

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

CRIMINAL MINUTE SHEET - CHANGE OF PLEA

UNITED STATES OF AMERICA

Case No: 4:10-CR-00162-FJG-19

vs.

MARCUS L. GAY

Date: 05/25/11

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

Time commenced - 1:44 p.m./ Time terminated - 2:00 p.m. **TOTAL TIME:** 16 minutes

Plaintiff
Brent Venneman, AUSA

Appearances

Defendant
Casey Symonds for Dana Altieri

PROCEEDINGS:

Parties appear for hearing. Defendant to change plea of not guilty to Guilty. Defendant sworn.

- X Offense to which defendant **is pleading guilty [lesser include offense of Count 1 of Indictment]** and statutory range of punishment summarized by defense counsel.
- X Court advises defendant of perjury implications and questions defendant regarding age, education, physical and mental condition, and satisfaction w/representation of counsel. Defendant advised of rights waived by pleading guilty.
- X Terms of written plea agreement, signature on document, and factual basis contained in plea agreement acknowledged by defendant.
- X Government counsel acknowledges the factual basis (evidence that would have been presented at trial) as outlined in plea agreement is complete/correct.
- X Defense counsel offers no additional/supplemental information regarding factual basis of plea and written plea agreement.
- X Court accepts defendant's plea and provisionally accepts written plea agreement, orders a presentence investigation report, 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, and finds there is a factual basis for the plea.

Government counsel makes oral m/remand defendant to custody - granted.

Court Reporter: Gayle Wambolt

Rhonda Enss, Courtroom Deputy