

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CLERK'S MINUTES

CASE NO.: 8:21-cr-288-WFJ-SPF	DATE: July 15, 2022	
HONORABLE WILLIAM F. JUNG		
UNITED STATES OF AMERICA	GOVERNMENT COUNSEL Rachel K. Jones, AUSA	
v.		
RANDY XAVIER JONES	DEFENSE COUNSEL Nicole Valdes Hardin, AAFP	
COURT REPORTER: Tracey Aurelio	DEPUTY CLERK:	Caleb Houston
TIME: 1:00 PM – 1:33 PM TOTAL: 33 Minutes	COURTROOM:	15B
	PROBATION:	Deanna Lorenz

PROCEEDINGS: CRIMINAL MINUTES – SENTENCING REFORM ACT MINUTES

Court called to order.

Counsel identified for the record.

Defendant sworn.

Defendant is adjudged guilty on Counts Two and Five of the Indictment.

Government counsel addressed the Court.

Defense counsel addressed the Court.

Defendant addressed the Court.

Defendant's *Oral Motion for Downward Variance* is **DENIED** for the reasons stated on the record.

Imprisonment: **SIXTY-ONE (61) MONTHS. This term consists of a 37 month term as to Count 2 and a 24 month term as to Count 5, all such terms to run concurrently.**

Supervised Release: **THREE (3) YEARS. This term consists of a 3 year term as to Count 2 and a 1 year term as to Count 5, all such terms to run concurrently.**

Fine is waived.

Restitution: \$475,881.00 (*See Criminal Monetary Penalties section of the Judgment for details*).

Defendant shall pay restitution in the amount of \$475,881.00 to the victims as provided by the government under separate cover. This restitution obligation shall be payable to the Clerk, U.S. District Court, for distribution to the victims. While in the Bureau of Prisons custody, Defendant shall either (1) pay at least \$25 quarterly if Defendant has a non-Unicor job or (2) pay at least 50% of Defendant's monthly earnings if Defendant has a Unicor job. Upon release from custody, Defendant shall pay restitution at the rate of \$100 per month. At any time during the course of post-release supervision, the victim, Government, or Defendant may notify the Court of a material change in Defendant's ability to pay and the Court may adjust the payment schedule accordingly. The Court finds that Defendant does/does not have the ability to pay interest and the Court waives the interest requirement.

Special Assessment: \$200.00 to be paid immediately.

Special conditions of supervised release:

1. Defendant shall gain full-time employment on the record W-2 wage (or taxable) job, or complete 30 hours a week of community service.
2. Defendant shall pay child support in the amount set by the State of Florida, or the probation office. If the probation office sets the amount of child support should not exceed 25% of the defendant's take home pay.
3. Defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, or obligating himself/herself for any major purchases without approval of the probation officer.
4. Defendant shall provide the probation officer access to any requested financial information.
5. Defendant shall refrain from engaging in any employment related to having access to individuals' personal identifying information.
6. Defendant shall submit to a search of his person, residence, place of business, any storage units under his control, computer, or vehicle, conducted by the United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition. Failure to submit to a search may be grounds for revocation.

Defendant is to cooperate in the collection of DNA as instructed by the Probation Officer.

Defendant shall refrain from any unlawful use of controlled substances. Defendant shall submit to one drug test within 15 days of placement on supervision and at least two periodic drug tests thereafter as directed by the probation officer. Defendant shall submit to random drug testing not to exceed 104 tests per year.

The Court makes the following recommendations to the Bureau of Prisons:

- Defendant be incarcerated at FCI Coleman as his first choice or Pensacola as his second choice.

Defendant's Oral Motion to Self-Surrender is **GRANTED**, for the reasons stated on the record.

In accordance with the plea agreement, it is ordered that Count's One, Three, and Four of the Indictment be dismissed.

Defendant advised of right to appeal and to counsel on appeal.

Forfeiture order entered on June 17, 2022 is made a part of the Judgment.

GUIDELINE RANGE DETERMINED BY THE COURT AT SENTENCING

Total Offense Level	20
Criminal History Category:	II
Imprisonment Range	37-46 months; 2 years as to Count Five, to run consecutive to Count Two
Supervised Release Range	1-3 years as to Count Two 1 year as to Count Five
Restitution:	\$475,881.00
Fine Range	\$15,000.00 - \$150,000.00
Special Assessment	\$200.00

Adjustments/changes to the PSR: Court adjourned.