

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

**MINUTE SHEET**

**UNITED STATES OF AMERICA**

**Date: July 31, 2012**

**vs.**

**Case No.: 11-00046-02-CR-W-BCW**

**JOHNNY ERWIN SMITH**

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**Honorable Brian C. Wimes, presiding at Kansas City, Missouri**

**Nature of Hearing: Sentencing**

**Time Commenced: 10:05 a.m.**

**Time Terminated: 10:38 a.m.**

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**APPEARANCES**

<b>Plaintiff's counsel:</b>	<b>Bruce Rhoades, AUSA</b>
<b>Defendant's counsel:</b>	<b>Dana Altieri, CJA</b>
<b>Probation officer:</b>	<b>David Gunter</b>

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**10:05 a.m. PROCEEDINGS IN COURTROOM:** Above parties present. There are no objections to the Presentence Report or the guideline range and the P.S.I.R. is adopted w/o change. Court asserts statutory guidelines. Counsel make sentence recommendations. Defendant makes statements. Defendant accorded allocution.

**SENTENCE:** Court grants government's motion (doc # 184). Defendant committed to custody of BOP for a period of 94 months on Counts 1, 2 & 5, terms to run concurrent with credit for time served (from 3/11/11); followed by 5 years SUPERVISED RELEASE. This consists of 5 years on Count 1, 4 years on Count 2, and 3 years on Count 5, the terms to run concurrent. FINE: waived; MSA: \$300. Standard/Additional Conditions of Supervision imposed. Defendant advised of right to appeal. Defendant remanded to custody of USM.

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**Court Reporter: Cynthia Johnson**  
**Courtroom Deputy: Joella Baldwin**