

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff(s)
v. JIMMY C. CHISUM, Defendant(s)
Case No. CR-05-43-RAW
Date: November 27, 2007
Actual Court Time: 45 minutes

MINUTE SHEET - RESENTENCING

Ronald A. White, Judge lw, Deputy Clerk ks, Court Reporter
FTR - Courtroom 2

Counsel for Plaintiff: Robert Gay Guthrie, Asst. U.S. Attorney
Counsel for Defendant: Stephen J. Knorr (stand-by counsel) with defendant Chisum (appearing pro se)

Court addressed for the record the Notice filed by plaintiff on 11/26/07 withdrawing its previous objection to the Pre-Sentence Report regarding Section 3B1.1 of the United States Sentencing Guidelines. Court addressed issue of variance advising the parties it construes defendant Chisum's Affidavit of Truth filed 11/02/07 as a request for variance. Court inquired of plaintiff and plaintiff responded. Plaintiff's evidence.

WITNESSES FOR PLAINTIFF: WITNESSES FOR DEFENDANT:

1. Erika Skaggs

Plaintiff rests. Defendant advised he had no evidence to offer. Argument by plaintiff advising Court of its objection to variance. Argument by defendant. ENTERING FINDINGS granting defendant's request for variance. (RAW)

- [X] Defendant and counsel asked if they care to say anything prior to sentence being pronounced
[X] Statements by Government in aggravation/mitigation of punishment
[X] Nothing further by Government
[X] Statements by defendant's counsel
[X] Nothing further by defendant's counsel
[X] Statements by defendant
[X] Nothing further by defendant

SENTENCE:

As to Count 1 of the Indictment:

- [X] Bureau of Prison for a term of 60 months
[X] Concurrent [] Consecutive
[X] Supervised Release for a term of 36 months
[X] Concurrent [] Consecutive
[] Fine: \$
[] with interest [] interest waived
[] Restitution: \$
[] with interest [] interest waived
[X] Special Assessment: \$ 100.00
[X] due immediately

As to Count 2 of the Indictment:

- [X] Bureau of Prison for a term of 60 months
[X] Concurrent [] Consecutive
[X] Supervised Release for a term of 36 months
[X] Concurrent [] Consecutive
[] Fine: \$
[] with interest [] interest waived
[] Restitution: \$
[] with interest [] interest waived
[X] Special Assessment: \$ 100.00
[X] due immediately

As to Count 3 of the Indictment:

- [X] Bureau of Prison for a term of 60 months
[X] Concurrent [] Consecutive
[X] Supervised Release for a term of 36 months
[X] Concurrent [] Consecutive
[] Fine: \$
[] with interest [] interest waived
[] Restitution: \$
[] with interest [] interest waived
[X] Special Assessment: \$ 100.00
[X] due immediately

As to Count 4 of the Indictment:

- [X] Bureau of Prison for a term of 6 months
[] Concurrent [X] Consecutive
[X] Supervised Release for a term of 36 months
[X] Concurrent [] Consecutive
[] Fine: \$
[] with interest [] interest waived
[] Restitution: \$
[] with interest [] interest waived
[X] Special Assessment: \$ 100.00
[X] due immediately

[X] STANDARD CONDITIONS of Probation / Supervised Release given including the following **Special Conditions**:

(1) Defendant shall not participate in the filing of trusts for any other person and shall not act as trustee for any trust during the period of supervision; and (2) Defendant shall not participate in seminars or meetings during which defendant teaches or presents illegal methods to avoid taxation, such as creating trusts, and limited liability companies, for the purpose of hiding legitimate income from the IRS.

[X] REASONS FOR IMPOSING SENTENCE given by Court

Defendant advised of right to appeal Defendant gives oral notice of appeal

Court inquired and defendant requested placement at Bureau of Prisons' facility at Tucson to facilitate family contact. Court so recommends.

Defendant remanded to the custody of the U.S. Marshal.