

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

|                           |   |                               |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | ) |                               |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) | Case No. 09-00157-08-CR-W-SOW |
| V.                        | ) |                               |
|                           | ) |                               |
| BLAKE WILLIAM FOLSOM,     | ) |                               |
|                           | ) |                               |
| Defendant.                | ) |                               |

**NOTICE AND INFORMATION OF INTENT TO USE  
PRIOR CONVICTIONS TO ENHANCE PUNISHMENT**

Comes now the United States of America, by and through its undersigned counsel, and informs the defendant, Blake William Folsom, that it will seek to enhance the punishment against him in this Indictment pursuant to the provisions of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), which provides in pertinent part:

[I]f any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment which may not be less than 10 years and not more than life imprisonment . . . a fine not to exceed the greater of twice that authorized in accordance with the provisions of Title 18, or \$4,000,000 if the defendant is an individual . . . and shall, if there was such a prior conviction, impose a term of supervised release of at least 8 years in addition to such term of imprisonment.... No person sentenced under this subparagraph shall be eligible for parole during the term of imprisonment imposed therein.

It is the intention of the government to rely on the following prior felony drug conviction:

- 1) Drug Sales, said conviction occurring in Jackson County, Missouri on January 12, 1990;
- 2) Distribution of a controlled substance, said conviction occurring in Clay County, Missouri on January 7, 1999.

The government will obtain certified copies of the charging document and the judgment and conviction with regard to these convictions, which will be provided to defense counsel and which may be reviewed at the Office of the United States Attorney. This information and notice is made pursuant to Title 21, United States Code, Section 851.

Respectfully submitted,

Matt J. Whitworth  
United States Attorney

By: */s/ Bruce Rhoades*

Bruce Rhoades  
Assistant United States Attorney

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on November 20, 2009, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

John Osgood  
740 NW Blue Parkway  
Suite 305  
Lee's Summit, MO 64086

*/s/ Bruce Rhoades*

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Bruce Rhoades  
Assistant United States Attorney

BR:jf