

Conditions of Probation and Supervised Release

UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF FLORIDA

To Marcellus M. Mason, Jr.

Docket No. 02-14020-CR-MOORE
SD/FL PACTS No. 79962

Address 218 Florida Avenue
Sebring, FL 33870

Under the terms of this sentence, the defendant has been placed on probation by the Honorable K. Michael Moore, United States District Judge for the Southern District of Florida. The defendant's term of supervision is for a period of five (5) years, commencing June 29, 2004.

While on probation, the defendant shall not commit another federal, state, or local crime. The defendant shall not illegally possess a controlled substance.

If the judgment imposed a fine or a restitution obligation, it shall be a condition of probation/supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with any schedule of payments set forth in the Criminal Monetary Penalties sheet of the judgment. In any case, the defendant should cooperate with the probation officer in meeting any financial obligations.

The defendant shall report in person 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 (supervised release cases only).

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

For offenses committed on or after September 13, 1994:

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 or placement on probation and at least two periodic drug tests thereafter.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

It is the order of the Court that you shall comply with the following conditions:

- (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 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 substance, 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 by 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.

The special conditions ordered by the Court are as follows:

The defendant shall participate in an approved inpatient/outpatient mental health treatment program, as directed by the U.S. Probation Office. The defendant will contribute to the costs of services rendered (co-payment) in an amount determined by the U.S. Probation Officer, based on ability to pay, or availability of third party payment.

The defendant shall comply with the **Omnibus Order Enjoining Plaintiff From Filing Any Pleadings In Or Additional Lawsuits Relating Thereto Without Court Permission** entered by Judge Donald L. Graham on September 20, 2001 in cases 99-14027-CIV-GRAHAM, 99-14042-CIV-GRAHAM, 99-14257-CIV-GRAHAM, 99-14314-CIV-GRAHAM, 00-14116-CIV-GRAHAM, 00-14201-CIV-GRAHAM, 00-14202-CIV-GRAHAM, 00-14240-CIV-GRAHAM, 01-14074-CIV-GRAHAM, 01-14078-CIV-GRAHAM, and 01-14230-CIV-GRAHAM.

The defendant shall have no personal, mail, telephone or computer contact, either directly or indirectly, with any of the litigants or participants of the previous civil cases that were the object of the Court's Omnibus Order dated September 20, 2001.

The defendant shall not possess or use a computer that contains an internal modem and/or possess an external modem, and shall not possess or use a computer with access to any on-line computer service at any location without the prior written approval of the Court. This includes any Internet service provider, bulletin board system, or any other public or private computer network. In addition, the defendant shall not possess or use any data encryption technique or program. The defendant shall consent to the U.S. Probation Officer conducting periodic unannounced examinations of his computer to ensure compliance with this condition. This does not preclude the defendant from using a computer for e-mail purposes to contact only family members.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions, and have been provided a copy of them.

(Signed) <u>Marcellus Martin</u>	<u>6-29-04</u>
Defendant	Date
<u>Frank E. Spill</u> USPO	<u>6/29/04</u>
U.S. Probation Officer/Designated Witness	Date