

**U.S. District Court
District of South Dakota (Southern Division)
CRIMINAL DOCKET FOR CASE #: 4:11-cr-40038-LLP All Defendants**

Case title: USA v. Stegmeier

Date Filed: 04/06/2011

Date Terminated: 12/07/2011

Assigned to: U. S. District Judge
Lawrence L. Piersol
Referred to: US Magistrate Judge
John E. Simko

Defendant (1)

William "Bill" Stegmeier
TERMINATED: 12/07/2011

represented by **Brian K. Kirby**
Bangs, McCullen, Butler, Foye & Simmons
PO Box 88208
101 West 69th Street.
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Sioux Falls, SD 57109-8208
339-6800
Fax: 339-6801
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TERMINATED: 08/26/2011
LEAD ATTORNEY
Designation: Retained

Tara L. Glasford
6007 South Cliff Avenue
Suite 109
Sioux Falls, SD 57108
(605) 261-8941
Email: taraglasford@justice.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Lowell H. Becraft, Jr.
403-C Andrew Jackson Way
Huntsville, AL 35801
(256) 533-2535
Fax: (256) 534-1821
Email: becraft@hiwaay.net
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

Disposition

18 USC 1071 Concealing Person
From Arrest
(1)

24 months' imprisonment to be served concurrently
with Count 3; three years' supervised release, with
conditions; \$100 special assessment

18 USC 922(d)(1) & 922(d)(2)
Providing a Firearm to a Prohibited
Person
(3)

24 months' imprisonment to be served concurrently
with Count 1; three years' supervised release, with
conditions; \$100 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

18 USC 3 & 3146(a)(1) Accessory
After the Fact to Failure to Appear
(2)

Disposition

Dismissed on motion of USA.

**Highest Offense Level
(Terminated)**

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Kevin Koliner**
U.S. Attorney's Office (Sioux Falls, SD)
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
04/06/2011	<u>1</u>		MOTION to Seal Case by USA as to William "Bill" Stegmeier. (JMM) (Entered: 04/06/2011)
04/06/2011	<u>2</u>		ORDER granting <u>1</u> Motion to Seal Case as to William "Bill" Stegmeier (1) until initial appearance or otherwise ordered unsealed. Signed by U.S. Magistrate Judge John E. Simko on 4/6/11. (JMM) (copy delivered USA, USM) (Entered: 04/06/2011)
04/06/2011	<u>3</u>		

		INDICTMENT as to William "Bill" Stegmeier (1) count(s) 1, 2, 3. (JMM) (Entered: 04/06/2011)
04/11/2011		Set/Reset Hearings as to William "Bill" Stegmeier: Initial Appearance set for 4/12/2011 at 09:45 AM in Rapid City Grand Jury Room – Room 230 before US Magistrate Judge Veronica L. Duffy. (SLP) Modified to change location on 4/11/2011 (SLP). (Entered: 04/11/2011)
04/11/2011		Arrest of William "Bill" Stegmeier (JMM) (Entered: 04/12/2011)
04/12/2011	<u>5</u>	APPEARANCE AND COMPLIANCE BOND as to William "Bill" Stegmeier (Original signature of Judge Duffy; copy of defendant's signature) (JLH) (Entered: 04/12/2011)
04/12/2011	<u>6</u>	ORDER Setting Conditions of Release as to William "Bill" Stegmeier. Signed by US Magistrate Judge Veronica L. Duffy on 04/12/2011. (JLH) (Entered: 04/12/2011)
04/12/2011		Case unsealed as to William "Bill" Stegmeier (JMM) (Entered: 04/12/2011)
04/12/2011	<u>7</u>	Minute Entry for proceedings held before US Magistrate Judge Veronica L. Duffy:Initial Appearance as to William "Bill" Stegmeier held on 4/12/2011, Arraignment as to William "Bill" Stegmeier (1) Count 1,2,3 held on 4/12/2011 Plea Entered: Not Guilty, Detention Hearing as to William "Bill" Stegmeier held on 4/12/2011 (Court Reporter FTR #3.) (JMM) (Entered: 04/12/2011)
04/12/2011		Attorney update in case as to William "Bill" Stegmeier. Attorney Brian K. Kirby for William "Bill" Stegmeier added. (JMM) (Entered: 04/12/2011)
04/12/2011	<u>8</u>	CONSENT to Hearing by Videoconference by William "Bill" Stegmeier (JMM) (Entered: 04/12/2011)
04/12/2011	<u>9</u>	CJA 23 Financial Affidavit by William "Bill" Stegmeier (JMM) (Entered: 04/12/2011)
04/12/2011		Oral ORDER APPOINTING CJA Attorney as to William "Bill" Stegmeier for purposes of initial appearance (JMM) (Entered: 04/12/2011)
04/14/2011	<u>11</u>	Warrant Returned Executed on 4/11/11 in case as to William "Bill" Stegmeier. (DJP) (Entered: 04/14/2011)
04/18/2011	<u>12</u>	REQUEST for Disclosure by USA as to William "Bill"Stegmeier (Koliner, Kevin) (Entered: 04/18/2011)
04/18/2011	<u>13</u>	SCHEDULING AND CASE MANAGEMENT ORDER as to William "Bill" Stegmeier. Motions due by 5/5/2011. Motion Hearing set for 5/19/2011 at 09:00 AM in Sioux Falls Courtroom 3, Room 117 before U.S.Magistrate Judge John E. Simko Plea Agreement due by 5/23/2011. Jury Trial set for

			6/21/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 4/18/11. (CMS) (Entered: 04/18/2011)
04/20/2011	<u>14</u>		CJA 20 as to William "Bill" Stegmeier: Appointment of Attorney Brian Kirby. Signed by Judge US Magistrate Judge Veronica L. Duffy (JLH) (Entered: 04/20/2011)
04/27/2011	<u>15</u>		MOTION to Continue by William "Bill"Stegmeier. (Kirby, Brian) (Entered: 04/27/2011)
04/29/2011	<u>16</u>		ORDER granting in part and denying in part <u>15</u> Motion to Continue as to William "Bill" Stegmeier (1) Motions due by 6/15/2011. Motion Hearing set for 6/29/2011 at 09:30 AM in Sioux Falls Courtroom 3, Room 117 before U.S. Magistrate Judge John E. Simko. Plea Agreement due by 7/5/2011. Jury Trial set for 7/26/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 4/29/11. (CMS) (Entered: 04/29/2011)
05/06/2011	<u>17</u>		MOTION for Discovery <i>Stipulation</i> by USA as to William "Bill"Stegmeier. (Attachments: # <u>1</u> Text of Proposed Order)(Koliner, Kevin) (Entered: 05/06/2011)
05/06/2011			ORAL ORDER granting <u>17</u> Motion regarding handling and disposition of discovery materials as to William "Bill" Stegmeier and entering order as proposed by counsel. Signed by U.S.Magistrate Judge John E. Simko on 5/6/2011.(CG) (Entered: 05/06/2011)
06/15/2011	<u>18</u>		MOTION to Dismiss Count 1 or 2 by William "Bill"Stegmeier. (Kirby, Brian) (Entered: 06/15/2011)
06/15/2011	<u>19</u>		MEMORANDUM in Support by William "Bill"Stegmeier re <u>18</u> MOTION to Dismiss Count 1 or 2 (Kirby, Brian) (Entered: 06/15/2011)
06/21/2011			Terminate Deadlines and Hearings as to William "Bill" Stegmeier: motions hearing set for June 29, 2011, is cancelled (motions will be decided on written submissions). (CG) (Entered: 06/21/2011)
06/22/2011	<u>20</u>		RESPONSE to Motion by USA as to William "Bill"Stegmeier re <u>18</u> MOTION to Dismiss Count 1 or 2 (Koliner, Kevin) (Entered: 06/22/2011)
06/29/2011	<u>21</u>		REPORT AND RECOMMENDATIONS as to William "Bill" Stegmeier re <u>18</u> MOTION to Dismiss Count 1 or 2 Objections to RRdue by 7/18/2011.. Signed by U.S.Magistrate Judge John E. Simko on 6/29/11. (CMS) (Entered: 06/29/2011)
07/05/2011	<u>22</u>		MOTION to Continue by William "Bill" Stegmeier. (Kirby,

			Brian) (Entered: 07/05/2011)
07/11/2011	<u>23</u>		ORDER granting <u>22</u> Motion for Continuance pursuant to 18:3161 as to William "Bill" Stegmeier (1) Plea Agreement due by 8/2/2011. Jury Trial set for 8/30/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 7/11/11. (SLW) (Entered: 07/11/2011)
07/21/2011	<u>24</u>		ORDER denying <u>18</u> Motion to Dismiss Count(s) as to William "Bill" Stegmeier (1); adopting <u>21</u> Report and Recommendations as to William "Bill" Stegmeier (1). Signed by U. S. District Judge Lawrence L. Piersol on 7/21/11. (SLW) (Entered: 07/22/2011)
07/29/2011	<u>25</u>		MOTION to Continue by William "Bill" Stegmeier. (Kirby, Brian) (Entered: 07/29/2011)
08/02/2011	<u>26</u>		ORDER granting in part and denying in part <u>25</u> Motion to Continue as to William "Bill" Stegmeier (1) Plea Agreement due by 8/12/2011. Jury Trial set for 8/30/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol. Signed by U. S. District Judge Lawrence L. Piersol on 8/2/11. (CMS) (Entered: 08/02/2011)
08/10/2011	<u>27</u>		SCHEDULING ORDER as to William "Bill" Stegmeier. Plea Agreement due by 8/12/2011. Jury Trial reset for 8/29/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 8/10/11. (JMM) (Entered: 08/10/2011)
08/15/2011	<u>28</u>		MOTION to Continue by William "Bill" Stegmeier. (Kirby, Brian) (Entered: 08/15/2011)
08/16/2011	<u>29</u>		ORDER granting <u>28</u> Motion to Continue as to William "Bill" Stegmeier (1) Jury Trial reset for 10/5/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 8/16/11. (JMM) (Entered: 08/16/2011)
08/26/2011	<u>30</u>		NOTICE of Withdrawal & Substitution of Counsel by William "Bill" Stegmeier (Kirby, Brian) (Entered: 08/26/2011)
08/26/2011	<u>31</u>		NOTICE OF ATTORNEY APPEARANCE: Tara L. Glasford appearing for William "Bill" Stegmeier (CMS) (Entered: 08/26/2011)
09/01/2011	<u>32</u>		(FILED IN ERROR) First MOTION for attorney Lowell H. Becraft, Jr. to Appear Pro Hac Vice by William "Bill" Stegmeier. (Glasford, Tara) Modified on 9/1/2011 (DJP). (Entered: 09/01/2011)

09/01/2011			NOTICE of Filing Error: Motion for Leave to Appear Pro Hac Vice <u>32</u> filed by Defendant William "Bill"Stegmeier FILED IN ERROR (Glasford, Tara) (Entered: 09/01/2011)
09/01/2011	<u>33</u>		First MOTION for attorney Lowell H. Becraft, Jr. to Appear Pro Hac Vice by William "Bill"Stegmeier. (Glasford, Tara) (Entered: 09/01/2011)
09/02/2011	<u>34</u>		ORDER granting <u>33</u> Motion for Attorney Lowell H. Becraft, Jr. to Appear Pro Hac Vice as to William "Bill" Stegmeier (1). Signed by U. S. District Judge Lawrence L. Piersol on 9/2/11. (DJP) (Entered: 09/02/2011)
09/15/2011	<u>35</u>		RECEIPT for phv fee for Lowell Becraft, Jr. (JMM) (Entered: 09/16/2011)
09/19/2011	<u>36</u>		MOTION IN LIMINE: Part 1: MOTION TO PRECLUDE DEFENDANT FROM ARGUING TO THE JURY THE MERITS OF TAX PROTESTOR LEGAL POSITIONS OR OTHER RELATED VIEWS; Part 2: MOTION TO PRECLUDE DEFENDANT FROM PRESENTING EVIDENCE OR ARGUMENT RELATING TO THE JURYS POWER OF NULLIFICATION; Part 3: MOTION TO PRECLUDE DEFENDANT FROM MENTIONING POTENTIAL PUNISHMENT; by USA as to William "Bill"Stegmeier. (Attachments: # <u>1</u> Exhibit 885 F.2d 547 (9th Cir. 1989))(Koliner, Kevin) (Entered: 09/19/2011)
09/21/2011	<u>37</u>		Proposed Jury Instructions as to William "Bill"Stegmeier (Koliner, Kevin) (Entered: 09/21/2011)
09/21/2011	<u>38</u>		MOTION IN LIMINE: Part 1: Testimony regarding Statements of Confidential Informants; Part 2: Sequestration of Witnesses; Part 3: Exclude Expert Testimony about Defendant's State of Mind; Part 4: Prohibit Reference to Probable Testimony of an Unavailable Witness; Part 5: Requested Procedure for Introduction of Photographs or other exhibits; Part 6: Prohibit reference to Certain Organizations; by William "Bill"Stegmeier. (Glasford, Tara) (Entered: 09/21/2011)
09/21/2011	<u>39</u>		Proposed Jury Instructions as to William "Bill"Stegmeier (Glasford, Tara) (Entered: 09/21/2011)
09/21/2011	<u>40</u>		Proposed Voir Dire by William "Bill"Stegmeier (Glasford, Tara) (Entered: 09/21/2011)
09/21/2011	<u>41</u>		MOTION to Dismiss Count Two <i>of Indictment</i> by USA as to William "Bill"Stegmeier. (Koliner, Kevin) (Entered: 09/21/2011)
09/26/2011	<u>42</u>		MOTION for Jury List by USA as to William "Bill"Stegmeier. (Attachments: # <u>1</u> Text of Proposed Order Order Granting Government's Motion for Jury List)(Koliner, Kevin) (Entered: 09/26/2011)

09/26/2011	<u>43</u>		MOTION for Discovery by USA as to William "Bill" Stegmeier. (Attachments: # <u>1</u> Text of Proposed Order Order)(Koliner, Kevin) (Entered: 09/26/2011)
09/27/2011	<u>44</u>		ORDER granting <u>42</u> Motion for Jury List as to William "Bill" Stegmeier (1). Signed by U. S. District Judge Lawrence L. Piersol on 9/27/11. (DJP) (Entered: 09/27/2011)
09/29/2011	<u>45</u>		NOTICE OF INTENT TO OFFER EXPERT TESTIMONY by USA as to William "Bill" Stegmeier (Koliner, Kevin) (Entered: 09/29/2011)
10/04/2011	<u>46</u>		ORDER granting <u>41</u> Motion to Dismiss Count(s) as to William "Bill" Stegmeier (1). Signed by U. S. District Judge Lawrence L. Piersol on 10/03/11. (CMS) (Entered: 10/04/2011)
10/04/2011	<u>47</u>		TRIAL BRIEF by William "Bill" Stegmeier (Glasford, Tara) (Entered: 10/04/2011)
10/05/2011	<u>48</u>		Subpoena for Matt Thelen Returned Executed on 9/27/11 (CMS) (Entered: 10/07/2011)
10/05/2011	<u>49</u>		ORDER granting <u>43</u> Motion for Discovery as to William "Bill" Stegmeier (1). Signed by U. S. District Judge Lawrence L. Piersol on 10/05/11. (CMS) (Entered: 10/07/2011)
10/05/2011			Minute Entry for proceedings held before U. S. District Judge Lawrence L. Piersol: Jury Trial Began began on 10/5/2011 as to William "Bill" Stegmeier (Court Reporter Jill Connelly/FTR #1.) (CMS) (Entered: 10/11/2011)
10/05/2011	<u>50</u>		Jury List as to William "Bill" Stegmeier (CMS) (Entered: 10/11/2011)
10/05/2011	<u>51</u>		Preliminary Jury Instructions as to William "Bill" Stegmeier (CMS) (Entered: 10/11/2011)
10/06/2011			Minute Entry for proceedings held before U. S. District Judge Lawrence L. Piersol: Jury Trial continued on 10/6/2011 as to William "Bill" Stegmeier (Court Reporter Jill Connelly/FTR #1.) (CMS) (Entered: 10/11/2011)
10/07/2011	<u>52</u>		EXHIBIT LIST by USA from jury trial as to William "Bill" Stegmeier (CMS) Modified on 10/12/2011 (CMS). (Entered: 10/11/2011)
10/07/2011	<u>53</u>		Jury Instructions (with authorities) as to William "Bill" Stegmeier (CMS) (Entered: 10/11/2011)
10/07/2011	<u>54</u>		Jury Instructions (without authorities) as to William "Bill" Stegmeier (CMS) (Entered: 10/11/2011)
10/07/2011	<u>55</u>		VERDICT as to William "Bill" Stegmeier (1) Guilty on Count 1,3. (CMS) (Entered: 10/11/2011)
10/07/2011	<u>56</u>		

		Minute Entry for proceedings held before U. S. District Judge Lawrence L. Piersol: Jury Trial Completed on 10/7/2011 as to William "Bill" Stegmeier (Court Reporter Jill Connelly/FTR #1.) (CMS) (Entered: 10/11/2011)
10/07/2011	<u>57</u>	ORDER as to William "Bill" Stegmeier. Sentencing set for 12/5/2011 at 09:00 AM in Sioux Falls Courtroom 1 – Room 203A before U. S. District Judge Lawrence L. Piersol.. Signed by U. S. District Judge Lawrence L. Piersol on 10/07/11. (CMS) (Entered: 10/11/2011)
10/21/2011	<u>58</u>	MOTION for Acquittal by William "Bill"Stegmeier. (Attachments: # <u>1</u> Brief in Support of Defendant's Motion for Judgment of Acquittal)(Glasford, Tara) (Entered: 10/21/2011)
10/26/2011	<u>59</u>	RESPONSE to Motion by USA as to William "Bill"Stegmeier re <u>58</u> MOTION for Acquittal (Attachments: # <u>1</u> Exhibit US v. Hintz)(Koliner, Kevin) (Entered: 10/26/2011)
11/22/2011	<u>60</u>	SENTENCING MEMORANDUM by William "Bill"Stegmeier (Glasford, Tara) (Entered: 11/22/2011)
11/22/2011	<u>61</u>	MOTION Bond on Appeal by William "Bill"Stegmeier. (Glasford, Tara) (Entered: 11/22/2011)
11/22/2011	<u>62</u>	MEMORANDUM in Support by William "Bill"Stegmeier re <u>61</u> MOTION Bond on Appeal (Glasford, Tara) (Entered: 11/22/2011)
11/29/2011	<u>63</u>	RESPONSE to Motion by USA as to William "Bill"Stegmeier re <u>61</u> MOTION Bond on Appeal (Koliner, Kevin) (Entered: 11/29/2011)
11/30/2011	<u>64</u>	TRANSCRIPT, Volume I, of Proceedings as to William "Bill" Stegmeier re <u>56</u> Jury Trial – Completed held on October 5, 6 &7, 2011 before Judge Lawrence L. Piersol. Court Reporter/Transcriber: Jill Connelly, Telephone number 605–330–6669. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 12/27/2011. Redacted Transcript Deadline set for 1/6/2012. Release of Transcript Restriction set for 3/2/2012. (Attachments: # <u>1</u> Volume II, # <u>2</u> Volume III)(JC) (Entered: 11/30/2011)
11/30/2011	<u>65</u>	NOTICE of Filing of Official Transcript re <u>56</u> Jury Trial – Completed as to William "Bill" Stegmeier. Notice mailed to non–ecf counsel. (JC) (Entered: 11/30/2011)
12/02/2011	<u>66</u>	MEMORANDUM OPINION AND ORDER as to William "Bill" Stegmeier denying <u>58</u> Motion for Acquittal filed by Defendant William "Bill" Stegmeier. Signed by U. S. District Judge Lawrence L. Piersol on 12/2/11. (CMS) (Entered: 12/02/2011)

			12/02/2011)
12/05/2011	<u>67</u>		Minute Entry for proceedings held before U. S. District Judge Lawrence L. Piersol: Sentencing as to William "Bill" Stegmeier continued to 12/6/2011 for William "Bill" Stegmeier (1) (Court Reporter Jill Connelly/FTR #1.) (DJP) (Entered: 12/05/2011)
12/06/2011	<u>68</u>		Minute Entry for proceedings held before U. S. District Judge Lawrence L. Piersol: Sentencing as to William "Bill" Stegmeier held on 12/6/2011 for William "Bill" Stegmeier (1), Count(s) 1, 24 months' imprisonment to be served concurrently with Count 3; three years' supervised release, with conditions; \$100 special assessment; Count(s) 2, Dismissed on motion of USA.; Count(s) 3, 24 months' imprisonment to be served concurrently with Count 1; three years' supervised release, with conditions; \$100 special assessment. (Court Reporter Jerry May/FTR #2.) (DJP) (Entered: 12/07/2011)
12/06/2011	<u>69</u>		EXHIBIT LIST from 12/6/11 sentencing hearing as to William "Bill" Stegmeier (DJP) (Main Document 69 replaced on 12/7/2011) (DJP). (Entered: 12/07/2011)
12/07/2011	<u>70</u>	11	JUDGMENT AND COMMITMENT as to William "Bill" Stegmeier (1), Count(s) 1, 24 months' imprisonment to be served concurrently with Count 3; three years' supervised release, with conditions; \$100 special assessment; Count(s) 2, Dismissed on motion of USA.; Count(s) 3, 24 months' imprisonment to be served concurrently with Count 1; three years' supervised release, with conditions; \$100 special assessment Signed by U. S. District Judge Lawrence L. Piersol on 12/7/11. (DJP) (Entered: 12/07/2011)
12/16/2011	<u>71</u>	17	NOTICE OF APPEAL by William "Bill" Stegmeier re <u>70</u> Judgment and Commitment Filing fee \$ 455. (DJP) (Entered: 12/16/2011)
12/16/2011			COURT REPORTER Information: Jerry May, 2500 West Costello Road, Sioux Falls, SD 57105, (605) 332-8752 (SENTENCING TRANSCRIPT) (DJP) (Entered: 12/16/2011)
12/16/2011			COURT REPORTER Information: Jill Connelly, 400 South Phillips Avenue, Sioux Falls, SD 57104, (605) 330-6669 (TRIAL TRANSCRIPT) (DJP) (Entered: 12/16/2011)
12/16/2011	<u>72</u>		NOTICE to counsel regarding notice of filing Notice of Appeal by William "Bill" Stegmeier (DJP) (Entered: 12/16/2011)
12/16/2011	<u>73</u>		RECEIPT for payment of appeal filing fee: Receipt Number: 24189 Receipt Amount: 455.00 (DJP) (Entered: 12/16/2011)
12/16/2011	<u>74</u>	18	

		TRANSMITTAL of Notice of Appeal to 8th Circuit Court of Appeals re <u>71</u> Notice of Appeal – Final Judgment as to William "Bill" Stegmeier (DJP) (Entered: 12/16/2011)
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UNITED STATES DISTRICT COURT

District of South Dakota, Southern Division

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

vs.

WILLIAM "BILL" STEGMEIER

Case Number: 4:11CR40038-01

USM Number: 11299-273

FILED

DEC 07 2011

Tara L. Glasford

Defendant's Attorney

[Signature]
CLERK

THE DEFENDANT:

- pleaded guilty to count(s)
- pleaded nolo contendere to count(s) which was accepted by the court.
- was found guilty on count(s) 1 and 3 of the Indictment after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1071	Concealing Person From Arrest	12/22/2010	1
18 U.S.C. §§ 922(d)(1) and 922(d)(2)	Providing a Firearm to a Prohibited Person	12/22/2010	3

The defendant is sentenced as provided in this judgment. The sentence is imposed pursuant the statutory and constitutional authority vested in this court.

- The defendant has been found not guilty on count(s) _____
- Count 2 of the Indictment is are dismissed on the motion of the United States.

IT IS 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 must notify the court and United States attorney of any material changes in economic circumstances.

12/06/2011
Date of Imposition of Judgment

Lawrence Piersol
Signature of Judge

Hon. Lawrence L. Piersol, United States District Judge
Name and Title of Judge

Dec. 7, 2011
Date

DEFENDANT: WILLIAM "BILL" STEGMEIER
CASE NUMBER: 4:11CR40038-01

IMPRISONMENT

- The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 24 months for each count, to be served concurrently.
- The court makes the following recommendations to the Bureau of Prisons:
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
 - at _____ a.m. p.m. on _____.
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 2 p.m. 12/27/2011.
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Offices.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL
By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: WILLIAM "BILL" STEGMEIER
CASE NUMBER: 4:11CR40038-01

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

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

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the probation office.

- 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.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 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 in a manner and frequency directed by the court or probation officer;
- 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 any time 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.

DEFENDANT: WILLIAM "BILL" STEGMEIER
CASE NUMBER: 4:11CR40038-01

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall submit a sample of his blood, breath, or urine at the discretion or upon the request of the probation office.
2. The defendant shall not consume any alcoholic beverages or intoxicants. Furthermore, the defendant shall not frequent establishments whose primary business is the sale of alcoholic beverages.
3. The defendant shall participate in and complete a cognitive behavioral training program as directed by the probation office.
4. The defendant shall attend substance abuse treatment as directed by the probation office.

DEFENDANT: WILLIAM "BILL" STEGMEIER
 CASE NUMBER: 4:11CR40038-01

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$ waived	\$

- The determination of restitution is deferred until .
 An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority Or Percentage</u>
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TOTALS \$ _____ \$ _____

- Restitution amount ordered pursuant to plea agreement \$
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
 - the interest requirement is waived for the fine restitution.
 - the interest requirement for the fine restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: WILLIAM "BILL" STEGMEIER
CASE NUMBER: 4:11CR40038-01

SCHEDULE OF PAYMENTS

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

- A Lump sum payment of \$ 200.00 due immediately.
- not later _____, or
 in accordance C, D, E, or F below); or
- B Payment to begin immediately (may be combined with C, D, F below); or
- C Payment in equal weekly (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal weekly (e.g., weekly, monthly, or quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment of the criminal monetary penalties shall be due in regular quarterly installments of _____ of the deposits in the defendant's inmate trust account while the defendant is in custody. Any portion of the monetary obligation(s) not paid in full prior to the defendant's release from custody shall be due in monthly installments of _____, such payments to begin _____ days following the defendant's release; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

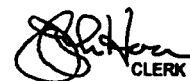
Defendant and Co-Defendant Names and Case Number (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

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

FILED

DEC 16 2011


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM STEGMEIER,

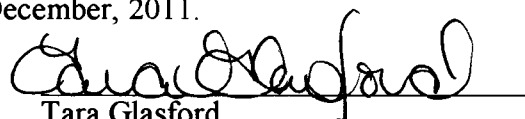
Defendant

CR: 11-40038

NOTICE OF APPEAL

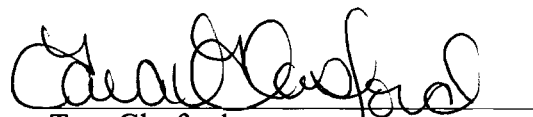
Notice is hereby given that William Stegmeier, appeals to the United States Court of Appeals for the Eighth Circuit from the Judgment of Conviction entered in this action on December 7, 2011.

Respectfully submitted this 16th day of December, 2011.


Tara Glasford
6007 S. Cliff Ave. #109
Sioux Falls, SD 57108
605-261-8941
taraglasford@justice.com
Attorney for Defendant Stegmeier

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 16 day of December, 2011, a copy of the foregoing Notice of Appeal was filed with the Clerk of Courts Office. A true and correct copy of the foregoing Notice was served upon Kevin Koliner, Assistant United States Attorney, PO Box 2638, Sioux Falls, SD 57101 by first class mail, postage pre-paid.


Tara Glasford
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605-261-8941
taraglasford@justice.com
Attorney for Defendant Stegmeier

United States District Court

District of South Dakota

Office of the Clerk
Room 128, Federal Building
400 S. Phillips Ave.
Sioux Falls, SD 57104-6851

Joseph Haas
Clerk of Court

Telephone
(605) 330-6600

December 16, 2011

TRANSMITTAL OF NOTICE OF APPEAL IN A CRIMINAL CASE

(Prepare a separate Transmittal Form for each defendant.)

1. **Case Number & Title:** 4:11-CR-40038-001, USA v. William "Bill" Stegmeier
2. **Defendant:** William "Bill" Stegmeier, #11299-273
Is Defendant incarcerated?: Defendant has been ordered to self-surrender to the Yankton Prison Camp on December 27, 2011.
3. **Date Notice of Appeal filed:** December 16, 2011
4. **Document being appealed and document number:** Judgment and Commitment, Doc. 70
5. **Sentence imposed:** **Count 1**, 24 months' imprisonment to be served concurrently with Count 3; three years' supervised release, with conditions; \$100 special assessment; **Count 3**, 24 months' imprisonment to be served concurrently with Count 1; three years' supervised release, with conditions; \$100 special assessment.
Date sentence imposed: December 7, 2011
Charges: Count 1: 18 USC 1071 Concealing Person From Arrest
Count 3: 18 USC 922(d)(1) & 922(d)(2) Providing a Firearm to a Prohibited Person
6. **Co-Defendant(s):** N/A.
7. **Date of Plea/Verdict:** : October 7, 2011
If case went to trial, length of trial: Three days.
8. **Date Transcript ordered:** Jury trial transcript has already been prepared. Defense counsel will be contacting Jerry May for sentencing transcript.
Who ordered Transcript? Defense counsel.

9. **Court Reporter:** Jill Connelly (**JURY TRIAL**)
400 South Phillips Avenue
Sioux Falls, SD 57104
(605) 330-6669
- Jerry May (**SENTENCING**)
2500 West Costello Road
Sioux Falls, SD 57105
(605) 332-8752
10. **Assistant U.S. Attorney:** Kevin Koliner
PO Box 2638
Sioux Falls, SD 57101-2638
(605) 330-4000
11. **Defense Counsel:** Tara L. Glasford
6007 South Cliff Avenue, Suite 109
Sioux Falls, SD 57108
(605) 261-8941
- Lowell H. Becraft, Jr.
403-C Andrew Jackson Way
Huntsville, AL 35801
(256) 533-2535

Was Defense Counsel appointed/retained?: Retained.

12. **Has the filing fee been paid?:** Yes.
13. **Is there a pending motion for IFP:** No.
14. **Are there any other pending motions?** No.
15. **Additional comments:**

JOSEPH A. HAAS, CLERK

BY: /s/ Deb Peterson
Deb Peterson, Deputy Clerk