

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

CRIMINAL MINUTE SHEET - WAIVER/PLEA

UNITED STATES OF AMERICA

Case Number: 09-00296-02-CR-W-FJG

Date: 12/11/09

v.

ERIC G. BURKITT

Honorable FERNANDO J. GAITAN, JR., Chief U.S. District Judge, presiding at Kansas City, MO

Time commenced: 2:08 p.m. / Time terminated: 2:19 p.m. **TOTAL TIME:** 11 minutes

Plaintiff	Appearances	Defendant
<u>Jeffrey E. Valenti, AUSA</u>		<u>F. Al White, Jr.</u>
<u>Daniel M. Nelson, AUSA</u>		

PROCEEDINGS:

Parties appear for hearing and Defendant sworn.

- Offense(s) to which defendant is pleading guilty [1-Count Information] and statutory range of punishment summarized by defense counsel.
- Court advises defendant of perjury implications and questions defendant regarding age, education, etc.
- Waiver of Indictment executed.
- Information filed.
- Court continues to question defendant regarding physical and mental condition, satisfaction w/representation of counsel, etc. Defendant advised of rights waived by pleading guilty.
- Terms of written plea agreement, signature on document, and factual basis contained in plea agreement acknowledged by defendant.
- Government counsel acknowledges the factual basis (evidence that would have been presented at trial) as outlined in plea agreement is complete/correct.
- Defendant's counsel offers no other information regarding factual basis of plea.
- Court accepts defendant's plea, orders a presentence investigation report, and finds defendant understands the charge(s) against him and the consequences of his plea and that the decision to plea guilty has been made freely and voluntarily and w/o coercion. Court finds there is a factual basis for the plea.
- Defendant remanded to the custody of the USM.

Court Reporter: Donna Turner

Rhonda Enss, Courtroom Deputy