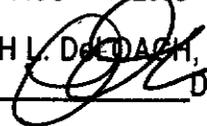


FILED

AUG 19 2005

**United States District Court
DISTRICT OF KANSAS**

RALPH L. DELOACH, Clerk
By  Deputy

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V

Case Number: 05M-7017-01

RICHARD H. ZAPATA

USM Number

Defendant's Attorney

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 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. Sec 13 incorp K.S.A. 65-1382	Criminal Trespass	04-Dec-04	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s):
- Count(s) (is)(are) dismiss 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 shall notify the court and United States attorney of material changes in economic circumstances.

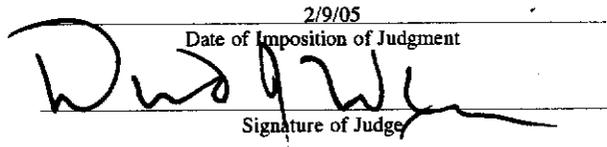
Defendant's Soc Sec. No.: XXX-XX-114

Defendant's Date of Birth: 1970

Defendant's Previous Address:
OLATHE, KS

Defendant's Previous Address:
OLATHE, KS

2/9/05
Date of Imposition of Judgment


Signature of Judge

HONORABLE DAVID J. WAXSE, U.S. MAGISTRATE JUDGE
Name and Title of Judge

19-Aug-05
Date

SCHEDULE OF PAYMENTS

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

- A Lump sum payment of due immediately, balance due
 - not later than , or
 - In accordance with C, D, E, or F below); or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in monthly installments of not less than 5% of the defendant's monthly gross household income over a period of years to commence days after the date of this judgment; or
- D Payment of not less than 10% of the funds deposited each month into the inmate's trust fund account and monthly installments of not less than 5% of the defendant's monthly gross household income over a period of years, to commence days after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties::

If restitution is ordered, the Clerk, U.S. District Court, may hold and accumulate restitution payments, without distribution, until the amount accumulated is such that the minimum distribution to any restitution victim will not be less than \$25.

Payments should be made to Clerk, U.S. District Court, U.S. Courthouse - Room 259, 500 State Avenue, Kansas City, Kansas 66101.

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 Numbers (including defendant number), Total Amount Joint and Several Amount and corresponding payee, if appropriate.

<u>Case Number</u> <u>(including Defendant</u> <u>Number)</u>	<u>(Defendant Name)</u>	<u>Joint and Several</u> <u>Amount</u>
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- 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, (8) costs, including cost of prosecution and court costs.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the total criminal monetary penalties under the Schedule of Payments set forth in the Judgment.

	Assessment	Fine	Restitution
Totals:	\$25.00	\$50.00	

- The determination of restitution is deferred until . An Amended Judgment in a criminal Case (AO 245C) will be entered after such determination.
- The defendant shall make restitution (including community restitution) to the following payees in the amounts 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 non federal 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 Amt Ordered: Restitution amount ordered pursuant to plea agreement
- The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution 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 set forth in this judgment 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 and/or restitution is modified as follows:
 - the interest requirement for the fine and/or restitution.

*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.