

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF OKLAHOMA**

U.S.A.,	)	
	)	Case No. CR 13-64-02-JHP
	)	
v	)	Date: 2/3/2015
	)	Time: <u>2:15 p.m. - 2:42 p.m.</u>
ALLEN MARK FRANKLIN,	)	
	)	
Defendant(s).	)	

**MINUTE SHEET - SENTENCING**

James H. Payne, District Judge

M.Huckabee, Law Clerk  
C.Trzcinski, Deputy Clerk

K.McWhorter, Reporter  
FTR - Courtroom 1

Counsel for Plaintiff: Christopher J. Wilson, AUSA  
Counsel for Defendant: Barrett Keith Brown, Retained

[X] Defendant appears in person with counsel      ☐ Counsel waived      ☐ Contested      ☐ Uncontested  
[X] Plaintiff & Defendant reviewed PSI:      ☐ Objections by:      ☐ Pltf      ☐ Deft      [X] No Objections      [X] Court adopts  
[X] PSI will form factual basis for sentencing

WITNESSES: (Defendant)  
1. Allen Mark Franklin

Government's Motion for Additional One Point Reduction - GRANTED  
Defendant's Motion for Variance - GRANTED

[X] Defendant and counsel asked if they care to say anything before sentence is pronounced  
☐ Statements by Government in aggravation/mitigation of punishment  
☐ Statements by defendant's counsel  
[X] Statements by defendant

**SENTENCE: As to Count 1 of the Information:**

[X] Probation for a term of 3 years      ☐ Concurrent      ☐ Consecutive

☐ Fine: \$\_\_\_\_\_      ☐ with interest      ☐ interest waived  
☐ Restitution: \$\_\_\_\_\_      ☐ with interest      ☐ interest waived

[X] Special Assessment: \$ 100.00      [X] due immediately

[X] **STANDARD CONDITIONS** given, including the following special conditions:

Defendant shall spend not less than four months under home detention, restricting defendant to his residence except for employment purposes, religious services on Sundays, and other short periods of time away from defendant's home as determined and approved by the Probation Officer. In the event of a medical emergency, the emergency should be dealt with and the Probation Office notified as soon as possible. The use of an electronic monitoring device to monitor defendant's compliance is at the discretion of the U.S. Probation Office. Payment of any costs associated with the use of such device shall be the responsibility of the defendant.

[X] Deft shall, at the direction of the Probation Officer, cooperate with and submit to collection of a DNA sample for the submission to the Combined DNA Index System

[X] REASONS FOR IMPOSING SENTENCE given by Court

[X] Defendant advised of right to appeal      ☐ Defendant gives oral notice of appeal

[X] **Counsel is directed to file a notice of appeal or an affidavit, signed by counsel and defendant, within 14 days after judgment is entered advising the Court that counsel has consulted with defendant and he/she advised counsel they do not wish to perfect an appeal.**