 your right hand and be sworn by the clerk.

3 **STEPHEN J. ROBESON, DEFENDANT, SWORN**

4 THE COURT: And you may be seated. I'm going to  
5 remove my mask again because it will hopefully make it  
6 easier for me to go through this colloquy with you. You  
7 can keep your mask on or remove it, as you're comfortable  
8 doing. My first few questions just go to ensuring you're  
9 ready and capable of proceeding and, in particular, ask  
10 that you tell me how old you are and how far you  
11 progressed in terms of formal education.

12 THE DEFENDANT: I am 58 years of age and I have  
13 one year of college.

14 THE COURT: Where did you graduate high school?

15 THE DEFENDANT: White Oak Senior High,  
16 Jacksonville, North Carolina.

17 THE COURT: White Oaks?

18 THE DEFENDANT: White Oak.

19 THE COURT: Got it. And your college was  
20 attended where?

21 THE DEFENDANT: James Sprunt Technical School in  
22 Kenansville, North Carolina.

23 THE COURT: Any particular area of study?

24 THE DEFENDANT: Vocational.

25 THE COURT: But no specific vocation; in other

1 words, not --

2 THE DEFENDANT: Business vocation.

3 THE COURT: Understood. Is there any reason why  
4 you would have trouble understanding the proceedings in  
5 particular, whether because of an illness -- because  
6 you're under the influence of illicit drugs, alcohol, or a  
7 prescription medication that would affect your  
8 abilities -- because you're overly tired, any reason at  
9 all that you would have trouble understanding the  
10 proceedings today?

11 THE DEFENDANT: No, Your Honor.

12 THE COURT: And have you had sufficient time to  
13 talk with your counsel, Mr. Bugni, about the charges  
14 against you -- the sentencing guidelines, the statutory  
15 penalties, and how those two interact -- as well as the  
16 facts the government believes it could prove had this  
17 matter gone forward to trial?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Then I'll begin by just asking you to  
20 tell me what you understand you're being charged with  
21 doing, formally charged with doing, in the one-count  
22 indictment.

23 THE DEFENDANT: In possession of a weapon that I  
24 didn't have permission to be in access of.

25 THE COURT: Well, more specifically that you

1 weren't allowed to possess because you had already been  
2 convicted of a felony offense. Do you understand that's  
3 the charge against you?

4 THE DEFENDANT: Yes, sir. Do you want me to  
5 elaborate what --

6 THE COURT: No, not at this point, but I do want  
7 you to confirm that you understand the specific charge is  
8 that on or September 26th, 2020, you knowingly and  
9 unlawfully possessed an Armalite, Model: AR50, .50 caliber  
10 rifle, despite having previously been convicted of an  
11 offense punishable by a year or more; that is to say, a  
12 felony.

13 THE DEFENDANT: Yes, sir.

14 THE COURT: And do you also understand that if I  
15 were to accept your plea and adjudge you guilty of that  
16 offense that the statutory penalties, although not  
17 necessarily the penalties that you would face in pleading  
18 guilty under the terms of the plea agreement, are the  
19 maximums just reviewed by the assistant U.S. attorney of  
20 ten years in prison, a \$250,000 fine, a three-year period  
21 of supervised release and a hundred-dollar special  
22 assessment?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Whatever those penalties, do you also  
25 understand that if you were to violate the terms or



1 conditions of any period of supervised release, you could  
2 be subject to additional penalties, up to and including  
3 additional time in prison?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: As for the Federal Sentencing  
6 Guidelines, those are first calculated by the probation  
7 office. They issue a presentence report that you and your  
8 counsel can object to, as can the government, then it  
9 becomes my responsibility to calculate the guideline range  
10 that would apply for sentencing purposes. Do you  
11 understand that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Do you also understand that I am not  
14 bound to sentence you within the guideline range? In  
15 fact, in this case, I may be bound to sentence you well  
16 below the guideline range if I accept the plea agreement  
17 in this case.

18 THE DEFENDANT: Yes, sir.

19 THE COURT: You are waiving a number of valuable  
20 constitutional rights by pleading guilty. They're set  
21 forth at paragraph 3 of your written plea agreement, so  
22 I'm not going to go through them in detail. But I do want  
23 to confirm your understanding of the fundamental rights  
24 that you're waiving, beginning with the most fundamental  
25 right of all, which is your right to maintain a plea of

1 not guilty and to go forward to a jury trial. Do you have  
2 a general understanding as to what a jury trial would have  
3 entailed?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: What's your general understanding?

6 THE DEFENDANT: That evidence would be presented.  
7 I'd have a chance to refute the evidence and they would  
8 make a decision based on the evidence and the laws.

9 THE COURT: And that's a fair summary. The jury  
10 itself would be selected from people taken at random from  
11 the voting rolls in this presidential -- or in the last  
12 presidential election in this district, the Western  
13 District of Wisconsin. You and your counsel and the  
14 government's counsel would participate with me in  
15 selecting the 12 individuals who would act as your jury.  
16 And at that point, as you say, the government would have  
17 to come forward with proof of your guilt which you could  
18 challenge through cross-examination by your counsel or  
19 otherwise under the rules of evidence.

20 You could put on a defense, although you're not  
21 required to. You could subpoena witnesses, present other  
22 evidence. You could even take the stand in your own  
23 defense, although you could never be required to testify  
24 in a criminal case brought against you.

25 And ultimately, as you also said, the jury would be

1 the one, in private, with no one else present, to decide  
2 whether the government had met its burden of proof. Only  
3 if all 12 individuals on your jury agreed that the  
4 government had met its burden of proof beyond a reasonable  
5 doubt could you be adjudged guilty by this Court. Do you  
6 understand you're waiving all of these rights by  
7 waiving -- by pleading guilty today?

8 THE DEFENDANT: Yes, Your Honor, I do.

9 THE COURT: Do you also understand that by  
10 pleading guilty, you'll be waiving your right against  
11 self-incrimination as well as your right to require the  
12 government to prove every element of the charge against  
13 you?

14 THE DEFENDANT: Yes.

15 THE COURT: Finally, do you understand that you  
16 have a right to court-appointed counsel, at government  
17 expense if necessary, regardless of whether you persist in  
18 a plea of not guilty, go forward to trial, or plead guilty  
19 today and go forward to sentencing?

20 THE DEFENDANT: Yes.

21 THE COURT: All right. At this time then I'm  
22 going to ask the assistant U.S. attorney to summarize the  
23 basic terms of the written plea agreement. I would ask  
24 you to listen closely to that summary, because at the end  
25 of it, I'll ask if it's consistent with your understanding

1 of the basic terms of the agreement.

2 Ms. Altman, if you would.

3 MS. ALTMAN: Thank you, Your Honor. I apologize.  
4 I have not done a plea in front of you since we have  
5 started our new format. Do you just want the paragraphs  
6 in order? Do you want the factual basis at the end like  
7 we used to do?

8 THE COURT: Whatever you deem to be a reasonable  
9 summary is what you should provide and then I'll confirm  
10 that it is with opposing counsel. As far as the  
11 stipulated facts, you may want to just reference that  
12 there are stipulated facts, rather than go into that  
13 detail, until we get to the question of the government's  
14 proof.

15 MS. ALTMAN: Yes, Your Honor. In addition to the  
16 paragraphs already gone through by the Court, the  
17 defendant understands that if he is not a citizen, he  
18 could be removed from the United States and denied any  
19 future admission to the United States. He nonetheless  
20 affirms that he wants to plead guilty regardless of any  
21 immigration consequences that may ensue.

22 Pursuant to Rule 11(c) and based upon an  
23 individualized assessment of the defendant and the factors  
24 set forth in the guidelines -- I'm sorry, in the statute  
25 3553(a), the parties agree that in addition to the \$100

1 special assessment, a sentence of time served, plus two  
2 years of supervised release, is the appropriate  
3 disposition in this case. The parties understand that if  
4 the Court accepts this plea agreement, the Court will be  
5 bound to accept that recommendation and sentence the  
6 defendant to the two years. And if the Court rejects that  
7 agreement, the defendant may withdraw his plea.

8 The defendant acknowledges he understands his rights  
9 to appeal his conviction in this case and he waives those  
10 rights.

11 The United States agrees that this guilty plea will  
12 completely resolve all possible federal criminal  
13 violations that have occurred in the Western District of  
14 Wisconsin provided that the criminal conduct relates to  
15 the conduct described in the indictment and was known to  
16 the United States at the time that this plea agreement was  
17 made. This agreement not to prosecute is limited to those  
18 cases for which the U.S. Attorney's Office has exclusive  
19 decision-making authority.

20 The defendant understands that the United States will  
21 make its full discovery file available to the probation  
22 office for its use in preparing the presentence report.

23 The United States agrees to recommend that the Court  
24 give the defendant the maximum available reduction for  
25 acceptance of responsibility. This is based upon facts

1 currently known to the United States and is contingent  
2 upon the defendant accepting responsibility according to  
3 the factors set forth in the guidelines.

4 The defendant agrees to complete a financial  
5 statement and return it to the U.S. Attorney's Office  
6 within one week of today's hearing. He agrees that this  
7 will be a full and truthful accounting and will include  
8 all supporting documentation.

9 Other than the agreements specifically set forth in  
10 the plea agreement, the defendant understands that  
11 sentencing discussions are not part of the plea agreement  
12 and that he should not rely upon the possibility of any  
13 particular sentence based upon discussions between his  
14 counsel and the United States.

15 The defendant acknowledges his understanding that if  
16 the Court rejects the plea agreement and chooses not --  
17 the Court rejects the plea agreement and the defendant  
18 chooses not to withdraw his plea, the Court can impose any  
19 sentence up to and including the maximum penalties set out  
20 earlier in this plea agreement.

21 The defendant acknowledges that no threats, promises,  
22 representations or agreements exist, other than those set  
23 forth in this plea agreement, to cause him to plead  
24 guilty. He acknowledges that he has read this agreement  
25 and carefully reviewed it with his attorney and

1 understands and voluntarily accepts all of his terms --  
2 all of its terms and he agrees that this is the only plea  
3 agreement in this case.

4 Just to verify that this plea agreement was signed by  
5 the defendant on September 1st of 2021; mailed to his  
6 attorney, who signed it on 9/23 of 2021, the same day that  
7 the government signed it; and then there's also the  
8 acknowledgment on page 5 of 5 where he again indicates  
9 that he is freely and voluntarily entering into this plea.

10 THE COURT: And to clarify any confusion, I am  
11 just going to docket the actual plea agreement provided to  
12 me today at this hearing so that we're all on the same  
13 page as to the actual plea agreement.

14 And with that, Mr. Bugni, I'll simply ask if the  
15 summary provided by the assistant U.S. attorney is  
16 consistent with your understanding of the basic terms of  
17 the written plea agreement that will control in this case.

18 MR. BUGNI: It is, Your Honor.

19 THE COURT: Mr. Robeson, is it also consistent  
20 with your understanding?

21 THE DEFENDANT: Yes, Your Honor, it is.

22 THE COURT: Has anyone made you any other promise  
23 than contained in the written plea agreement itself in  
24 order to get you to plead guilty today?

25 THE DEFENDANT: No, Your Honor, they have not.

1 THE COURT: Has anyone threatened or forced you  
2 to plead guilty?

3 THE DEFENDANT: No, Your Honor.

4 THE COURT: Do you understand that if the Court  
5 were to accept the plea agreement, then it would be bound  
6 to sentence you to time served, plus two years of  
7 supervised release?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And do you also understand that if I  
10 were not to accept this plea agreement and you chose not  
11 to withdraw your plea of guilty, then I could impose any  
12 sentence up to and including the maximum penalties that  
13 we've already discussed?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Then at this point I'm going to shift  
16 gears and ask the assistant U.S. attorney to summarize the  
17 basic facts the government believes it could prove had  
18 this matter gone forward to trial. I understand those  
19 basic facts have been agreed to and are part of the  
20 settlement agreement. But if you wished to put them on  
21 the record, I would certainly allow you to do that,  
22 Ms. Altman.

23 MS. ALTMAN: Yes, Your Honor. On September 26th  
24 of 2020 the defendant bought an Armalite, Model: AR50A1,  
25 .50 caliber rifle from a man he met at church. The man



1 delivered the gun to the defendant and went shooting with  
2 him before the purchase was finalized. The shooting and  
3 the transfer of the gun took place at a property in Rio,  
4 which is in Columbia County in the Western District of  
5 Wisconsin.

6 Several months later the defendant sold the gun to a  
7 person he met on Facebook Messenger. Text messages  
8 obtained from the purchaser showed the sale being  
9 arranged.

10 At the time the defendant purchased the gun, he knew  
11 that he was not allowed to possess the firearm because he  
12 knew that in 2005 he had been convicted of a felony  
13 insurance fraud, in violation of Wisconsin Statute  
14 943.395(1)(b), a crime punishable by three-and-a-half  
15 years in prison.

16 There would be testimony, had this case gone to  
17 trial, that the firearm was not manufactured in Wisconsin  
18 and thus had traveled and affected interstate commerce at  
19 the time the defendant possessed it.

20 THE COURT: And is the date of the conviction  
21 2005 correct?

22 MS. ALTMAN: Yes.

23 THE COURT: I guess that's just not listed on the  
24 insurance fraud I have listed as a 2003 fraud in Sauk  
25 County.

1 MS. ALTMAN: There were many convictions, Your  
2 Honor.

3 THE COURT: Well, I understand that and I wasn't  
4 trying to emphasize that. I was just trying to understand  
5 in which county was this particular fraud committed.

6 MS. ALTMAN: This one --

7 THE COURT: And I think you gave a case number as  
8 well, right?

9 MS. ALTMAN: -- was in --

10 THE COURT: Maybe more to the point, what is the  
11 case number?

12 MS. ALTMAN: I do not have that with me, Your  
13 Honor. I apologize.

14 THE COURT: It's oddly listed as 2005CF22 on the  
15 sheet I was provided, although also listed as having been  
16 entered -- I guess the sentence was entered in 2005,  
17 although the charges may have been previously imposed.

18 Regardless, Mr. Bugni, I'll just ask you if the  
19 summary just provided by the assistant U.S. attorney is  
20 consistent with what you believe the government could  
21 prove at trial.

22 MR. BUGNI: Yes, Your Honor.

23 THE COURT: Mr. Robeson, is there anything that  
24 was reviewed that you think the government could not prove  
25 at trial?

1 THE DEFENDANT: No, Your Honor.

2 THE COURT: All right. Then I would ask you at  
3 this time to tell me, in your own words, what it is that  
4 you did, what it is that you're proposing to plead  
5 guilty to.

6 THE DEFENDANT: I was tasked by the government to  
7 keep a persona to where I sometimes could have a firearm,  
8 sometimes I couldn't. And I did not disclose to the agent  
9 like I should have, I was supposed to, that I did that at  
10 the time. I did in fact do what they said I did and I  
11 didn't report it through the agent. And by doing so, I  
12 violated the rules and procedures that we had set in forth  
13 when I was tasked to do what I did.

14 THE COURT: Well, let me be more specific. It's  
15 correct that on September 26th, 2020, you bought this  
16 Armalite model, .50 caliber rifle?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And at the time you bought it, your  
19 intent was to turn around and sell it?

20 THE DEFENDANT: No, Your Honor. It was more of  
21 there was people involved in some different things that  
22 were going on with different government cases right now  
23 and I wasn't supposed to buy or do anything without  
24 previous authorization.

25 THE COURT: So why did you?

1 THE DEFENDANT: I did this trying to keep my  
2 undercover position where I was at and kind of make me  
3 look a little more aggressive in the organization.

4 THE COURT: And then why sell it?

5 THE DEFENDANT: Because it was -- it served no  
6 more purpose after that. There was a -- everything was in  
7 motion for the government.

8 THE COURT: And did you sell it without the  
9 knowledge of the people you were working with?

10 THE DEFENDANT: Excuse me?

11 THE COURT: Did you sell the rifle without the  
12 knowledge of the people you were working with?

13 THE DEFENDANT: Yes, sir, I did.

14 THE COURT: So you made a profit?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Any further allocution that the  
17 government believes is necessary before I ask for a plea?

18 MS. ALTMAN: No, Your Honor. And I also do have  
19 the county and case number if the Court wishes.

20 THE COURT: Is it Sauk County, Case No. 2005CF22.

21 MS. ALTMAN: Yes.

22 THE COURT: All right. And although I didn't  
23 specifically ask Mr. Robeson, I assume you agree that you  
24 were convicted of that felony as well?

25 THE DEFENDANT: Yes, sir, I was.

1 THE COURT: All right. And, Mr. Bugni, is there  
2 any reason why I shouldn't ask for a plea from your client  
3 at this time?

4 MR. BUGNI: No, Your Honor. I would only ask,  
5 did you understand the way he was articulating all the  
6 elements and how those fit?

7 THE COURT: I understood that the elements were  
8 satisfied. I'm just going to reserve until sentencing how  
9 I think about those elements and, in particular, since  
10 it's a binding plea agreement, whether I accept the plea  
11 agreement. But that can await sentencing, unless you  
12 think there's some further discussion that's required.

13 MR. BUGNI: No, Your Honor. I would only add  
14 that when an informant engages in otherwise illegal  
15 activities, there is a lot of strictures that are set out  
16 and Mr. Robeson did not follow those strictures.

17 THE COURT: And I gathered that. That much was  
18 absolutely clear.

19 MR. BUGNI: Just making sure we have that on the  
20 same page. Thank you, Your Honor.

21 THE COURT: All right. Based on my discussion  
22 with you and your counsel, as well as the record in the  
23 case as a whole then, Mr. Robeson, I will -- or I am  
24 satisfied that you have entered into this plea agreement  
25 knowingly and voluntarily, after adequate opportunity to

1 consult with your counsel, with an understanding of both  
2 the charge against you as well as the consequences of a  
3 plea of guilty. I am also satisfied that there's a  
4 factual basis for your plea.

5 Accordingly, I do find and adjudge you guilty of the  
6 one-count indictment and accept the plea agreement  
7 conditionally pending review of the presentence report.  
8 That report will be due on December 30th, with objections  
9 due January 13, and sentencing to proceed on February 3rd  
10 of next year at 1 p.m.

11 Is there anything more for the government at this  
12 time?

13 MS. ALTMAN: No, Your Honor. Thank you.

14 THE COURT: Anything more for the defense?

15 MR. BUGNI: No, Your Honor.

16 THE COURT: Mr. Robeson, I'm not sure I've ever  
17 had anyone in front of me before who I need to emphasize  
18 this more for than you: You're under a set of terms and  
19 conditions for your supervised release.

20 THE DEFENDANT: Yes, sir.

21 THE COURT: The likelihood of my accepting this  
22 plea agreement will depend substantially, if not entirely,  
23 upon your strict compliance with those terms and  
24 conditions of release.

25 THE DEFENDANT: Yes, sir.

1 THE COURT: So if you're ever in doubt, I would  
2 strongly advise you to contact your probation officer to  
3 make sure any conduct you're engaged in is consistent with  
4 those requirements.

5 THE DEFENDANT: Yes, sir.

6 THE COURT: If they have to report back to me  
7 violations, I will certainly consider that in terms of  
8 deciding whether I accept the plea agreement in this case.

9 But I will consider other materials provided. I  
10 would encourage your cooperation in the preparation of the  
11 presentence report, subject of course to your following  
12 the advice of your counsel, who has obviously ably  
13 represented you to date. And I will consider any  
14 information provided as long as I get it at least two days  
15 before sentencing itself. The sooner I get it,  
16 particularly if it comes through the probation office, the  
17 more I can have confidence that it's been vetted, but you  
18 should work with Mr. Bugni in that regard.

19 THE DEFENDANT: Yes, sir.

20 THE COURT: With that said, I believe we are  
21 adjourned and I'll see you for sentencing in February.  
22 Thank you.

23 (Adjourned at 2:36 p.m.)

24 \*\*\*

25

