United States District Court

Northern District of Ohio

WESTERN DIVISION

UNITED STATES OF AMERICA
V.
John T. Mylek, II

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 3:02cr763
Counsel For Defendant: **Jon D. Richardson**
Counsel For The United States: **David O. Bauer**
Court Reporter: **Tracy Spore**

FILED
03 MAY -7 AM 9:48
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

THE DEFENDANT:

☒ **pleaded guilty to counts one and two.**

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section Number(s)	Nature of Offense	Date Offense Concluded	Count
18 USC 664	Theft from Employee Benefit Plan	8/17/01	1
29 USC 501	Embezzlement from a Labor Organization	1/2/01	2

The defendant is sentenced as provided in pages 1 through 5 Of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: **269-46-1405**

Defendant's Date of Birth: **6/2/46**
Defendant's USM Number: **43058-060**

Defendant's Residence Address:
11659 County Road 8
Delta, Ohio 43515

Defendant's Mailing Address:
11659 County Road 8
Delta, Ohio 43515

April 21, 2003
Date of Imposition of Judgment

Signature of Judicial Officer
James G. Carr
United States District Judge

I hereby certify that this instrument is a true and correct copy of the original on file in my office.
Attest: Geri M. Smith, Clerk
U.S. District Court
Northern District of Ohio
By _____ Deputy Clerk

220-15189
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DEFENDANT: **Mylek, II, John T.**
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PROBATION

The defendant is hereby placed on probation for a term of 2 years.

The defendant shall report immediately to the probation department unless otherwise directed by the Court.

Pursuant to 18 U.S.C. 3563(a) the court shall order the defendant to cooperate in the collection of a DNA sample from the defendant if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

Unless otherwise stated in this Judgment, the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days after being placed on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

☒ **The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)**

☒ **The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)**

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of probation in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

☒ **The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).**

☒ **The defendant shall also comply with the additional conditions on the attached page.**

STANDARD CONDITIONS OF PROBATION

1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) The defendant shall support his or her dependents and meet other family responsibilities;
5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10) The defendant shall permit a probation officer to visit him or her at anytime at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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ADDITIONAL CONDITIONS OF PROBATION

The defendant shall provide the Probation Officer access to any requested financial information.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the Probation Officer unless the defendant is in compliance with the payment schedule.

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FINE AND/OR RESTITUTION

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	Assessment	Fine	Restitution
Totals:	**$200.00**	**$500.00**	**$**

FINE

The defendant shall pay interest on any fine or restitution of more than $2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C.§ 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C.§ 3612(g).

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

Payment of the total fine and other criminal monetary penalties shall be due as follows:

A [X] **A special assessment of $200.00 is due in full on counts one and two, to be paid by July 30, 2003.**

B [X] **A fine in the amount of $500.00 is due in full, to be paid by July 30, 2003.**

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.
PAYMENT IS TO BE MADE PAYABLE AND SENT TO THE CLERK, U.S. DISTRICT COURT.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Statement of Reasons

Not for Public Disclosure