

**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-7

vs.

CALAH D. JOHNSON

Date: 02/07/12

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

Time commenced - 9:42 a.m./ Time terminated - 9:51 a.m.

TOTAL TIME: 9 minutes

Plaintiff
Brent Venneman, AUSA
Sydney Sanders, AUSA

Appearances

Defendant
Kurt Marquart

PROCEEDINGS:

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

- Offense to which defendant is **pleading guilty [Count 1 of Second Superseding Indictment]** and statutory range of punishment summarized by defense counsel.
- 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.
- 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.
- Defense counsel offers no additional/supplemental information regarding factual basis of plea and written plea agreement.
- Court accepts defendant's plea (and provisionally accepts written 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.
- Defendant remanded to the custody of the USM.

Court Reporter: Gayle Wambolt

Rhonda Enss, Courtroom Deputy