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UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

UNITED STATES OF AMERICA, Docket No. 12-20041-CM
Plaintiff, Kansas City, Kansas
 Date: 11/30/15
v.
ANTHONY RENFROW,
Defendant.
.....

TRANSCRIPT OF
SENTENCING HEARING
BEFORE THE HONORABLE CARLOS MURGUIA,
UNITED STATES DISTRICT JUDGE.

APPEARANCES:

For the Plaintiff: Scott Rask
 Asst. US Attorney
 360 US Courthouse
 500 State Avenue
 Kansas City, KS 66101

For the Defendant: Tom Bartee
 Asst. Federal Public Defender
 201 US Courthouse
 500 State Avenue
 Kansas City, KS 66101

Court Reporter: Nancy Moroney Wiss, CSR, RMR, FCRR
 Official Court Reporter
 558 US Courthouse
 500 State Avenue
 Kansas City, KS 66101

Proceedings recorded by machine shorthand, transcript
produced by computer-aided transcription.

1 THE COURT: Let the record show we're here
2 regarding Case Number 12-20041. It's a case entitled
3 United States of America versus Anthony Renfrow. The
4 parties please enter their appearance.

5 MR. RASK: May it please the court, United
6 States appears by Scott Rask.

7 MR. BARTEE: May it please the court,
8 Mr. Renfrow appears in person and by and through counsel
9 Tom Bartee.

10 THE COURT: Mr. Bartee, if you and
11 Mr. Renfrow will please approach the podium. Mr.
12 Renfrow, we're here for your sentencing hearing. Since
13 you may be asked to make some statements to the court, I
14 am going to swear you in to tell the truth, so if you'll
15 please raise your right hand.

16 (Defendant sworn.)

17 THE DEFENDANT: I do.

18 THE COURT: Thank you. You can put your
19 hand down. Mr. Renfrow, if you recall, you appeared in
20 court on May 21st of this year, and at that time,
21 pursuant to a Rule 11 C 1 C plea agreement, you pled
22 guilty to Count 1, which charged you with conspiracy to
23 commit wire fraud and engage in monetary transactions
24 greater than \$10,000, and that was in violation of 18
25 United States Code Sections 371 and 1349, Class C

1 felony. At the time of your plea, the court informed
2 you that prior to you being sentenced, a presentence
3 investigation report would be completed. I would let
4 you know that I have received the report, I have
5 reviewed it, and the court is ready to proceed with your
6 sentencing. In regards to the presentence investigation
7 report, Mr. Bartee, have you had an opportunity to
8 review the report with Mr. Renfrow?

9 MR. BARTEE: Yes, Your Honor.

10 THE COURT: And during your review, did you
11 inform him of the contents of the report?

12 MR. BARTEE: Yes, Your Honor.

13 THE COURT: Did you also inform him of the
14 possible sentencing outcomes or sentencing consequences
15 that could take place based on the information in the
16 report?

17 MR. BARTEE: Yes, Your Honor.

18 THE COURT: Mr. Renfrow, I asked your
19 attorney whether or not he had reviewed the report with
20 you, and he said he had. Is that correct?

21 THE DEFENDANT: Yes.

22 THE COURT: And I asked him whether or not
23 he had informed you of the contents of the report, and
24 he said he had done that as well. Is that correct?

25 THE DEFENDANT: I read the report, yes.

1 THE COURT: But I asked you whether or not
2 Mr. Bartee had gone over the report with you, and
3 informed you of what was contained in the report?

4 THE DEFENDANT: Yes.

5 THE COURT: I also asked him whether or not
6 he had informed you of the possible sentencing outcomes
7 or sentencing consequences that could take place based
8 on the information in the report, and again, he
9 mentioned he had done so. Is that correct?

10 THE DEFENDANT: If we're talking about what
11 I agreed to. So, anything other than that, no.

12 THE COURT: Yeah, that's not what I'm
13 asking, so I'm going to ask if you'll listen to what I'm
14 saying.

15 THE DEFENDANT: I did hear what you were
16 saying, and that is my answer. I did not go over every
17 bit of what could or couldn't happen or what sentence I
18 could get. I agreed on what we agreed on.

19 MR. BARTEE: And Your Honor, I've told
20 Mr. Renfrow that if the court does not accept the 11 C 1
21 C plea agreement, that we would then be allowed to
22 withdraw the plea -- withdraw the plea.

23 THE COURT: And that's more specific about
24 some of the outcomes or consequences that could take
25 place. So, in regards to that, did Mr. Bartee go over

1 that with you?

2 THE DEFENDANT: Yes.

3 THE COURT: Okay. Mr. Rask, in regards to
4 the presentence investigation report, have you had an
5 opportunity to review the report?

6 MR. RASK: Yes, Your Honor.

7 THE COURT: And after review, are there any
8 challenges and/or objections to the report by the
9 government?

10 MR. RASK: No, Your Honor.

11 THE COURT: Is the government moving for the
12 additional one level adjustment for acceptance of
13 responsibility?

14 MR. RASK: If I could have just a moment,
15 Your Honor. Yes, Your Honor.

16 THE COURT: So granted. I know there were
17 some objections that were filed by the defendant, and
18 they're set out in the addendum. I've reviewed the
19 addendum as well as not only the objections but the
20 government's response, as well as the probation
21 officer's response, and then on its own, the court had
22 actually reviewed it on its own. In regards to the
23 defendant's objections, Mr. Bartee, any evidence and/or
24 further argument regarding these objections?

25 MR. BARTEE: No, Your Honor. I believe I

1 set out everything, and it's been placed in the back of
2 the presentence report in Paragraph Numbers 130 through
3 138, and I don't have anything to add to that.

4 THE COURT: Mr. Rask, anything in regards to
5 the defendant's objection?

6 MR. RASK: Your Honor, I don't believe any
7 of those objections relate to the calculation of the --
8 excuse me -- applicable guidelines range. I have
9 nothing -- excuse me -- nothing further to add than what
10 is contained in the presentence report as far as our
11 response to those objections.

12 THE COURT: Anything else in regards to
13 that, Mr. Bartee?

14 MR. BARTEE: No, Your Honor.

15 THE COURT: Again, Mr. Renfrow, Mr. Bartee
16 filed an objection that set out a number of objections
17 regarding the presentence investigation report, and
18 identified eight paragraphs in the presentence report he
19 was objecting to on your behalf. The court's reviewed
20 those paragraphs, and after review, the court would find
21 that none of those eight paragraphs are going to affect
22 the guideline calculations in your case. Because the
23 objection to the content of this -- these paragraphs has
24 no impact on the guideline calculation, the court
25 determines that a ruling on the issue is unnecessary

1 under Rule 32 I 3 B. Therefore, the matter will not
2 affect the sentence, and the court will not consider it
3 in sentencing. Any other objections or challenges on
4 behalf of the defendant at this time to the presentence
5 investigation report?

6 MR. BARTEE: No, Your Honor.

7 THE COURT: At this time the court will make
8 the following findings. Court is first going to find
9 that the presentence investigation report should be
10 sealed, should be made part of the record, be made
11 available for purposes of appeal, if any, in the future.
12 The court would also find at this time that under the
13 sentencing guidelines, the total offense level would be
14 a total offense level of 27, and with a criminal history
15 category of two, that under the guidelines, the
16 imprisonment range would be 78 to 97 months. Any
17 objection to those findings at this time by the
18 government?

19 MR. RASK: No, Your Honor.

20 THE COURT: By defendant?

21 MR. BARTEE: No, Your Honor.

22 THE COURT: The court is ready to announce
23 its proposed findings of fact and tentative sentence.
24 Prior to doing so, I'm going to ask counsel to make any
25 statements or arguments they care to make in regards to

1 the sentence. I recognize that there was an 11 C 1 C
2 plea agreement entered into. One of the court -- one of
3 the things the court does, Mr. Renfrow, not just in your
4 case, but every case, is ask the parties, which would be
5 counsel, yourself, why the court should consider
6 imposing a sentence that's outside the guideline range
7 which I've just mentioned here on the record. So, I
8 would be interested in hearing from counsel as to why
9 the recommended imprisonment range should be the
10 sentence in this case and not the guideline range. I
11 also would mention that there were a number of letters
12 written to the court regarding your sentence which the
13 court has also reviewed. Mr. Bartee, on behalf of
14 Mr. Renfrow, are there any comments, statements, or
15 arguments you care to make regarding the sentence?

16 MR. BARTEE: Your Honor, the parties reached
17 this agreement after careful review of the merits of the
18 case. As the court will recall, the defense had filed a
19 motion to dismiss. While we understood the basis for
20 the court's denying of that motion, we felt that it was
21 a strong motion and had significant merit, and I think
22 that in reaching this plea agreement, the parties took
23 into consideration the possibility that that might have
24 been successful on appeal. And so, I see the plea
25 agreement is basically a compromise between the defense

1 and prosecution to reach an agreement that both parties
2 could live with, recognizing that there were some
3 interesting legal issues in the case. That's all, Your
4 Honor.

5 THE COURT: Mr. Renfrow, is there anything
6 that you want to say on your behalf, or is there any
7 evidence you want to offer in mitigation, which means in
8 lessening of your sentence?

9 THE DEFENDANT: Yeah, let me tell you
10 something. I agree with him about the appeal, and we
11 should have done it, and it wasn't done. Okay? But
12 besides that, I argued about the amount on this case,
13 'cause over close to \$500,000 that had absolutely
14 nothing to do about this case, prosecution couldn't
15 prove that, couldn't defend it. I had the people
16 willing to come in this court and talk to you and tell
17 you had nothing to do with 14Daily. So, I don't care if
18 it doesn't make a difference to you and the guidelines.
19 It makes a difference to me in what people are thinking,
20 okay? My co-defendant -- all right, let me just say
21 this. I need to say this 'cause I need it to be written
22 out -- collected over \$100,000 every month in doing
23 this; did not send the money to me, but kept it in his
24 own pocket. He's been -- moved to California, and he's
25 been able to walk off with absolutely nothing, which I

1 don't understand, 'cause you know, I never came to
2 Kansas. I don't know Kansas people. I don't know the
3 people that put the money in his pocket. But it's all
4 coming on me, even though he walked away with all the
5 money. So, I needed to say that part, 'cause I want
6 everybody to understand what really happened in here,
7 and the fact that I didn't know Bill Fox, only met him
8 one time before we came here, and everything I dealt
9 with had to do with Holton Buggs, has nothing to do with
10 Bill Fox, Kansas, or any of these people. Now, I did
11 this deal 'cause I've been dealing with this for ten
12 years. I'm tired of dealing with it, which I am. And
13 on the fact of the letters that you received, people
14 talking about what I do with the dinar and any other
15 currency, I've been doing it for five years. If it was
16 illegal, immoral or something was wrong, the FBI,
17 Homeland Security, CIA, everybody else that I mentioned
18 would have come and told me so, would have come and
19 already arrested me, brought charges against me or
20 anything else. So, just because some people sent some
21 letters that don't have a clue what's really going on in
22 the financial world doesn't mean I'm doing anything
23 wrong. So...

24 THE COURT: Anything else?

25 THE DEFENDANT: No.

1 THE COURT: Mr. Rask?

2 MR. RASK: Judge, as the -- excuse me -- as
3 the court is aware, the underlying facts regarding this
4 case are more dated than most cases that come before the
5 court, and that was part of the reason for the basis of
6 the motion to dismiss that was litigated in this case.
7 In no way or respect does the United States think that
8 the evidence was insufficient to have taken this case to
9 trial, as outlined in the factual basis of the plea
10 agreement. However, a lot of the evidence and testimony
11 that would have -- excuse me -- that would have been
12 presented in this case comes from individuals who were
13 involved in this scheme from a number of years ago, and
14 so, memories being what they can be, there would have
15 been some obstacles or difficulties with respect to
16 presenting all of the evidence. And so, from that
17 standpoint, there was some compromise by the United
18 States with -- with reaching this proposed resolution
19 that you have before you in this 11 C 1 C agreement.
20 So, I think that is a -- a valid reason to consider in
21 granting, in essence, the variance that the parties are
22 asking the court to grant. And then the other aspect of
23 this is the way in which negotiations occur between
24 parties as far as trying to reach a resolution that --
25 that both sides are essentially able to -- to accept and

1 agree to. And so, we would just ask that the court
2 accept the resolution by the parties. As the court
3 knows, this includes a forfeiture allegation. It also
4 includes restitution amounts for the various victims
5 that -- that were involved in this scheme. And so, as
6 moneys are paid by the defendant or as assets are
7 obtained by the United States Government to satisfy
8 those restitution amounts, then that will hopefully be
9 done over the -- the coming months and years. And so, I
10 think that part of this case should also be considered
11 in accepting this overall resolution that the parties
12 agreed to. I'm happy to answer any specific questions
13 that the court may have.

14 THE COURT: Thank you. Anything else,
15 Mr. Bartee?

16 MR. BARTEE: No, Your Honor.

17 THE COURT: Give me one moment please.

18 (Whereupon court took a recess. Proceedings
19 then continued as follows:)

20 THE COURT: Anything else?

21 MR. RASK: Judge, yes, I'm sorry. I wanted
22 to respond or at least expound upon something that the
23 defendant stated regarding the co-defendant, Mr. Fox.
24 He did plead guilty to the same charge that the
25 defendant pled. He was granted under Rule 20 the

1 opportunity to plead guilty in the Southern District of
2 California -- yeah, Southern District of California
3 where he lives. His sentencing has not yet transpired.
4 It was scheduled for December 14th, and just this last
5 week, it got moved until March 7th. I've not had an
6 opportunity to speak with the AUSA out there, so I don't
7 know why it was continued for that -- for three months,
8 but it's not as if he has gotten off or that there's not
9 punishment that he will face. I don't know what may
10 happen at that sentencing hearing. Just as in any other
11 type of case, he did not enter a C 1 C plea agreement.
12 So, I just wanted the court to be aware of that
13 information.

14 THE COURT: Anything else, Mr. Bartee?

15 MR. BARTEE: No, Your Honor.

16 THE COURT: Court is ready to announce its
17 proposed findings of fact and tentative sentence. Court
18 is required pursuant to 18 United States Code
19 Section 3553 A to impose a sentence that is sufficient
20 but not greater than necessary to comply with the
21 purposes of sentencing identified in 18 United States
22 Code Section 3553 A 2. In determining the particular
23 sentence to be imposed, the court has considered the
24 United States Sentencing Guidelines, which promote
25 uniformity in sentencing and assist the court in

1 determining an appropriate sentence by weighing the
2 basic nature of the offense as well as aggravating and
3 mitigating factors. The court notes the parties have
4 entered into a plea agreement pursuant to Rule 11 C 1 C
5 of the Federal Rules of Criminal Procedure. The court
6 has considered the plea agreement, statements of the
7 parties, and the presentence investigation report.
8 After reviewing the presentence report, the court finds
9 that the sentencing guideline range of 78 to 97 months
10 is correctly calculated based on a total offense level
11 of 27 and criminal history category of two. The court
12 has also considered the nature and circumstances of the
13 offense and defendant's history and characteristics.
14 This offense involves defendant commencing a fraudulent
15 scheme known as 14DailyPlus.com in the spring of 2006.
16 Shortly thereafter, defendant recruited his
17 co-defendant, William Fox, a primary recruiter and
18 promoter of the web site 14DailyPlus.com. Defendant
19 also recruited a second person from Houston, Texas to
20 promote the scheme. The web site advised, quote,
21 investors, end quote, that they could invest money and
22 expect a return of 14 percent per day or a total of
23 140 percent over a ten-day period by visiting the web
24 site and clicking on advertiser's web sites for a
25 certain period of time. At least 202 investor victims

1 were identified through the investigation. The total
2 monetary loss amount of the victims totals over
3 \$1.6 million. After considering the above factors and
4 the advisory sentencing guidelines -- as I mentioned
5 before, Mr. Renfrow, at your plea hearing, the court was
6 going to wait 'til I reviewed the presentence
7 investigation report before I decided whether or not to
8 accept the plea agreement, and so, that's now over time
9 what I've been able to review. And in regards to that,
10 as you heard me say, the guideline range, the
11 recommended sentence is outside that guideline range,
12 and my understanding is that the parties seek the
13 binding plea agreement because it would bring certainty
14 to the sentencing process, and assures defendant and the
15 government they will benefit from the bargain they have
16 struck, as well as that the parties believe that the
17 interests of justice are served by the sentence, thereby
18 assuring the sentence is consistent with the sentencing
19 factors of 18 United States Code Section 3553 A. And in
20 that regard, again, as you said at your plea agreement,
21 as set out in the factual basis, it's clear that you
22 were involved in this scheme. You pled to the
23 conspiracy charge. It's also clear that there were
24 hundreds of victims that were involved, and that the
25 victims did, in fact, sustain serious significant

1 losses, and that's in your plea agreement. And again,
2 what's clear from your plea agreement is that you were
3 involved in that. In regards to your sentence -- part
4 of it is that, you know, the court does see a number of
5 individuals that come with different types of cases.
6 Every case is decided on its own merits, on its own
7 defendants. They come with different backgrounds and
8 different personalities. I would say as part of this,
9 you do appear to have an interesting perspective on
10 things that take place that you're involved in. In
11 regards to your sentence, the court is going to find for
12 the reasons mentioned here in the courtroom by both
13 Mr. Bartee and Mr. Rask that there was serious
14 consideration and thought given to the case as it
15 progressed, and that based on that review of the case,
16 that there were identified several potential issues that
17 could affect the disposition of the case. There was a
18 motion to dismiss filed. Again, after review by both
19 the government and defendant, there was discussions that
20 led to in the end what the parties presented to the
21 court as a resolution of this case by the plea
22 agreement. The court would find at this time that a
23 sentence outside the guideline range is warranted based
24 on that. Court is going to find that a variance
25 sentence should be imposed as it's recommended in the 11

1 C 1 C plea agreement. The court does at this time
2 accept the plea agreement recommendation and find that
3 your term of imprisonment should be a term of
4 imprisonment of 12 months and one day, and that's to be
5 followed by a three-year term of supervised release.
6 The court believes that such a sentence is sufficient
7 but not greater than necessary to reflect the
8 seriousness of the offense, to promote respect for the
9 law, and provide just punishment for the offense.
10 Further, the sentence should afford adequate deterrence
11 to criminal conduct -- conduct, and protect the public
12 from further crimes of the defendant. The three-year
13 term of supervised release which is in addition to your
14 imprisonment sentence will allow you the opportunity to
15 receive correctional treatment in an effective manner,
16 and will assist with community re-integration. In
17 regards to that three-year term of supervised release,
18 there are a number of conditions that you're expected to
19 follow. I will let you know -- I'll mention some of
20 them now, but in regards to all those conditions, you'll
21 need to follow each and every one of those. I would let
22 you know that if you fail to do so during those three
23 years, that you would risk coming back to court. The
24 court would conduct a hearing, and if it's shown that
25 you violated the conditions of your supervised release,

1 the court can take your supervised release away from you
2 and order that you be sentenced to a term of
3 imprisonment for those violations. Do you understand
4 that?

5 THE DEFENDANT: Yes.

6 THE COURT: Defendant is ordered to pay a
7 special assessment of \$100 to the crime victim's fund.
8 No fine is imposed due to the defendant owing
9 restitution in this case. The court makes the following
10 restitution findings based on a preponderance of the
11 evidence and the presentence report. Number one,
12 restitution totaling \$1,692,803.26 is owed to the
13 victims as outlined in Paragraph 55 of the presentence
14 report. Number two, pursuant to provisions of 18 United
15 States Code Sections 3663 A and 3664, the court is
16 required to order restitution in the full amount of
17 victims' losses as determined by the court, and without
18 consideration of the economic circumstances of the
19 defendant. Number three, the court intends to waive
20 interest on restitution. On August 24th, 2015, the
21 court signed and filed a final order of forfeiture and
22 imposition of forfeiture judgment in this case in the
23 amount of \$1,676,000. The court does intend to impose
24 mandatory and special conditions of supervision as set
25 forth in Part D of the presentence report. Mandatory

1 conditions of drug testing and DNA collection are
2 required by law. The drug testing condition is
3 suspended based on the court's determination that the
4 defendant poses a low risk of future substance abuse.
5 Mr. Renfrow, you are prohibited by federal law from
6 possessing or purchasing a firearm, destructive device,
7 dangerous weapon or ammunition as a result of this
8 conviction. Do you understand that?

9 THE DEFENDANT: Yes.

10 THE COURT: Prohibition against possessing
11 or purchasing a destructive device or other dangerous
12 weapon is warranted based upon officer safety. The
13 nature of the offense and history outlined in the
14 presentence report warrant the conditions for the search
15 condition. Special financial conditions will aid the
16 probation officer in collecting restitution. Do the
17 parties want to be heard in regards to voluntary
18 surrender?

19 MR. BARTEE: Your Honor, Mr. Renfrow is
20 requesting voluntary surrender. I would note for the
21 court that he has a history of coming to court here,
22 traveling here from California, and he did that again
23 today. He's likely to serve his sentence in California,
24 so that if he were denied voluntary surrender, he would
25 have to be transported back to the state where he lives.

1 He has all ready met with US Probation in Sacramento to
2 review bureau of prisons' facility procedures. And so,
3 for those reasons, we would ask that he be granted
4 voluntary surrender. We understand that the government
5 has -- it will condition its acquiescence or approval in
6 this regard on some -- on some conditions, and Mr. Rask
7 can state those for the court, and I believe that
8 Mr. Renfrow is amenable to those.

9 THE COURT: Mr. Rask?

10 MR. RASK: Yes, Your Honor. As the court
11 mentioned, it has received letters regarding Mr. Renfrow
12 and the potential sentence in this case. The United
13 States Attorney's office has received numerous
14 communications via e-mail, letter, telephone calls, and
15 so forth with respect to Mr. Renfrow's current
16 involvement with an Iraqi dinar -- what I will call
17 scam. And as a condition of him being allowed to
18 voluntary -- voluntarily surrender, we would ask that a
19 condition of his release include that he have no
20 involvement, no advocacy, no participation whatsoever
21 with the Iraqi dinar or any other sort of currency
22 exchange activity, whether that be through internet
23 communications, that could be as simply on a web site,
24 whether it's internet facilitated conference calls,
25 whether it's any sort of activity on Twitter or some

1 other form of social media. As long as essentially, the
2 defendant withdraws himself completely from anything to
3 do with the Iraqi dinar and currency exchange, the
4 United States would not oppose voluntary surrender.

5 THE COURT: Mr. Bartee?

6 MR. BARTEE: Your Honor, that's what we
7 anticipated would be the request, and it's -- that's
8 agreeable with defense.

9 THE COURT: Mr. Renfrow, the court has asked
10 whether or not any party's going to make a request for
11 you to voluntarily surrender. Mr. Bartee's done that on
12 your behalf. He mentioned a number of things that went
13 into that decision. The government does not have an
14 objection to that as long as you abide by this
15 condition, which I believe would be a modification of
16 his bond at this time, very specifically set out a
17 number of prohibitions involving your involvement with
18 this other sounds like program or whatever you want to
19 call it.

20 THE DEFENDANT: Thank you. I appreciate
21 that.

22 THE COURT: I know other people would say
23 it's a scheme to defraud people as well.

24 THE DEFENDANT: But that's okay. The truth
25 comes out, but go ahead. I appreciate that. Go ahead.

1 THE COURT: So -- so, the question to you
2 is, did you understand what the government has now
3 mentioned as the condition as to whether they will agree
4 to this voluntary surrender?

5 THE DEFENDANT: Yeah, nothing to do with the
6 Iraqi dinar scheme or internet or Twitter or anything
7 mentioned or the exchange. Okay.

8 THE COURT: I would let you know, however
9 that's set out as a condition of your bond, it will be
10 set out as the government has proposed. If you, in
11 fact, fail to abide by that prohibition or are involved
12 in any way, in any manner, that what would happen is if
13 that's relayed to the court, the court is going to
14 remove the voluntary surrender, and order that you be
15 placed into custody and start serving your imprisonment
16 sentence.

17 THE DEFENDANT: I understand.

18 THE COURT: You understand that?

19 THE DEFENDANT: Yep.

20 THE COURT: Any objections to the court's
21 proposed findings of fact and tentative sentence from
22 the government?

23 MR. RASK: No, Your Honor.

24 THE COURT: From defendant?

25 THE DEFENDANT: I had a question, though.

1 THE COURT: Why don't you talk to Mr. Bartee
2 first.

3 (Defendant conferring with attorney off the
4 record.)

5 THE COURT: Anything else, Mr. Bartee?

6 MR. BARTEE: No, Your Honor.

7 THE COURT: Any objections to the court's
8 proposed findings of fact and tentative sentence from
9 defendant?

10 MR. BARTEE: No, Your Honor.

11 THE COURT: Mr. Bartee, do you know of any
12 lawful reason at this time why the court should not
13 impose a sentence?

14 MR. BARTEE: I do not, Your Honor.

15 THE COURT: Mr. Renfrow, the court
16 determines that the presentence investigation report and
17 the previously stated findings are accurate, and orders
18 those findings to be incorporated in the following
19 sentence. Pursuant to Sentencing Reform Act of 1984,
20 it's the judgment of the court the defendant, Anthony
21 Renfrow, is hereby sentenced to the custody of bureau of
22 prisons for a term of 12 months and one day on Count 1.
23 This term of imprisonment shall be followed by three
24 years of supervised release. Within 72 hours of release
25 from the custody of bureau of prisons, defendant shall

1 report to the US Probation Office in the district in
2 which he is released. While on supervised release,
3 defendant shall not commit another federal, state, or
4 local crime, shall comply with the standard conditions
5 that have been adopted by this court, and the special
6 and mandatory conditions of supervision as set forth in
7 Part D of the presentence report. It is ordered
8 defendant shall pay United States a special assessment
9 of \$100 to the crime victim's fund pursuant to 18 United
10 States Code Section 3013. Payment of the assessment is
11 due immediately, and may be satisfied while in the
12 bureau of prisons' custody. No fine is imposed.
13 Pursuant to 18 United States Code Section 3663 A,
14 defendant is ordered to pay restitution in the amount of
15 \$1,692,803.26 to the victims identified in the
16 presentence report. Restitution is ordered joint and
17 several with William Fox; that's Southern District of
18 California Docket Number 3:15 CR 01449-L-1, and payments
19 shall be made to the US District Court, US Courthouse,
20 500 State Avenue, Room 259, Kansas City, Kansas, 66101.
21 Restitution is due immediately, and shall satisfied in
22 payments of not less than ten percent of the funds
23 deposited each month into defendant's inmate trust fund
24 account, and monthly installments of not less than five
25 percent of his monthly gross household income over the

1 three years of supervised release to commence 30 days
2 after his release from imprisonment. Interest on
3 restitution is waived. A final order of forfeiture and
4 imposition of forfeiture money judgment has previously
5 been filed by the court. Both the government and
6 defendant are advised as to their respective right to
7 appeal this sentence and conviction. An appeal taken
8 from this sentence is subject to 18 United States Code
9 Section 3742, and subject to any waiver in the plea
10 agreement in this case. Defendant is advised of your
11 right to appeal the conviction and sentence, but only to
12 the extent you've not waived that right in the plea
13 agreement. You also can lose your right to appeal if
14 you do not timely file a notice of appeal in the
15 district court. Rule 4 B of the Federal Rules of
16 Appellate Procedure gives you 14 days after the entry of
17 judgment to file a notice of appeal. If you so request,
18 the clerk of the court shall immediately prepare and
19 file a notice of appeal on your behalf. If you're
20 unable to pay the costs of an appeal, you have the right
21 to apply for leave to appeal in forma pauperis, which
22 means without having to pay a filing fee. At this time,
23 voluntary surrender is granted with the condition that
24 was mentioned here in the courtroom added to the other
25 bond conditions you're presently under. Mr. Renfrow, is

1 there any reason for the court to believe you won't
2 follow all those conditions?

3 THE DEFENDANT: No, sir.

4 THE COURT: Is there any reason for the
5 court to believe that you won't appear on the date,
6 time, and place that you're notified to appear to begin
7 serving your term of imprisonment?

8 THE DEFENDANT: No.

9 THE COURT: Defendant shall report to the
10 facility designated by the bureau of prisons as notified
11 by the US Marshals. Anything else from the government?

12 MR. RASK: Would move to dismiss Count 2,
13 Your Honor.

14 THE COURT: So ordered. Anything else from
15 defendant?

16 MR. BARTEE: No, Your Honor.

17 THE COURT: If there's nothing else, this
18 hearing's adjourned. Thank you.

19 (Whereupon, court recessed proceedings.)
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C E R T I F I C A T E

I, Nancy Moroney Wiss, a Certified Shorthand Reporter and the regularly appointed, qualified and acting official reporter of the United States District Court for the District of Kansas, do hereby certify that as such official reporter, I was present at and reported in machine shorthand the above and foregoing proceedings.

I further certify that the foregoing transcript, consisting of 27 typewritten pages, is a full, true, and correct reproduction of my shorthand notes as reflected by this transcript.

SIGNED November 30, 2015.

S/ _____
Nancy Moroney Wiss, CSR, CM, FCRR