IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

Criminal Action No. 24-cr-113-NYW-1

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Jon M. Hallford,

Defendant.

REPORTER'S TRANSCRIPT

Sentencing Hearing

Proceedings before the HONORABLE NINA Y. WANG, Judge, United States District Court for the District of Colorado, commencing on the 27th day of June, 2025, in Courtroom A902, United States Courthouse, Denver, Colorado.

APPEARANCES

For the Plaintiff:
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For the Defendant:
LAURA H. SUELAU, Federal Public Defender's Office, 633 17th Street, Suite 1000, Denver, CO 80202

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Proceedings reported by mechanical stenography; transcription produced via computer.

P R O C E E D I N G S

(Proceedings commenced at 9:06 a.m.)

THE COURT: Good morning. We are on the record in United States of America versus Jon M. Hallford, case number 24-cr-113-NYW-1. I'm United States District Judge Nina Wang. Counsel, would you enter your appearance and introduce anyone who is seated at the table with you.

MR. NEFF: Yes, Your Honor. Good morning. Tim Neff appearing on behalf of the Government. Seated with me at counsel table is co-counsel Craig Fansler. Also with me at counsel table is Special Agent Andrew Cohen with the FBI, and Chris Adams, special agent with Colorado Bureau of Investigation.

THE COURT: Good morning.

MS. SUELAU: Good morning, Your Honor. Laura Suelau on behalf of Jon Michael Hallford, who is present in custody. Also at counsel table is Amanda Carroll, federal public defender investigator, and Laura Ownby, federal public defender intern.

THE COURT: Good morning. All right. The Court notes that Mr. Hallford is present in person with his counsel. Counsel, are you ready to proceed?

MR. NEFF: Yes, Your Honor. We are.

MS. SUELAU: Yes, Your Honor.

THE COURT: The record reflects that the defendant was charged by indictment on April 10th, 2024, that's docket entry

number one, on 15 felony counts, comprised of 13 counts of wire fraud and aiding and abetting, and two counts of conspiracy to commit wire fraud. The defendant made his initial appearance on April 15th, 2024. It's docket entry number six. And he was arraigned on April 18th, 2024. It's docket entry number 16. At that time, he entered a plea of not guilty as to each of these counts.

On September 12th, 2024, defendant filed with this Court a notice of disposition. That's at docket entry number 40. On October 24th, 2024, Mr. Hallford appeared before this Court for a change of plea hearing, during which he withdrew his plea of not guilty as to count 11 of the indictment charging the conspiracy to commit wire fraud, in violation of 18 USC Section 1349, tendered a plea of guilty to that count, and was adjudged guilty of count 11. That's docket entry number 51.

The Court indicated that it would reserve the issue as to whether to accept the plea agreement that was made pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure that binds the Court to a particular sentencing -- sentence or sentencing range if accepted after review of the presentence investigation report.

The United States probation office filed the presentence investigation report on February 20th, 2025. That's at docket entry number 73. After review of the presentence investigation report, by order dated February 24th, 2025, the

Court informed the parties that it intended to reject the plea agreement that had been made pursuant to Rule 11(c)(1)(C). That's docket entry number 79.

That minute order set a hearing for March 4th, 2025, and indicated that Mr. Hallford should be prepared to either withdraw from the plea agreement or proceed pursuant to Rule 11(c)(1)(B). On March 4th, 2025, Mr. Hallford appeared before the Court for a status hearing, during which the Court made formal findings about the proposed plea agreement and rejected it. That's docket entry number 84.

Mr. Hallford informed the Court that he intended to move forward with his guilty plea as to count 11, and the United States and Mr. Hallford executed a plea agreement supplement indicating such. That's docket entry number 85.

The purpose of today's hearing is for me to determine the sentence for count 11. Mr. Hallford, is there anything about your condition today that would make you unable to understand what's going on?

THE DEFENDANT: No, Your Honor.

THE COURT: And during this proceeding, at any time if you need to speak with your attorney, you can let me know, and we will make those necessary arrangements. All right?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Ms. Suelau, have you and your client read and discussed the presentence investigation report that's docket

entry number 64, the revised presentence investigation report that's docket entry number 75, and then there are three addendums thereto which are at docket entry 80 -- sorry -- docket entry number 74 is the first addendum, docket entry number 111 is the second addendum, and docket entry number 114 is the third addendum?

MS. SUELAU: Yes, Your Honor.

THE COURT: Ms. Suelau, I understand that the defendant has many objections to the PSR, but none of them impact the calculation of the advisory guidelines; is that correct?

MS. SUELAU: Yes, Your Honor.

THE COURT: All right. And so let me go through the categories of objections, and I'd like to understand what's still at issue that we need to resolve today. With respect to the categories of objections, I understand that paragraphs 47, 53, 60, and 79 all pertain to Mr. Hallford's objection to the characterization that he and his codefendant and wife, Carie Hallford, evaded or attempted to evade law enforcement; is that right?

MS. SUELAU: Yes, Your Honor.

THE COURT: Paragraphs 49 and 65 pertain to Mr. Hallford's objection to the assertion that there may be additional unaccounted-for victims that were water cremated, destroyed with lye, or otherwise disposed; is that correct?

MS. SUELAU: Yes, Your Honor.

THE COURT: Paragraphs 57 and 49 pertain to Mr. Hallford's objection to the description of the cremation process.

MS. SUELAU: That's 57, Your Honor, and 49.

THE COURT: I'm sorry. Fifty-seven and 49. I thought that's what I said.

MS. SUELAU: Yes.

THE COURT: Paragraphs 84, 69, and 77 pertain to Mr. Hallford's objection to the loss amount stipulated by the parties -- loss amounts beyond what's stipulated to by the parties in the plea agreement?

MS. SUELAU: Yes, Your Honor.

THE COURT: Paragraphs 45, 48, 49, 57, 62, 64, 66, 67, and 110 all pertain to Mr. Hallford's objections to certain factual statements contained in those paragraphs?

MS. SUELAU: Yes, Your Honor.

THE COURT: And then finally, Mr. Hallford objects to the imposition of a special condition of supervised release number seven, which includes an occupation restriction that includes, quote, a body broker business, because he contests and alleges that he never engaged in the business of being a body broker, and he has never engaged or profited from the illegal sale of human remains; is that right?

MS. SUELAU: Yes.

THE COURT: All right. Then, Mr. Neff, it appears that the Government also filed objections to the PSR, and I believe one may remain after the revision of the PSR, which deals with whether or not the $15,000 of EIDL advances should be part of the restitutionary amount; is that right?

MR. NEFF: That's correct, Your Honor.

THE COURT: Okay. All right. And then my understanding is that the other two issues that pertain to whether or not the interest should be included in the amount of loss for the purposes of the calculation of the base offense level and the offense level as well as whether or not any civil judgments would or could offset the liability for restitution here, both of those have been resolved in the revised PSR; is that right?

MR. NEFF: Yes. That's my understanding.

THE COURT: All right. So, let me understand whether or not the Government wishes to present evidence as to any of the disputed issues with respect to the PSR?

MR. NEFF: No, we don't, Your Honor.

THE COURT: And does the defense wish to present any evidence as to the disputed issues in the PSR?

MS. SUELAU: No, Your Honor.

THE COURT: Now, let me also understand, we received the third addendum to the presentence investigation report, which was the updated restitution which details specific payees

for which restitution is sought. That total amount is $193,966.18. That remains unchanged. And is that stipulated to by the parties?

MR. NEFF: Yes. I believe it is, Your Honor.

MS. SUELAU: Yes, Your Honor.

THE COURT: Okay. All right. So, then let's turn to the issues with respect to the disputed categories, Ms. Suelau. So, with respect to paragraphs 47, 53, 60, 79, that pertain to the characterization that they evaded or attempted to evade law enforcement, my understanding is that the defendant doesn't necessarily object to the facts as stated, but he objects to the characterization that those facts should lead to the inference that he attempted to evade or evaded law enforcement; is that right?

MS. SUELAU: That's correct, Your Honor. With the exception of the facts omitted -- I guess we object to the facts that were omitted from the warrant, which was cited to in the presentence report, but other than that, the objection is essentially to the conclusion that those facts without additional facts as provided in the objection would lead to the conclusion that Mr. Hallford attempted to evade law enforcement.

THE COURT: All right. So, the Court, because the objection -- the facts that are included in the PSR are not objected to, based on the factual content, the Court determined that no finding is necessary regarding the objection as to the

character -- characterization of those facts. The Court can draw its own reasonable inferences, does not take necessarily the inference that is drawn by the PSR as fact, and will not take into account that characterization in imposing a sentence. Any further argument with respect to that category of objection?

MS. SUELAU: No, Your Honor.

THE COURT: Okay. Then paragraphs 49 and 65 pertain to Mr. Hallford's objection that there was assertion that there may be additional unaccounted-for victims who were water cremated, destroyed with lye, or otherwise disposed of. And again, it appears that Mr. Hallford's objections are not -- do not pertain to the factual statements of whether or not the materials such as lye or a water machine were found, but that the objections were to the inferences that were drawn in the PSR from those facts. But the revised presentence investigation report, as I understand it, reflects Mr. Hallford's position with respect to those issues; is that correct?

MS. SUELAU: Yes, Your Honor. And I have no additional argument on those issues.

THE COURT: All right. So, again, the Court determines that no finding is necessary to those objections, because the disputed or objected-to conclusion will not be taken into account in imposing a sentence. However, the Court can draw its own reasonable inferences from those uncontested facts. The Court notes that there are victim statements from customers

of Mr. Hallford, his codefendant, and Return to Nature that indicate that beyond the weight of the remains or cremains given back to the loved ones, that they -- there were certain victims who indicated that they received cremains that were inconsistent with the physical characteristics of their deceased loved ones that would remain intact after cremation, such as a dental bridge for an individual who no longer had any teeth and was not cremated with his dentures.

That might suggest or may be the basis to draw an inference that there may be other victims of the wire fraud that would not be able to be identified because of the status of the remains.

Paragraphs 57 and 49 pertain to Mr. Hallford's objection to the description of the cremation process. Again, Mr. Hallford's objections will not be -- or those types of statements will not be taken into account in imposing the sentence, and so therefore the Court determines that no finding is necessary with respect to his objections to the description of the cremation process.

Now, paragraphs 84, 69, and 77 pertain to Mr. Hallford's objections to loss amounts not stipulated to by the parties in the plea agreement. My understanding is the $15,000 of the EIDL loan advances does not impact the -- does not impact the calculation of any advisory guidelines, and the parties have stipulated to the loss amounts that are contained

in addendum -- the third addendum; is that correct?

MR. NEFF: Yes. That is correct, Your Honor.

MS. SUELAU: Yes, Your Honor. The objection is that the interest from those loans should not be counted.

THE COURT: As part of restitution?

MS. SUELAU: As either part of loss or part of restitution.

THE COURT: Okay. So, what is the Government's position with respect to interest as being part of the restitution amount?

MR. NEFF: Well, we cited the relevant case law. Our position is we had agreed not to seek the restitution off of the COVID money, 119,000 or so plus. So, we are not seeking that at this time. Legally speaking, I believe the Court would have the right to impose that as part of restitution. The interest can be included in restitution. We cited the cases on that, but we are not seeking it.

THE COURT: All right. So, the Court will not include that interest amount, only because the Government has indicated that it has no witnesses to present. The Government bears the burden of establishing what restitution amount may be ordered. Restitution may only be ordered for losses actually resulting from the offense of conviction. That's *United States versus West*, 6467 -- I'm sorry -- F.3d 745, 751, Tenth Circuit, 2011.

The Government bears the burden of proving the amount

of loss by a preponderance of the evidence. That's *United States versus Galloway*, 509 F.3d 1246, 1253, Tenth Circuit, 2007.

It bears that same burden regarding the subordinate question of what harms are properly included in the loss calculation, because they're the result of an offense. That's *United States versus Anthony*, 942 F.3d 955, 964, Tenth Circuit, 2019, citing *United States versus Wells*, 873 F.3d 1241, 1265, Tenth Circuit, 2017, quoting 18 USC Section 3664(e).

In light of the fact that the Government has not presented any additional evidence, and that amount is not contained in the third addendum to the presentence investigation report that is stipulated, the Court finds that the Government has failed to carry its burden of proof with respect to including the interest amount in the amount of restitution, and accordingly, the Court will not include that in its calculation of restitution.

In addition, for the same reasons, the Court will not include the amount of $15,000 of the EIDL advances as part of the restitution or the part of the amount of loss, for the same reason that there has been no additional evidence that has been presented by the Government, and the Court finds that the Government has not carried its burden of proof as to those amounts. In so ruling, the Court makes clear that it is not making a ruling that such amounts could not or should not be

included in the restitutionary amount, only that the Government, in failing to present any additional evidence, has failed to carry its burden. So, that objection is sustained.

Anything with respect -- anything in addition -- anything in addition with that category of objections?

MR. NEFF: Nothing for the Government.

MS. SUELAU: No, Your Honor.

THE COURT: Paragraphs 45, 48, 49, 57, 62, 64, 66, 67, and 110 pertain to Mr. Hallford's objections to certain factual statements contained in those paragraphs. The first addendum, which is docket entry number 74, indicates that the Govern -- or the probation office has made notes in the revised PSR as to Mr. Hallford's various objections to those paragraphs. Anything in addition that we need to address after the revision to the PSR, Ms. Suelau?

MS. SUELAU: Your Honor, we would just be asking for paragraph 67 to be struck for the reasons outlined in the objection.

THE COURT: Is it 67 or 68 in the revised PSR?

MS. SUELAU: One moment, Your Honor. It's paragraph 68 in docket entry 110. So, we're asking that be struck.

THE COURT: All right. What's the Government's position with respect to that?

MR. NEFF: No objection to that, Your Honor.

THE COURT: All right. So, the Court will sustain the

objection to paragraph 68 before the -- and we'll ask the probation office to take that paragraph out before the presentence investigation report is conveyed to the Bureau of Prisons. So, the objection to that is sustained.

With respect to Mr. Hallford's last objection to special conditions of supervised release number seven, I think that's most appropriately discussed and argued by counsel in the context of addressing what the appropriate sentence in this case would be. Any objections to that procedure, Counsel?

MR. NEFF: None.

MS. SUELAU: I'm sorry. In regard to special condition seven, I believe that has been amended.

THE COURT: Oh. I apologize. Let me look. It has. So, that has been resolved. Thank you, Ms. Suelau. All right.

Then I will note for the record that the Court accepts all undisputed portions of the presentence investigation report as its findings of fact with respect to sentencing. So, formally, the Court finds that no finding is necessary regarding the objections to the presentence investigation report, because the controverted matters have been addressed through the revision of the report, will not be taken into account in imposing sentence, or will not affect the sentence.

Neither the Government nor the defendant has challenged any other aspect of the presentence investigation report. Therefore, the remaining factual statements and guideline

applications are adopted as the Court's finding of fact concerning sentencing.

The Court will also grant the Government's motion for a one-level decrease based on United States sentencing guideline section 3E1.1(b) for acceptance of responsibility. That's docket entry number 78.

Based on the Court's resolution of the disputed issues and the granting of the Government's motion, it concludes that the total offense level is 28. Defendant's criminal history category is one, which results in an advisory guideline range of 78 to 97 months, one to three years of supervised release, a fine range of 25,000 to $250,000, and a special assessment of $100.

I guess I formally find that the loss amount pursuant to section 2B1.1(b)(1)(H) as calculated in the presentence report paragraph 84 is not applicable, because the Government has not established its burden of proof with respect to that loss amount, and therefore should also be amended before the presentence investigation report is conveyed to the Bureau of Prisons.

Any other rulings that counsel believes that I need to make before we move on?

MR. NEFF: I don't believe so. No, Your Honor.

MS. SUELAU: Not for Mr. Hallford, Your Honor.

THE COURT: All right. According to Federal Rule of

Criminal Procedure 32(i)(4), before imposing sentence the Court must provide the defendant's attorney, the defendant, and attorney for the Government an opportunity to speak, as well as giving the victims an opportunity to be reasonably heard. As I understand it, Mr. Neff, we have a number of victims who wish to be heard during this proceeding; is that right?

MR. NEFF: Yes, we do, Your Honor.

THE COURT: All right. And then, thank you. If you could silence your telephones, the Court would appreciate that. All right. So, what we will do is, Ms. Suelau, you will have the first opportunity to speak on your client's behalf as to the sentence that you believe is appropriate in this case. Then, Mr. Neff, you will have an opportunity to speak with respect to what the Government believes is appropriate. Now, then I would have the victims speak. Mr. Neff, it doesn't matter to me whether or not the victims go before you or go after you.

And then finally, Mr. Hallford, before the Court imposes any sentence, you will have an opportunity to address the Court, if you would like, but you have no obligation to speak. Does counsel have any thoughts with respect to the order of presentation today?

MR. NEFF: No, Your Honor. I would anticipate, just to let the Court know, after Ms. Suelau goes, having the victims speak, and then I would plan to speak afterwards, just for planning purposes for counsel and the Court.

THE COURT: That's fine. Ms. Suelau?

MS. SUELAU: May I confer with my client, Your Honor?

THE COURT: You may.

MS. SUELAU: That procedure is fine, Your Honor. Thank you.

THE COURT: All right. Ms. Suelau?

MS. SUELAU: Your Honor, in a recent letter from one of the victim families to this Court, that individual said that this sentencing -- Mr. Hallford's sentencing's today closes a chapter for that family, and that after that, we, quote, will reclaim our lives. Today begins the process of truly moving forward. And for whatever else is said or argued at this hearing, it's my and Mr. Hallford's hope that his acceptance of responsibility and his acknowledgment of fault here will in fact allow for that process -- that healing process to truly move forward.

Many of the victims in their letters wrote about Mr. Hallford's actions, that they interrupted or prolonged or aggravated their grief process in the loss of their loved ones, and clearly some of the grief over that loss has manifested, and fairly so, in anger against Mr. Hallford. And from the beginning, Mr. Hallford has understood and acknowledged that anger, acknowledged that grief, and taken whatever actions he has at his disposal to help with that grief process.

He knows he was wrong. He's admitted he was wrong. He

doesn't now or has not offered any excuse for his conduct. It is, however, my job and this Court's role to ensure that his conduct in this case is not sentenced solely on a place of grief and emotion, but in a manner that is consistent with the law. So, I want to start with addressing some of the Government's arguments raised in their response to my filing and my request for a sentence of 120 months, and that is our request today.

First, in regards to the role the state sentence has or doesn't have or should or shouldn't play or that this Court should or shouldn't give consideration, the Government encourages this Court to not, quote, abdicate its authority to the State for Mr. Hallford's treatment of the corpses involved in this case, and should suggest that somehow this Court's consideration of the fact of that case would be inconsistent with federal law. The Government goes on to say, the state court judge may or is likely to commit error in that Mr. Hallford could escape punishment altogether. That list of terrible hypotheticals is just not the reality here.

So, I want to back up and walk us through kind of the procedure of this case, which is that back in November 2023, Mr. Hallford was arrested and charged with 268 counts for money laundering, forgery, theft, and abuse of a corpse. Then the Government here charged Mr. Hallford with 15 counts of wire fraud. I will also remind this Court that prior to 2020, those abuse of the corpse charges were misdemeanor charges in

Colorado.

And when they were revised to be felony charges, the State of Colorado said, essentially, federal charges related to the fraud aspect of these types of cases are not enough. We want to have our own type of crime that addresses the harm done here. And then -- but by charging Mr. Hallford after those state charges here, the Government kind of implicitly said, there's other conduct here not covered by the state. And I agree, there is some conduct here not covered by the state, most notably the Small Business Administration fraud.

And I will point out that that -- the loss of the Small Business Association -- Administration, SBA, drives a lot of the guideline here. And without that loss, Mr. Hallford's guideline range would start at 51 months, but now the Government says that these cases are actually identical harm, and this Court should address the same harm as if the state prosecution doesn't exist.

But either this Court recognizes that there's two separate sovereigns prosecuting Mr. Hallford for identical conduct, and takes that into account as fairly called for by 5G1.3, or you say they're addressing different harms altogether. And the Government proposes that it's both, that the answer should be that this Court be blind to the fact of the state prosecution and Mr. Hallford's plea of guilt in that case, but also in Your Honor's sentence to capture the whole harm of both cases in this sentence.

First, I don't think this -- it's fair to engage in speculation about what will or will not happen in that case or presume that a judge in another jurisdiction would commit error. The reality is Mr. Hallford has pleaded guilty in that case. He is set to proceed to sentencing. The sentence that the parties have stipulated to is 20 years. Mr. Hallford's conduct in this case indicates that he is very unlikely to withdraw from that plea agreement or take another path. He has every intention of proceeding to sentencing in that case.

But in any case, this Court shouldn't substitute its own judgment for the State of Colorado, and instead should just assume that Mr. Hallford has been charged, justice will be effectuated in that Court in the way justice is designed to be effectuated, and that the fact of those charges and the fact of Mr. Hallford's plea in that case and his potential sentence in that case is relevant when fashioning a sentence here.

Now, I want to be clear, I agree that the treatment of corpses at the Penrose facility is relevant conduct here, and I'm not asking this Court to ignore it, but there's no world in which Mr. Hallford will escape punishment if Your Honor prioritizes the crime we're actually here for.

The point is that this Court has to consider we are asking for an above guideline sentence. The Government is asking for an above guideline sentence, and the question is what number is appropriate? And in fashioning that, this Court can't

and shouldn't ignore the charges in the state, and, you know, what the Government is inviting the Court to do would be by extension, for example, saying to this Court, you don't have the authority to order a state run -- a sentence to run consecutive or concurrent. We just ignore that that is a thing altogether.

But United States versus Stetzer -- or Setzer addressed this question in another way, and this Court's authority and consideration in another way by saying because in that case both Mr. Setzer and the Government argued that because district courts can't possibly know what might happen in an anticipated state sentence, then they might get their sentence wrong, essentially.

And the Tenth Circuit rejected that argument and said no, we entrust district courts to impose a sufficient but not greater than necessary sentence in consideration of state sentences, even when they're anticipated. And *Setzer* also addressed the kind of fear mongering by the Government about what the state will or will not do or may or may not mess up, and said in our American system of dual sovereignty, each sovereign, whether federal or state, is responsible for the administration of its own justice system.

And so in fashioning a sentence, Your Honor has to trust that -- consider that Mr. Hallford is facing those charges and trust that that sovereign will administer its own justice system, and instead focus here on the crime Mr. Hallford is

charged with and committed in violation of federal law, which is wire fraud.

I also want to address the Government's disparity -- their response to my disparity analysis. And it boils down to them essentially saying there's only one case this Court should consider for the purposes of disparity, and that's United States versus Hess, but in so doing, the Government is making a few explicit and implicit assertions that this Court should not follow. First, the Government's essentially saying that cases involving funeral homes and the mistreatment of corpses are the most egregious wire fraud, and so that all other sentences sentenced under 2B1.1 are less serious, and these fall into their own category.

But that requires this Court to make some moral and religious judgment about, you know, what conduct -- egregious conduct is or isn't worse than other egregious conduct. And I think the point of the cases I highlighted was to say there was harm done here. There was more than monetary harm done here, and how do Courts look at a fraud case when there's more than monetary harm done here? But I don't think it's fair to conclude this type of case is necessarily the most egregious of all wire fraud cases.

I will use a case called *United States versus Castaldi*, 743 F.3d 589, that's Seventh Circuit, 2014, as an example. And there the district court in Mr. Castaldi's sentencing for wire

fraud read out loud and summarized letters from victims about how he had deprived them of their life savings, college money for children, money saved for retirement, money for medical care, life insurance money, and one of his last victims described how he convinced her to take a 200,000-dollar mortgage out on her home and invest it with him. That money is lost. Her home is lost, and she's an elderly woman left destitute.

The cases I cited in my filing also implicate people's medical decisions, the targeting of elderly people on fixed incomes, elected officials who sold their power for influence in the United States jeopardizing security interests. Each of those cases, what's different about those is although we have that aggravated harm, each of those individuals also lived lavish lifestyles, by contrast to Mr. Hallford, who was living very much a middle class life, renting a three-bedroom home for his family in Colorado Springs.

But they were all living lavish and extravagant lifestyles, and many of those individuals refused to accept responsibility, and all of those individuals have a higher applicable guideline range, yet each of them received a sentence less than 180 months. So, I just don't think it's accurate to say the harm here is worse than all that harm. They both involve significant harm above and beyond what we typically think of for wire fraud, but this Court should reject the notion that this type of conduct is necessarily more harmful than that

other type of harm.

The second assumption the Government would like this Court to make is that the only marker this Court should consider is the Hess case, and says these cases were all but identical. As I noted in my filing, there are several significant differences with the Hess case: greater loss to victims and customers, the length of the scheme, and the secondary profit of the body-brokering business.

I know the Government said something along the lines of, you know, we don't know when Mr. Hallford would have ended this just because he was arrested, but we don't sentence people based on conduct they might have -- they might commit in the future or might have committed in the future but for the arrest. I mean, that's true of any case; right? We sentence for what people actually did, but the critical difference with the Hess case is the body-brokering aspect.

First, that is evidence of a more contrived scheme on behalf of Ms. Hess. In other words, she always knew that she would not return the remains to loved ones. She set up an organization for that purpose. She always knew she intended to sell those body parts for profit, versus Mr. Hallford, who did execute legitimate services for many customers, over 900 customers, and did not set up a funeral home for the purpose of engaging in another separate illegal activity.

He also did not profit twice from his business. And

not in small part, the Hesses' conduct eliminated any possibility that the victim families in those cases could eventually have their loved ones back and find closure. The bodies were simply gone. And Ms. Hess and Ms. Koch never faced any penalty in the State of Colorado. When they committed that conduct, it was misdemeanor conduct, and they were not charged. Mr. Hallford is facing the significant sentence in the State.

But finally, even if you say, okay, the Hess case is the only case, at her resentencing, Ms. Hess' applicable guideline range was 121 to 151 months. Therefore, her 240-month sentence, which was 89 months above that, was a 59 percent increase from the top of the applicable guideline range.

The Government's requested variance here, 83 months above 97 months, is an 86 percent increase above the top of the applicable guideline range. So, that would, I think, implicitly mean that Mr. Hallford's conduct was worse, and it deserves a greater increase. An 86 percent increase, as Your Honor knows, is extraordinary in cases -- you know, by comparison, in cases where an individual comes in, cooperates with the Government, testifies in front of a jury, at risk to themselves, their safety, their family, those individuals, the Government says get maybe up to at most a 30 percent decrease.

So, when we're looking at what percentage do we go above or below the guidelines, I think that's a good anchor for, okay, this is an extraordinary in the other direction, and

that's still only up to 30 percent. In reverse, we have 86 percent above the applicable guideline range?

But we also have a final problem with the Government's position that Hess should be this Court's only anchor, and that is that the Government presumes the sentence in Hess was reasonable, and says, essentially, notwithstanding the appeal, even if -- that only one data point should be considered reasonable, and that data point is Judge Arguello's judgment, and that this Court should do that -- rely on that, notwithstanding the appeal, not knowing the fullness of the 3553(a) factors considered in that case, and assuming -- saying yes, I agree, Judge Arguello's sentence that was 13 -- 13 years for Ms. Koch and 18 years for Ms. Hess, higher than the national average for fraud, is the appropriate anchor.

But the whole purpose of the sentencing guidelines was to bring some uniformity to sentencing to avoid that kind of wild disparity, and that's why guidelines are the benchmark and should be the benchmark in federal sentencing, or are the benchmark pursuant to the Supreme Court jurisprudence, not the judgment of one individual judge.

And so the Government's encouragement of this Court to ignore all the other data that Mr. Hallford has presented presents a problem. And what if for example in the future Mr. Hallford -- the Hess sentence and the Koch sentence are overturned? Then what happens with that singular data point?

The data that we actually have about fraud sentences tell us that someone with Mr. Hallford's criminal history category, with Mr. Hallford's offense level, renders most people at an average of 61 months. We're not asking for 61 months. We're recognizing the harm here. We're asking for twice that national average, but three times that average is greater than necessary.

Finally, in their response, the Government talks about how essentially, because Mr. Hallford has acknowledged that this case is outside the heartland of the traditional fraud case, then it must necessarily be 180 months. It's true, this is outside the heartland of a traditional fraud case, but that doesn't just mean once we're outside of the guidelines we're completely unreined or unbridled by any consideration of them or any consideration of similar conduct. It's just saying, this is an aggravated case as compared to the average case.

Again, the average is 61 months. So, the guidelines, which have repeatedly been found to already be inflated, put us at a top of 97 months, and we're saying 23 months above that is the appropriate mark. The Government is saying nine years above that is the appropriate mark. That's greater than necessary.

I just want to briefly address Mr. Hallford's history and characteristics, because for whatever else the victim families may think about Mr. Hallford, and fairly so, that's -- this case is not the whole of who he is or the whole of his

history and characteristics. He is also a father who will not see his children meet many milestones such as graduations, weddings, things of that nature. He is a husband who will not see his wife for a decade or more. He is a son who received news yesterday that his father is likely to die in the next few days of Alzheimer's, and he will not be there for that death or to comfort his mother or anything like that.

He will likely miss also the death of his mother in the next ten years. He's a brother. He's a friend, and he is beloved by people. And no matter how heinous this conduct was, those are still relevant considerations for Your Honor when imposing a sentence.

I think it's also relevant to consider that Mr. Hallford has been publicly shamed, ridiculed, and disgraced. He's lost his career. He's lost his reputation. People have made life-sized voodoo dolls in his likeness. There's documentarians and podcasters and newscasters who all think they know him and are talking about how evil he is. That is what he is going to be living with, that consequence as well.

And he certainly did reprehensible things. He acknowledges that. But he did not start Return to Nature, this business, with the purpose or the intention of doing those reprehensible things. He made some awful decisions over the course of four years, but he's still a human being. And he's still a human being who spent the first 40 years of his life

living a law abiding life, being a husband, a father, a son, all of those things.

But he will spend whatever sentence Your Honor imposes, the rest of his life defined by this four-year period. So, the question is in addition to this 20-year state sentence, how long does Mr. Hallford need to spend in federal prison? And it's our position that 120 months properly reflects all those things and finally reflects the fact that he has accepted responsibility here.

He's not eschewed blame. He's not pointing fingers. He's not minimizing. He's contrite. He's accepting from the beginning. He has been consistent in his message to me, which is, I don't want to do any more harm here. I want to accept responsibility. I know I was wrong.

He read every single letter submitted to this Court from the victims. He knows the harm he's caused. He's intimately familiar. He knows everything they think about him, and he accepts all of that. That's even more remarkable in light of the fact that he was essentially told, you could be facing five years more than you initially thought when you entered the plea of guilt, and he still said, that's okay. I don't want to re-victimize these families.

He's accepted everything that has come his way, and he gets it. So, in light of that, 120 months reflects all of those things and is the appropriate but not greater than necessary

sentence in this case.

We're also asking Your Honor to recommend designation at either El Reno FCI or Texarkana. Those facilities are within driving distance from his family, and they also offer UNICOR and other rehabilitative programming.

Unless Your Honor has any questions, I have nothing further.

THE COURT: Thank you, Ms. Suelau. All right. Mr. Neff, I have a list of individuals who would like to be heard. Will you just be calling them one by one?

MR. NEFF: Yes. If I could, Your Honor? I would note for the Court there has been some modification. There were a handful of people who could not travel here or be here, so we may have to strike a couple names. I also would like to note there were two additional people who did show up and are asking to be heard. I would ask leave of the Court to include them. I just received notice basically yesterday, one this morning, but we are dropping three, and I'm asking essentially to add two, I think is what it will be.

THE COURT: That's fine.

MR. NEFF: Okay. With that said, Your Honor, if I could -- if I could call the first victim who would like to speak? And that would be Crystina Page. Ms. Page, if you could come up here, please. Thank you.

THE COURT: All right. For all of the victims who

would like to be heard, it would be helpful when you come to the podium after Mr. Neff states your name for you to state your name and spell it so our court reporter can accurately record it.

MS. PAGE: Give me ten seconds, please, Your Honor. Good morning, Your Honor. Thank you again for hearing us. We appreciate it. My name is Crystina Page, and I stand before you today not just as a grieving mother, but as one voice among thousands forever altered by the actions of Return to Nature Funeral Home.

THE COURT: Okay. Ms. Page, I'm going to stop you. Just say your name, and spell it for our court reporter.

MS. PAGE: I'm sorry. Crystina Page. C-R-Y-S-T-I-N-A, P-A-G-E.

THE COURT: Thank you, Ms. Page. Go ahead.

MS. PAGE: Thank you. I stand before you today not just as a grieving mother, but as one voice among thousands forever altered by the actions of Return to Nature Funeral Home. What happened here is more than fraud. It's desecration, it's trauma, and it is a betrayal so deep that no sentence will ever fully balance the scales.

I speak today not only for my son, David Jaxon Page, but for every person whose final moments were denied dignity and for every family whose grief was manipulated and multiplied. The numbers are staggering, but the numbers alone don't show the

weight of what was done. So, I offer a visual, and I'm asking Beth, who is a co-victim and now friend, to step forward and help me with this very quickly.

This is 191 beads that represent the 191 that were found in the building, but the 191 found were only the bodies. In addition to those 191 bodies, there are thousands of people who have been affected by the finding of those. And unfortunately, the 191 found were not the only affected. The number we've been given is 1,178 clients of Jon Hallford's. That means there's roughly 987 people still not represented in the system.

(Pause in the proceedings.)

MS. PAGE: And along with those 987 are the thousands of people affected by those bodies who were not accounted for.

Is wasn't just the 191 that were left in that building. This is a community forever changed. It wasn't just 191 people affected. Every single person who loved my son, who loved my friend's children, brothers, sisters, mothers, fathers, grandparents, grandchildren, and cousins, our community will forever be changed by the actions of Jon Hallford, and there is no sentence that could possibly be enough. Thank you again, Your Honor, for hearing us.

THE COURT: Thank you, Ms. Page.

MR. NEFF: Your Honor, at this time the Government would ask that Cori Cusack-Sperry please step forward.

THE COURT: So, before you start, your name and the spelling, please.

MS. CUSACK-SPERRY: Thank you, Your Honor. My name is Cori Cusack-Sperry. C-O-R-I, C-U-S-A-C-K, S-P-E-R-R-Y. My mother was Barbara Jean Cusack. She died on November 21st, 2019. Her body was among the first to be dumped at the Penrose building. She was there for nearly four years. It's difficult to quantify the amount of generational trauma inflicted by the intentional negligence perpetrated by Jon Hallford. My mother was my best friend. We did everything we could to honor her final wishes, only to discover that Jon Hallford desecrated her remains and destroyed all of our good intentions.

Although I felt extreme grief and anger, I could not focus on myself, because my son, who adored his grandmother, quickly spiraled into deep depression. It was only after spending thousands of dollars on a hospital visit, therapy, and counseling, and ultimately an emotional support dog that my son finally began to heal from his anger and sadness. Everyone in my family was deeply traumatized by this situation. I believe the longest jail time possible is warranted for Jon Hallford due to his callous and thoughtless treatment of all of our beloved family members who entrusted him.

Rather than treating the deceased with care and consideration, he was discarding their bodies like trash, and then using the funds intended to properly lay them to rest for

his own personal enjoyment and enrichment. When the investigation first began, he lied to law enforcement officers and then fled. At no time since his arrest has he publicly shown an ounce of remorse or regret, nor has he ever attempted to help families as they desperately tried to find out where their loved ones' bodies were left.

At what point has he showed contrition? Where has he made amends? I personally think he should be locked up for the rest of list life. Your Honor, please do not give Jon Hallford any special treatment or consideration. He deserves the same lack of consideration and indifference that he showed to the hundreds of families that he victimized.

THE COURT: Thank you, Ms. Cusack-Sperry.

MR. NEFF: Your Honor, I believe in addition there will be -- the Government would like to call Colton Sperry, who I believe is the son of Ms. Cusack-Sperry.

THE COURT: Colton, if you can say your name, and spell your name.

MR. SPERRY: Hello, Your Honor. My name is Colton Sperry. C-O-L-T-O-N, S-P-E-R-R-Y. My grandma was Barbara Jean Cusack. She died on November 21st, 2019. My grandma was like a second mom to me. We were so close, and I loved her so much. When I found out that Jon Hallford left her body in that building for years, I became very angry, sad, and depressed. It got worse after I decided to go to a witness cremation, because

I wanted to make sure they were doing what they told us they would do with her body this time.

I felt like my grandma died for a second time, but this time it was so much more worse, because she was treated so badly. I miss my grandma so much, and I felt so sad for her that I told my mom if I died too, I could be with my grandma in Heaven and talk to her again. I lost trust in everyone and cried almost every day. My mom and dad were so worried about me that they took me to a hospital for a mental health check.

The physiologist at the hospital recommended that our family got counseling through Judi's House to help me in my grief. I went to counseling for several months, but didn't get really any help that helped me. My parents ended up spending several thousand dollars on an emotional support dog for me. This dog, my dog Twinky is the only thing that actually helps me feel better when I am sad or mad about what happened to my grandma.

Please give Jon Hallford the longest sentence possible, because he hurt hundreds of people. He could have used that money to do the right thing, but he didn't care about any of the victims nor their families. He chose to leave those bodies in that building and rot to spend the money on himself. Jon Hallford deserves the full sentence.

THE COURT: Thank you.

MR. NEFF: At this time, the Government would also

ask, is there a Derrick Johnson here who would like to make a statement?

MR. JOHNSON: Hello, Your Honor. My name is Derrick Johnson. D-E-R-R-I-C-K, J-O-H-N-S-O-N. In one of the most grotesque discoveries in modern American funeral history, 191 human bodies were left to rot in filth, stacked, decaying, melting into one another in a building that became a tomb of lies.

My mother, Ellen Lopes, was one of them. She was not treated as a human being. She was treated as waste. They all were. As I said, my name is Derrick Johnson, and I've traveled over 3,000 miles to be able to come here and give this impact statement of how this affected me, my family, the community. I'm a teacher, a coach, a husband, a father, and a son, the only child of Ellen Lopes, whom we entrusted her final moments to the care of a business that pretended to honor the dead while instead desecrating them in ways that words fail to even capture.

My mother was a pillar in Southern Colorado Springs, a surrogate mother to many, a woman who would literally give her last to anyone that had less, a traveler, a giver, a soul so magnetic she built a family that spanned the globe. Even more so through social media. She was surrounded by love when she died on February 12th of 2023 in hospice.

We did everything right. We made plans to honor her

last wishes to be cremated and have her ashes spread on Maui so that she could watch over her only son and her grandchildren. We paid for a cremation, and we trusted Return to Nature to honor her wishes. We took the fake ashes that they gave me, which was really concrete powder, and we had a funeral. We planted a tree with that underneath it. All of that means nothing now. There's no closure to anyone that knew her. I don't even think that's possible. It's just a tree of lies now.

Within 30 minutes of her passing, Return to Nature arrived and took her away. That was the last time that she was treated with any dignity. From there she was driven to the Penrose House of Horrors and rolled out like freight, discarded, and thrown into a festering sea of death.

To this day, I lie awake at night wondering, was she naked? Was she stacked on top of others like lumber? Was she at the bottom, crushed by the weight of strangers in a similar betrayal? Did she rot in silence with her soul hovering above in disbelief? I torment myself with visions of her decomposing, skin sloughing off, and liquid seeping into the floor, rats and maggots feasting. That house was literally hell.

These conditions meant nothing to the demented mind of Jon, to the point that he could order burgers covered in decomposition fluid. I also wonder, if he could think of food in a time like that, what else could he stomach? This nightmare was not a mistake. It was calculated. Jon and his wife, Carie,

made this their lifestyle, executing their sick plan again and again and again, a minimum of 191 times.

And while the bodies rotted in secret, they lived, they laughed, and they dined. They traveled. They bought luxury vehicles, shopped in Vegas. My mom's cremation money likely helped pay for a cocktail, a day at the spa, a first class flight. They didn't use money for refrigeration, burials, or dignity. They used it to feed their appetite.

Even when handed a lifeline, COVID relief funds, they didn't even stop. They didn't try to make things right. They doubled down on the selfishness. Not once did they or have they shown reason or remorse, and their lack of these things is almost as disturbing as the crime itself. Not once did they pause to consider the human cost. I wonder if they prayed for forgiveness even once, or did they only pray for more victims as their cash ran low?

The fact that they enjoyed what they were getting out of it to such a high degree that they wouldn't stop themselves makes them sadistic, truly. What they did wasn't just illegal. It was inhuman, and it was soul-killing.

My trust in people has been shattered. I walk around with paranoia now, thinking everyone has a secret. I needed therapy, spiritual counseling, and medication, and still the nightmares follow me. I can't even enjoy movies, music. Even a Disneyland ride with my children, Pirates of the Caribbean, with

skeletons laying around everywhere, brought me to tears. Hear that again. A mental breakdown in the happiest place on earth. Everything reminds me of the grotesque truth. October is unbearable because of Halloween. Decorations make me nauseous.

The only dream I've had of my mother since her passing came the day they demolished that building. She waved to me, maybe good-bye, maybe hello, but since then only darkness.

This experience has ruined so much of who I was. I am not the same father, husband, or teacher that I was before. I'm haunted. We all are. And the saddest part is that this didn't have to happen. Jon and Carie chose this path. They chose it daily, and they monetized grief and made a mockery of death.

According to the Cambridge dictionary, "ruthless" means not thinking or worrying about any pain caused to others. That word is not strong enough for what they are, but it fits. They were in a position of trust with our loved ones, and with families at their most vulnerable, and they desecrated both of them, one physically, and one mentally.

If justice means anything, if fairness still matters, then for the 191 lives stolen from peace in that building, for the hundreds of unknown victims, and for the thousands of families that have been plunged into this trauma, for the total absence of humanity in their actions, I ask the Court to impose the maximum sentence possible. Please let this be a reminder and a statement of the future that death should be sacred, and

those that violate that trust deserve no leniency. Thank you.

THE COURT: Thank you, Mr. Johnson.

MR. NEFF: Cecilia Converse. Is Ms. Converse here?

MS. CONVERSE: Cecilia Converse. C-E-C-I-L-I-A, Converse, C-O-N-V-E-R-S-E. I don't have a speech, and everyone has so eloquently explained the way all of us have felt. I took my daughter, Amber Nichol Haines. I trusted this business. I was supposed to hear back in three days if I was even able to make the decision to have her cremated or not, and then of course she would have to go to Denver. And three days later, I called, and she was already ready. So, instantly, I knew something was off. And I -- obviously it's not something you would ever even imagine that someone could do something like that, take my beautiful child and just throw her in a pile.

And like he said, when you have thoughts of how many people were on top of her? Was she in a bag? I mean, just -- it's just vile and disgusting, and I just want to make sure that this individual gets at least 20 years. I think that would be the minimum. Thank you.

THE COURT: Thank you, Ms. Converse.

MR. NEFF: Ms. Beth Gannon. Is Ms. Gannon here?

MS. GANNON: Thank you, Your Honor. My name is Elizabeth Gannon. E-L-I-Z-A-B-E-T-H, G-A-N-N-O-N. Your Honor, thank you for allowing me to share my personal statement today. Again, my name is Elizabeth Gannon. My father's name is Edward

Peter Lynch. My mother's name is Darlene Christy Lynch. In addition to the obvious grief and heartbreak, I have tried to come to terms with the abhorrence I feel knowing that approximately 200 bodies were tossed without any empathy for the grieving loved ones and the family members. There was no compassion shown towards each of the sacred bodies that were once living and breathing human beings, and very loved people.

One of the most difficult feelings that I personally cannot get past is the overwhelming feeling of shame and guilt, because it was my choice to choose Return to Nature. I personally feel this overwhelming shame and guilt because as I said, it was my decision and my decision alone to use the services of Return to Nature for both of my parents. My mom and dad did not make that choice before they passed. They didn't choose Return to Nature. I chose Return to Nature. No other family member made this decision. Nobody else was involved. It was me alone. It is my poor decision that caused this to happen to my parents. Simply myself.

When I initially learned of this heartbreaking situation, I chose only to share the information with my husband and no one else due to this, again, overwhelming guilt that I feel of such a poor decision that I have made. I didn't even tell my two grown sons about what had happened to their grandparents. And it wasn't until later, when Alisha from the FBI convinced me that I should do so, because sooner or later

they would figure it out, and they should really hear it from me.

To this day, this very day, I still have not told my sister what has happened. She lives out of state. She has no idea what happened to our parents to this day.

Although I have a wide network of family and friends, I have only told a small handful, possibly ten, that's it, that I am personally affected by this case. Of those small hand -- that small handful of people, each one of them has told me that I shouldn't feel guilty. I did nothing wrong. That it's Jon Hallford that did everything wrong. He should feel guilty.

But I have to say, my feelings are my feelings. My feelings are the same today two years later as they were on day one when I heard about this. My feelings don't change based on what somebody says to me. My feelings are deep in my heart, and they will not change.

Jon Hallford took nearly $900,000 of government funds meant to help provide a much needed service following the difficult COVID period, but it turns out he was not providing a compassionate, reliable service. He stole money from grieving customers as well as the federal government to use for a selfish luxury lifestyle. He did this willfully and knowingly.

The horrific actions he engaged in has sentenced me to a lifelong impact of guilt and mistrust. Since I have to suffer this sentence, it is only appropriate that Jon Hallford must

also suffer a lifelong sentence. With all this being said, despite the incredible weight that I care for allowing myself to get involved and trust the people at Return to Nature, I refuse to let Jon Hallford's action take over my life. I will continue to live a very fulfilled life with my husband, my children, and my grandchildren. This, Your Honor, Jon Hallford cannot take away from me. Thank you.

THE COURT: Thank you, Ms. Gannon.

MR. NEFF: Is Ms. Tanya Wilson here?

MS. WILSON: Good morning, Your Honor. My name is Tanya Wilson. T-A-N-Y-A, Wilson, W-I-L-S-O-N. Excuse me for a second. Thank you for allowing me to speak before the Court today. I stand here on behalf of my mother, Yong Anderson, who was one of the family members discovered in the Return to Nature Funeral Home. I'm also going to apologize up front, because it seems like I have a lot to say.

For the past 20 months, I've had to sit in this anger and in this unimaginable grief, trying to process this whole nightmare. There are a million words, but none seem big enough to accurately describe this in a way where anyone who wasn't a victim could possibly understand.

My mother was the strongest woman I know. She was the heart of our family. She came to this country and worked three jobs at any given time to support her children. She was tough and stubborn. She was practical, the kind of woman who didn't

waste time complaining, because she didn't have that luxury. But she loved us fiercely, and she loved her grandchildren with that same no-nonsense devotion. She hid away the scars from her life and sacrificed for us to give us the life that she didn't have.

So my mom deserved peace in death. She deserved dignity. She deserved so much more than to be dumped into a building left to rot, and she deserves for Jon Hallford to spend the rest of his life in prison for it. I remember very clearly the day my mother died. My brother and I were with her and held her hands as she took her last breath. In our culture, the way a person is treated after death is important. My brother and I took this role very seriously, and we did our very best to honor those traditions, to show her our love and our gratitude for everything that she had done for us in life.

We bathed her. We brushed her hair. We put her favorite moisturizer on her face. We dressed her in a traditional hanbok, but we added big soft socks, because her feet were always cold. We left her gold bracelet on her wrist, the one that she had worn since I was a child. And we tied a norigae to her honbak for luck on her journey, white to symbolize our grief.

My mom wanted her ashes to be released in the ocean in Hawaii, so my brother and I, along with family and friends, flew to Hawaii. We chartered a boat, and we sailed off the coast of

Diamond Head as the sun was setting. We released her into the water while the gentle waves carried her away. It was beautiful, and it was perfect, and my mom would have loved it. So, we honored our culture. We honored her wishes.

We honored her, and then we made the mistake of trusting Jon and Carie Hallford to do the same. And now I'm left horrified that it was all just a sick, twisted, and cruel lie.

They came into my brother's house the day my mother died. They talked about sending her with the blanket that I had made for her years ago. They said they preferred to use something personal to wrap her up in, something from home. We thought they were being thoughtful, but looking back, I now know they were just saving themselves a body bag.

They also knew of our plans to release her ashes in Hawaii, a place that meant something to her, and still, still they looked us in the eye with a smile on their face, handed us a bag of concrete, promising us that they took good care of my mother. What kind of monsters do you have to be to do something like that?

Your Honor, I know we are here for wire fraud, but the fraud went far deeper than their financial crimes. The fraud was just the vehicle that allowed them to keep deceiving families, to keep hiding bodies, to keep turning death into profit. So, the name of the charge may be wire fraud, but the

impact is so much more. Every morning for over a four-year period, the Hallfords woke up and made the calculated decision to betray grieving families like mine. They didn't even attempt to rectify a fraction of the devastation they caused when they spent the pandemic money on themselves.

And now, I can't even walk in a Home Depot anymore without feeling like throwing up every time I see those plastic storage totes they used to store the bodies in, of babies in. I can't even look at pictures of my mother anymore without my thoughts being dragged back to Penrose, back to those mental images of the stacked bodies and the odors.

Like Derrick said, I stay awake at night wondering, which room was my mom in? Was she on the floor? Was she on one of the tables? Did she have other bodies stacked on top of her, or was she the one that Jon Hallford shoved off the gurney into inches of toxic fluids just so he could roll in the next loved one to be lost and forgotten?

And I can't find that shelf in my mind or in my soul where all of those thoughts and feelings belong. There's no place to set it down, because it consumes me, my thoughts, my memories, and my dreams. Jon and Carie Hallford didn't just break the law. They shattered lives. They devastated thousands of families. Nearly 1,200 families entrusted their loved ones to them.

So, just imagine if the ashes that held a sacred spot

in your home for years that you whispered your grief to may not be your person, and that you will never know for certain. Imagine not knowing if your loved one who was buried is actually in that grave that you stood over and cried over. The Hallfords' greed and callousness has destroyed the trust of an entire community who now looks at the entire industry with suspicion.

I read their character letters from his mother, his son, his friends, and they would like for you to see a good man, a caring father, a remorseful son. They say he's taken accountabilities by pleading guilty, that he can be rehabilitated. But this isn't about his future. This is about justice for the victims. Admitting guilt after being caught isn't accountability. Trying to flee the state after the discovery of your crimes isn't accountability.

What defines a person isn't all the good things -- good deeds that everyone can see. It's what you do behind everybody's back when you think no one is looking that reflects who you truly are, and Jon Hallford has shown us who he truly is. He placed his greed over his own family over our families, and he knew the consequences of his actions. He even stated it in one of his own texts about going to prison when he wasn't joking about getting people juice on him right before he orders lunch.

He chose to abandon his family, so it will be his fault

that he won't be there when his parents pass away or when his son gets married. He made those decisions. He chose to abandon his family when he chose to lie to grieving families and stuff bodies into rooms to rot while handing out bags of concrete.

But what stood out to me the most in one of the letters was the claim that he didn't kill anyone, that he didn't physically harm anyone, so that somehow justifies a lighter sentence. But I will tell you that I wish he had physically harmed me instead, because physical wounds can be healed, but what he did, what they did, that can't be healed. And yes, it's true he didn't kill my mother, but he did annihilate her dignity.

The bracelet that I mentioned, her favorite one that she wore my entire life, the white norigae that we attached to her honbak for luck, those were returned to us after her body was discovered, and they were given to us in a red plastic bag that had "biohazard" written across it. So, I have to ask, in what world is it okay for a son to have to clean his own mother's decomposing flesh out of the links of her bracelet? Because that's what my brother had to do.

The norigae discolored, disintegrated, saturated with toxic fluids from my mother's decomposing body and possibly the bodies of others that surrounded her, we don't know. So, is that all somehow acceptable simply because he didn't kill her, and simply because the charge today is wire fraud?

Up until that moment I think I was clinging to some kind of protective denial, some version of this nightmare that I could emotionally survive. I heard the words "decomposing" and "rotting" and "bug infested," and I read the affidavits and saw the news reports, but nothing, nothing prepares you for the moment when you're handed the evidence of that horror, and in a red plastic biohazard bag.

Seeing all those abstract words suddenly become a reality broke something in me, and I will never be whole again. Grief is supposed to be normal. It's a part of the life cycle. It's natural and expected and something that we'll all experience at some point. But this, this isn't normal. The Hallfords took our grief and our mourning, and they twisted it into something so horrific that I feel like I'm in a walking nightmare, and I can't wake up from it.

Your Honor, I'm begging for the maximum sentence possible. Twenty years isn't enough. They preyed on the vulnerable not once, not by accident. This wasn't a mistake. Please help send a message to us, to the community, to others who are even thinking about exploiting a family's grief, that the dignity of the dead and the peace of the families that are left behind are still worth protecting, and they will not go without punishment. Thank you.

THE COURT: Thank you, Ms. Wilson.

MR. NEFF: Just for planning purpose, Your Honor, I

want to let the Court know that I believe I have approximately four more people. I don't know what time the Court will want to take its break. I can continue.

THE COURT: Why don't we get through all the victims, and then we will take a quick break.

MR. NEFF: Yes, Your Honor. Ms. Lisa Ostly. Is Ms. Ostly here?

MS. OSTLY: Hello. My name is Elisabeth Ostly. It's spelled E-L-I-S-A-B-E-T-H, O-S-T-L-Y. Your Honor, my name is Elisabeth Ostly, and I stand before you as a bereaved daughter, and as a member of the countless families whose loved ones were dishonored by the abhorrent actions committed by Jon Hallford. While his federal offenses may appear to be merely victimless, white collar crimes, the actual gravity cannot be overstated, for its impact is deep, and its wound on our souls can never heal.

Jon committed wire fraud and spent his ill-gotten gains on personal items like luxury cars, vacations, jewelry, and cosmetic surgeries. Jon gave nearly 200 families urns of powdered concrete instead of their committed remains. Jon maintained the fraud for years by covering doors and windows of the Penrose building, fabricating false death certificates, and lying to federal -- to funeral providers, regulatory bodies, and families.

Jon stole our money instead of using those payments to

cremate our loved ones, instead of choosing to let our loved ones decay all together in that doomed building in Penrose. These acts are not mere negligence. They represent prolonged intentional deceit over years, betraying vulnerable people at their most fragile moments.

The desecration of my father's remains has shattered the sanctity of his final farewell, leaving my family and me in a perpetual state of disbelief and sorrow. The knowledge that my father, Bruce Ostly, who lived his life with dignity and compassion, was denied his last wish to be returned to the Earth with respect, has been an agonizing burden we will forever bear.

The pattern of egregious misconduct in both the handling of deceased individuals and the exploitation of pandemic relief funds represents a profound moral and legal breach. Jon Hallford should be sentenced to the maximum allowable under federal law, not only to reflect the severity of his crimes, but also to ensure justice is served for victims, deter others from similar violations, and hold trust in institutions designed to protect the living and honor the dead. Thank you.

THE COURT: Thank you, Ms. Ostly.

MR. NEFF: Is Ms. Krista Johnsen here?

MS. JOHNSEN: My name is Krista Johnsen. K-R-I-S-T-A, J-O-H-N-S-E-N. I had another nightmare last night, a nightmare of having everything stolen. I am the daughter of Dale Marion

Johnsen. She lived to almost 90 years old. She and my dad were married just shy of 50 years. And since my dad served in the U.S. Army during the Korean War, and he predeceased my mom by almost 20 years, he was buried at the National Veterans Cemetery in Dayton, Ohio, with all due military honors. When my mom died in October of 2020, we used Return to Nature as a funeral home to cremate her body and to send those cremains to the Dayton National Cemetery.

Because of COVID, we decided to wait until the next year to have her cremains shipped to Dayton to be buried alongside my dad. And we left them, her supposed cremains, with Return to Nature during that time. That's what the Hallfords led us to believe. It's not what happened. Like others here, the Hallfords left my mom's body to rot in an un-air-conditioned room for several years. They shipped something, not my mom's cremains, from Colorado, and they even charged us extra for the shipping to the National Cemetery in Dayton.

I flew there and buried who knows what alongside my father on the sacred grounds of the military cemetery. And that cement or cat litter or whatever it was was buried with my dad in a hallowed military cemetery for several years.

In October of '23, I got a call from the FBI that my mom's body had been identified in the building with the other Return to Nature Funeral Home scandal bodies. I was filled with shock and anger and sadness and horror that I had failed my mom

when I hired Return to Nature to care for her remains. I had not conceived of a world where swindlers would prey on people with their recently departed loved ones, much less that this would happen to me and my family.

My mom was my best friend. When we moved out to Colorado six years ago from Illinois, my husband and I bought a house that had an unfinished basement, and we built a fully handicapped accessible apartment for her so that she could age in place and be close, and I could take care of her as her health declined.

Taking care of her at the end of her life was an honor. She was a brilliant woman who had a difficult life. Among other things, she had an accident in college, and part of her spine was fused together, but that didn't stop her. She was a teacher her whole life, but she taught four- to five-year-olds how to read and write in a couple of different schools for many years. She loved to problem solve, to read, and to travel. She loved learning about health and nutrition. She loved public television and murder mysteries like Agatha Christie novels. Her lifelong mantra was to leave a place better than how she found it, and even in her 80s she was on an accessibility committee of a board of the Brookfield Public Library in Illinois.

She grew up in Chicago, Iowa, and Ohio. She graduated from Northwestern University with an education degree before

this was a common thing to do. She studied abroad in France in the 1950s, and became fluent in French. She made sure all of her kids lived abroad and were fluent in another language, and we went to some of the finest universities in the nation. I feel such a sense of shame around what happened, even though logically I know it is not my fault. I was tricked, and I feel angry about that. My mom did so much for me throughout her life, and I feel like I failed her in this final act of getting her properly buried with my dad.

There's also another layer to this, which is that a friend of mine, Elizabeth Gannon, already testified, and that is -- I referred her after my parents -- my mom died, I referred her to Return to Nature. And I know she said in her testimony that the decision was completely hers, and she doesn't in any way try to make me feel guilty about having made this referral, I still feel what I feel.

This crime made me pay thousands of dollars for her supposed cremation. I had to fly to Dayton and rebury my mom's ashes at my dad's gravesite. I also had to take days away from my job going to -- I've been going to some therapy around this, because some of the things the injuries -- because they are mental, they're more long lasting.

Like others, I'm a changed person. I'm much less positive than I used to be. I'm less trusting, and I view the world through a distrustful lens. I recently interviewed a

person to be a dog sitter, house sitter, and I just couldn't hire someone, because of the trust issues.

As I'm the founder and sole proprietor of a nonprofit organization, and I have faced challenges in development of that organization stemming from this, what happened with the Hallfords. I have managed to maintain essential operations, but I have not advanced the organization as I had originally planned.

There is something so sacred about end-of-life rituals. Every culture has them. Even some animals, like elephants have them. My mom's dead body being so horrifically treated for several years feels like such an awful end to such a wonderful life, and peace of mind around this has been taken from me forever. She did not deserve this ultimate abuse of her corpse, and I am left dealing with the aftermath.

My life has been indelibly altered, and not for the good. And I am working through the healing process. I respectfully request more than the maximum sentence for Jon Hallford. He does not deserve leniency, just as my mom's body, my parents' gravesite, and the Dayton Military Cemetery did not deserve to be desecrated.

THE COURT: Thank you, Ms. Johnsen.

MR. NEFF: If we could call Kailynn Page, please.

MS. PAGE: Hello. My name is Kailynn Page. K-A-I-L-Y-N-N, P-A-G-E. I'm not a good public speaker, so bear

with me.

THE COURT: It's all right, Ms. Page.

MS. PAGE: Your Honor, members of the court, and everyone listening, my name is Kai. My big brother, David, was one of the individuals involved in this case, and his body was left on the floor of Return to Nature for a whole four years. My brother's decomposing body was stacked on top of others, thrown into a pile, left like trash, a burden to be dealt with later.

I remember David with a smile on his face. He brought joy to those who knew him, to me. This tragedy has affected my entire family, along with hundreds of others. I stand here today for our little brother, Cisco; our dads; grandma; and every member of David's family. All of us were profoundly affected because we loved David deeply, and believe his body deserved dignity even in death.

The shock of discovering that his body was mistreated for so long and that the ashes we were given weren't even his has been devastating beyond words. The betrayal is something no family should ever have to experience, and it is a wound that can never fully heal.

Jon Hallford, I am disgusted by your actions. I am disgusted by who you have shown yourself to be. You treated human beings, people who were loved deeply, as if they were trash to be hidden away and forgotten. You made a choice day

after day to keep doing it. You lived with the smell, the sight, and the horror of what you caused, and you did nothing. You could have stopped at any point, and you didn't.

You disgust me because you were comfortable in that filth and in that cruelty. You disgust me because you didn't even have enough decency to pretend to care, even now that you've been caught. We don't even see your face. I don't believe you truly feel the weight of what you've done. You only feel the weight of finally facing consequences, and I'm not sure if you even care based on past text messages and your actions as a whole. Everything you and your partner did shows you did it all for your own selfish reasons. You didn't have value for our loved ones, and that I will never understand. You have been a stain on what it means to be human.

I want the Court and everyone here to understand that this wasn't an accident. This was deliberate. You acted out of selfishness and cowardice, not desperation. You made the conscious choice to betray hundreds of families and the conscious choice to desecrate the people we loved and still love.

You even considered getting rid of my brother and others in a giant hole like some vile soup. Who thinks that they could go through with that? You would have if you could have, and it makes me sick. Instead of never letting this happen in the first place, you went on far -- for at least four

years worrying about how to cover it up and save yourselves. Make money and strive, no matter the cost.

You couldn't even have respect for yourselves. Where was your moral compass? I do find peace knowing that in this life or the next, you will face justice for what you've done. I can't say I know what you deserve. I don't. But no sentence could ever undo what you did. No apology can undo this, and nothing will give David or any of the other victims the dignity you stole from them.

But I hope you live every single day of your life thinking of how utterly vile your actions were, and how you will be remembered not for anything good, but for the horrific harm you chose to cause. We will never forget, and neither will you. I wish I knew there was something in you that truly felt bad. I will never know, even if you say it, but you did that to yourself.

To the families of the other victims, to those who still don't know if their loved ones were involved in this case, and to everyone affected, whether you had to see it, hear about it, live through it, or are still waiting in the dark, I am so deeply sorry for what you've gone through. You didn't deserve this, and none of us did. I stand here today not only for my brother David, but for all of you as well.

Thank you, Your Honor, and thank you to everyone here today for giving me the chance to speak for my brother and for

all of us who have been forever changed by this tragedy, and good-bye, Jon.

MR. NEFF: Samantha Naranjo? Is Ms. Naranjo here?

MS. NARANJO: Good morning, Judge Wang.

THE COURT: Good morning.

MS. NARANJO: Thank you for allowing me to speak today. My name is Samantha, S-A-M-A-N-T-H-A. My last name is Naranjo, N-A-R-A-N-J-O. My grandmother Dorothy Tardif was one of the 189 bodies found inside Return to Nature building in Penrose, Colorado. I stand in front of you today due to the actions done by Jon Hallford and his wife, Carie Hallford.

Today, you have the daunting task of sentencing Jon Hallford for his crimes in regard to -- sorry -- in regards to conspiracy to commit wire fraud. As we all know, this crime is because of another crime in state court, a horrendous and inhumane nightmare that my family and I will always be haunted by.

Because of the crimes this couple committed, we were given Quikrete mixed with unknown remains. We thought it was my grandmother and mixed them with her husband and her son, who passed prior to her. I will forever be carrying around someone's loved one that I can never identify. I had to cremate my grandmother. I, as her grandchild, even though she has five children, one year and two months after she passed away. My grandmother gained weight while rotting with 188 other bodies in

a building covered in bugs, seeping from all four corners.

I've shown up for countless court dates, both state and federal. I sat and watched the building of said crimes be demolished by the Environmental Protection Agency. I've appeared via Webex and spoke to the state capitol in regards to a bill to license and regulate the funeral home industry. I met the governor at his mansion as he signed the bill into law. I sat in person via Webex with department regulatory agencies to help implement regulations and licensing for the funeral home industry. I sat with and spoke with -- via Webex with state and federal prosecutors. I've met government officials from federal agents to deputy coroners, state representatives, to the city mayor. I've held a gathering honoring all 1,178 victims and their families, bound together as we share each other's loved ones, a newfound family that has connected us in a way that no one should ever have to, as well as we can all relate and help each other get through this horrific situation.

I have and will forever be scarred by Mr. Hallford and his wife, Ms. Hallford. These individuals took money for a service that they not only failed to do, but in the process to cover it up, the lack of service, they desecrated our loved ones' bodies in such a disrespectful manner that not only crosses a moral line, but also any religious outlook. These people did this without any sign of remorse.

So, while this Court is looking at these crimes in a

financial perspective, to us families, these crimes impact us in ways no money could ever make up for. There's no way to put a dollar amount on a monetary value to our lifelong suffering. Not only did this couple violate the rights of our loved ones, but our beautiful state left us unprotected by people like Jon and Carie Hallford.

I strongly believe by holding the highest statutory maximum penalty to these criminals, you are helping us families who are still fighting to protect our state from future monsters like the Hallfords. Thank you kindly for your time today, and thank you generously for setting a standard for our beautiful state, for not just me, my child after me, but also everyone who lives in the State of Colorado. We all deserve this respect. Thank you.

THE COURT: Thank you.

MR. NEFF: Your Honor, we do have one more. I'm sorry. I did have one more additional witness, and that would conclude the victim portion. If I could call that witness?

THE COURT: Yes, please.

MR. NEFF: Thank you, Your Honor. Ms. Chandra Savage.

MS. SAVAGE: My name is Chandra Savage. C-H-A-N-D-R-A, S-A-V-A-G-E. In May of 2020, during the height of the pandemic, when everything was uncertain and nothing was normal, we were at our loved one's bedside caring for him, saying our final goodbyes, and comforting him until he took his

final breath. We watched kind, caring, humbled me, and loved deeply slip away.

Due to financial constraints, we were unable to honor his final wishes. And with a heavy heart, we had to make the decision to have our loved one cremated against his wishes. With a list provided by hospice, I was given the daunting task of making the call. Return to Nature had five-star reviews, with only one negative review about parking, and a beautiful website that was well thought out.

Carie Hallford was the first to answer my call. It was a professional conversation, and assuring me that our loved one would be taken care of with respect and dignity, and that a tree would be planted in his memory. That never happened. I provided the information requested, and we anxiously awaited his -- the arrival.

Jon Hallford arrived alone and ill-prepared. Due to the configuration of his home, he was unable to get the gurney into the house, so instead of finding someone else to help him, he tasked myself and two of his nephews with placing our lifeless loved one on a sling and carrying his body out to a gurney.

But the trauma didn't stop there. He lowered the head of the gurney first, and all of the fluids that our loved one had been struggling to breathe through ended up on his face. Jon simply wiped it off with a sheet and placed that same sheet

over our loved one in front of us with no remorse, and carried on about his merry way.

I've been in healthcare for over 20 years, and I work side by side with the local funeral homes who picked up our beloved elderly from our facility. I knew -- I felt something in my heart, something was wrong. But being in healthcare as a nurse, an infection preventionist and scheduling, I had a firm understanding of how the pandemic had affected business and staffing, so I brushed the red flags off, under the rug. What else was I supposed to do? Add to the family trauma, and demand we carry his body back inside and wait for the next time -- the next person to show up, hoping that it would be better?

We planned an outdoor service to lay our loved one's remains to rest at the foot his brother's grave site, next to his father. I called Return to Nature to inquire when his cremains would be ready for pickup, and that the cremains could be placed in an urn and pendants we had purchased online. Although I had not received a bill yet or even been informed of payment methods, Mr. Hallford's wife informed me -- was quick to inform me that until the services were paid in full, and that they could not -- the cremains could not be picked up, and that transferring the cremains to the urn would result in additional fees. My final conversation with Return to Nature had shifted from professional and empathic during my initial contact, to abrupt and cold.

I received the balance due via email and paid it in full online within minutes so that my brother-in-law could collect our loved one's cremains, hoping to put this experience behind us. However, in October 2023, after my brother-in-law delivered vacuum trucks to return to Return to Nature for his employee as part of the cleanup effort, it became abundantly apparent that our experience with Return to Nature was far from over. And instead of our experience being traumatic, it would become an unfathomable nightmare.

I have had to overcome feelings of immense guilt, anger, and sadness for contacting and paying Return to Nature for services, or lack thereof. My experience with Return to Nature was my first experience ever dealing with the funeral industry outside of my hometown, where the funeral home owner and director had always remained kind, supportive, compassionate, professional, and for many of us, they were our neighbor, our friend, or our classmate. He didn't act like Jon Hallford, thank God.

Return to Nature has deeply affected my sense of trust and security during already disheartening times. Undoubtedly my brother-in-law has struggled with the thought of delivering vacuum trucks to possibly clean up his own uncle's decomposition fluids. My family has been forced to relive the loss of our loved one, and his memory has been tainted with a horrific debacle of Return to Nature.

We do not know if we received his cremains, cement, or someone else's loved one. We don't know who we put to rest at the foot of his brother, next to his father. And now, we have to find a way to accept the unthinkable. We may never know. The owners of Return to Nature are not nor were they ever real honest and caring like their website said, like his Facebook said, like his Instagram said. I looked before I ever used him. They are just a disgusting disgrace to the funeral industry that has done nothing but lie and prey on families during difficult times.

They have mentally -- they have created mistrust and mental anguish for thousands of family members who have been forced to relive the loss of their loved ones. If they had one ounce of humanity left, they would dig deep in their burning souls to give family closure with the actual truth of what they did with our loved ones' bodies. I am angry they have created so much unnecessary emotional trauma, and are not deserving of the many tears that I have cried over their disgusting, inhumane, criminal behavior. I pray that you have to lie awake in your prison cell tormented by the ghastly scene that you left behind for many years. Thank you.

THE COURT: Thank you very much, Ms. Savage. All right. Mr. Neff, is that -- are those all the victims?

MR. NEFF: Yes. I believe that is all the victims, Your Honor. So, that concludes the portion of the victim

presentation.

THE COURT: All right. So, we will take a quick break, about five to ten minutes just so that people can get up and stretch, go to the restroom, and then we will resume. We will be in a brief recess.

(Recess at 11:09 a.m., until 11:22 a.m.)

THE COURT: Mr. Neff, at this time I will give you an opportunity to speak on behalf of the Government as to which sentence you believe is appropriate in this case.

MR. NEFF: May it please this Honorable Court, Counsel, Your Honor, in this case, the Government is -- under the terms of the plea agreement, the most we could ask for is 15 years imprisonment, and that's what we're asking for, the max that we negotiated under the terms of the plea. It's clearly warranted and justified.

To some extent, it's difficult to follow on the heels of the 12 individuals who just spoke here in open court, who showed a lot of courage, strength, sadness, emotion, because their words really do speak a lot louder than mine. They were the affected ones. They were the injured ones, and their voices were the strongest. It's hard not as a human to sit here and listen to what we just saw in this courtroom, and listen to and not be touched and moved. That is our human condition, and it was very powerful.

And it was powerful for a reason, because this crime

did not have to occur. This crime was senseless. This crime was so deep on so many levels. As noted by a number of these individuals, the defendant has pled guilty to and is before the Court on the offense of wire fraud. It's a statute. It's a fraud case. And let's be clear here, there was absolutely a swindle here. There was monetary damage. The Hallfords promised these families a burial and cremation of their loved ones. Jon Hallford looked these people in the eye, shook their hands, promised them he'd take care of their loved ones, showed up at their houses, collected the bodies.

His wife participated in this, and they gave them the impression that all things would be taken care of with due respect, and they collected payment for that. That's part of the fraud. It is a fraud. It does involve loss in that respect.

But on October 5th of 2023, when the Fremont County Sheriff's Office obtained a warrant and entered the Penrose location, found the 191 decomposing bodies, it was clear that it was indeed a big fraud. The money that people had paid for the funeral or the cremation was all for nought. The cumulative loss for these people was $193,000. So, as I sit here, yes, this is a wire fraud case. It involved lies and deceit, and people lost money in the tune of $193,000. So, it fits the definition and a classic textbook case of fraud.

But any reasonable, normal person who hears the facts

of this case and the relevant conduct that this Court can consider in this case knows that this was no garden variety fraud. There was incalculable harm to the next of kin and families that we've heard from who are here or in their papers or can't attend. There was untold emotional damage, trauma, guilt, rage, all these experiences these people have said, they're so real, and we've heard about it.

The pain, the grief, the torment continues to this day, as we've heard. We've heard people say it will haunt them until the day they die. The number of people we've heard have had to go into counseling and therapy to cope with the offense and its effects, some have even lost confidence and trust in humanity. They're forever damaged by this crime. How horrible is that to think their trust in humanity has been taken because of this? A number of them suffer from night terrors, sleepless nights. They have physical ailments due to what occurred here. Some take medications now that they never dreamed of taking to sooth and deaden the emotional pain from this.

So, to say all this and note that yes, this is a fraud case, yes, it involved economic damage, but as pointed out by these people, and there can be no dispute about it in this courtroom, this crime was a violation of all societal norms, decency, all boundaries and societal norms that allows for respect of the deceased were crossed and just blown right by year after year, body after body by this man and his wife.

The respect that we have in our society, in our culture we have traditionally given to allow families to grieve for their loved ones and to memorialize the death of their loved ones in their own unique ways. We heard about that based on family traditions, based on culture, based on customs, based on religious views. That's unique and individual to people in our society, and that's valued in our society.

However, that sacred rite, for no lack of a better word, and that opportunity to bury one's loved ones in a dignified and honorable fashion was stolen, make no doubt about it, by this defendant, and that's why he's before this Court. This crime indeed, as many people have said and acknowledged, but it bears repeating, was the ultimate betrayal of trust. When people were at their weakest, most vulnerable moment while mourning their loved one, they were taken advantage of. Yes, this case does fall way outside the heartland of typical fraud cases, and yes, this case does warrant a maximum penalty as I'm allowed to argue for under the plea agreement, which is 15 years.

Now, I can't speak in the voice that we heard from this podium, the people who here live and present, but there's just a handful of statements that I think -- there's excerpts from that I'd like to note to the Court, because as I've indicated, I'm just an attorney making statements here. The strongest impact and the most important point the Court can hear is from these

victims and what happened. So, I'd like to just quote from a number of their statements.

There was one particular victim who was not able to be here today because of the travel, and she had car problems, but I do want to read her statement and emphasize the loss that she had, because I believe it is unique, and it's something the Court should hear. This relates to Ms. Jataesha McCann. Ms. Jataesha McCann was writing on behalf of her deceased child:

This crime pertaining to the Hallfords has affected me and my loved ones in a horrific, heartbreaking way. It is a terrible thing that these individuals have done. We all trusted them with our loved ones, someone who has meant the world to us. We were reassured that they will safely and properly take care of our loved one. I am emotionally damaged. I went four years thinking that my little infant's ashes were safe with me. The day I received the call that something terrible had happened, my heart shattered into a million pieces again. No, I was not fully healed from losing my child. I was still losing -- grieving the loss of my baby. Then to hear that he was not properly cremated broke me and my family again.

During this time, I pushed away a lot of my loved ones because I was livid, so much rage inside of me. I have night terrors of this matter. It is gut-wrenching. It is hard for me to sleep at night. I have a four-year-old son that I must care for, so I have no choice but to be strong for him. I am seeking

counseling. I put it off for so long, because I'm afraid to talk about the situation, because it is disgusting.

I will have to suffer with what the Hallfords have done for me the rest of my life of my time on this Earth. Every day I must go through the pain of knowing that this horribleness is never going to change. It will always be there to affect me. All of the victims are awarded compensation for this. Yes, we should be compensated, but no amount of money can change what these individuals have done. No amount of money can fix the pain that each one of us has experienced. No amount of money will ever justify why people are so cruel and nasty. We all deserve justice.

From the words of Ms. McCann, who lost her newborn and trusted that her child would be cremated with dignity. Those are her words. That's the pain he caused.

In addition, a couple other statements or excerpts, I just note for the Court I felt were worthy of mentioning. We heard from Rodney Sefcovic, S-E-F-C-O-V-I-C. His mother was Ilke Lopez, and in part, I quote from his victim impact statement:

The impact of this crime has not only taken away my trust in people, but also destroyed my faith in humanity. When someone passes away, that is the final act of their life, and it should be treated with the utmost respect. To know that Ilke was denied even that basic dignity is something I will never be

able to reconcile. This betrayal has left me asking questions no one should ever have to ask themselves. What will happen to my body when I die? This will haunt me for the rest of my life.

And he concludes, the emotional trauma of this discovery has been especially devastating for me, because I live with traumatic brain injury. The stress and anxiety have made my condition significantly worse. Immediately after I learned the truth, I had to take an entire month off of work just to cope. Since then, I have missed weeks of work because I've been unable to function. This crime has taken a toll not only on my mind and spirit, but on my livelihood.

From the words of yet another victim, why did this have to occur? This could have been stopped. There was no need for this to occur over the course of four years but for the decisions of this man.

Finally, I would use the last statement from an individual by the name of Charles Schweiss. His excerpt reads as follows: The crime has forever changed me, my wife, and my family. I have lost trust in almost all humans. Any mention of this case in the news reopens the deep wound, sending me into sleepless nights filled with restless thoughts of what mom -- mom endured. I now take medication to sleep, while my wife attends counseling to deal with the trauma. The weight of knowing what was in the urn that I kissed in the 2020 contained nothing of my mother is unbearable. The anger I feel is beyond

words. The Hallfords deserve nothing less than the maximum sentence.

This poor man kissed the urn of his mother-in-law at the funeral, and now he felt embarrassed and shamed. Why should he have to carry that? Why should he have to take that through his life? But he's just one of many people that have to take these things. The story about Mr. Johnson and the Pirates of the Caribbean, unreal. Unbelievable. The man is just trying to enjoy a family day out with his family, and this intrusion comes into his mind because of what happened to his family. This is not just wire fraud. This goes into a whole 'nother realm of criminal conduct that needs to be addressed with the Court's sentence.

So, let's talk about this. I know some of the victims have mentioned it. It's part of the case, but it needs to be addressed here, and it needs to be talked about in open court. I know it's difficult, but a lot of the victims have alluded to it. The conditions at the Return to Nature Penrose facility were graphic, were brutal, defies imagination. I know the Court has provided by the Government pictures from inside there as part of the Government's sentencing statement. We had those sealed. It was part of Agent Andrew Cohen's search warrant affidavit, and it shows the pictures that occurred there.

So, I know the Court has seen that, but in this public forum as we have this sentencing, it's important to make sure we

do understand what it was. It was a house of horrors on steroids, no doubt about it. Even the most depraved Hollywood director would dare to even present the conditions in a movie, because it would be declared obscene as a matter of law, because it was so grotesque and too offensive for public viewing. Ghoulish and macabre do not even begin to describe what occurred inside of his funeral home.

This has to be acknowledged. This is part and parcel of the conduct, the relevant conduct that this Court has to consider. As already alluded to by people in this case in the presentence report, we had the bodies stacking in the decomposition within the building. Bodies were in fact stacked, as someone said, like lumber, higher and higher. Law enforcement agents couldn't even fit into certain rooms, there were so many bodies stacked so high when they first entered the building.

Bodies were wrapped in tarps and duct tape. Some bodies were just left in body bags. Other bodies were left unclothed or partially clothed. Some were just left on gurneys, some on the floor, haphazardly strewn across the building. The facility had no air conditioning and coolant when law enforcement entered. All of the bodies were in various states of decay and decomposition, just rotting away, completely unattended to. Some had flesh. Some had bones. Sometimes in between.

Sometimes the bodies had moss and fungus growing on them. There was human decomposition. As alluded to, someone's brother, the last victim -- that's in fact true. There was so much decomposition, when the FBI first went in, they tried to put boards down so they could walk through and find the right bodies and take them out. Because the pooling of decomposition was so great on the floor, they finally got a pumper truck to pump it out of the building.

Home Depot buckets were under tables where the bodies were, and it was collecting human decomposition as it melted, as someone said, as it dripped into the bucket. As someone said, the decomposition was seeping out all corners of the building. That's true. Up the walls. It was horrendous. The bugs -- I don't need to go any further. Yes. There was bugs, flies, larva, and all states within that building.

The smell was overwhelming, difficult to breathe. It was overpowering. It was so bad, after the FBI agents went in and had paper inside the building -- like paper to write notes on, it smelled so bad afterwards, they had to transfer all that to clean paper so it wouldn't be in their files. That stench of human decomposition was so bad, the camera equipment that they took inside the building, it absorbed -- the rubber pieces on that video and camera equipment absorbed the smell of decomposition. It was so bad they had to destroy and get rid of their camera equipment. That's how bad it was in this building.

And as alluded to ultimately, the building was torn down by the EPA, because it was essentially a toxic waste dump. Think about that. It didn't get to go to the regular waste disposal location. It had to go to a hazardous waste site because of what he and his wife allowed to occur within there.

And then of course law enforcement had to respond. People like Special Agent Chris Adams with CBI, who is at the table, and Andrew Cohen with the FBI, they were just one of many and a team of various law enforcement agencies who got involved in this case. Fremont County Sheriff's Office, Fremont County Coroner's Office, El Paso County's Coroner's Office.

It was so bad at Penrose that they had to actually call in a military special team from the Air Force who helps with large-scale disasters to help recover and then identify the bodies. At Penrose, the recovery process, the agents worked in 40-minutes-at-a-time shifts. That was all they could take being in the building, and then they had to come out, because the conditions were so horrific.

So, the FBI rotated three teams of approximately six to seven people at a time for 40 minutes only. Before they would go in, they had to wear hazmat suits. That's Tyvek body suits, protective boots, gloves, respirators, full respirators. The conditions were horrific. The bodies were heavy. They were in horrible shape. It was extremely hot. The environment was overwhelming, extremely distressing, and disturbing.

Afterwards, a number of the agents received counseling and debriefings to deal with what they had seen in there. After the bodies were recovered and they'd come outside, there was a whole contamination zone set up with a bunch of other agents who would just clean off the agents who had been inside, and there were medics there to give them IVs and to check their vitals to make sure they were holding up under these conditions. That was just the first scene.

After that the bodies had to be -- they were recovered at that point. They were escorted by the highway state patrol over to the morgue in El Paso County. And at that location, they had to rent and pay for several refrigerator trailers so that the bodies could initially be stored before they were taken inside to the coroner's office, where the daunting task of collecting fingerprints, looking for medical bracelets, checking dental records or ultimately DNA -- DNA sampling was used to identify.

This whole process took from two to three weeks total between the recovery through the identification process. This needs to be stated. This was a horrendous scene. It was all caused by the defendant's conduct, along with his wife.

So, when we ask for the 15 years, what are some of the factors that the Government wants the Court to think about and consider? Well, as noted by a lot of people, this went on -- it wasn't a one-time, isolated incident. It went on for four

years. It involved lie on top of lie and deceit on top of deceit. It's hard to imagine where, when he's showing up after two years, three years, and he's already collected 100 bodies in this building, he's yet still willing to lie to people, look them in the face and say, I will take care of your loved one. It's a lie on top of a lie.

It makes it so horrendous to think that he acted in this way. And as alluded to by someone, there was surveillance camera from -- cameras from inside the building. The defendant had that as part of his system there, and it's identified in paragraph 52 of the presentence report, but it does describe an incident where -- and I will just read from the report.

A review of surveillance cameras that were located on the property revealed an incident on September 9th of 2023 in which Jon Hallford entered the building with a body on a cart. The interior camera shows multiple deceased bodies in the room with one on a gurney. Jon Hallford dumped, I emphasize dumped, the body on the ground, on the floor, and wiped down the decomposition from the gurney onto the other bodies in the room, as that specific gurney was needed. That's someone's father, grandfather, child, son, mother, was just dumped on the floor. This was the environment that he went to on a regular basis and conducted business. He knew what was going on in there. He knew it, but he continued.

And let's get some insight into his mind. I want to

just cite two quotes that we provided the Court, but they're worth noting. Bodies started to collect without being buried or cremated in September of 2019. Only eight months into the crime, he's texting his wife, and I will use his language and what he said to his wife in a text to her on May 5th of 2020. This was part of our sentencing statement:

I don't give a fuck about this family. I will give a fuck about what's happening in Penrose, our not going to prison, and getting the fuck out of this community. My one and only focus is keeping us out of jail. What is yours, question mark?

Eight months into this, that's his mindset. I don't care about anybody else. I just don't want to go to prison, and I want to get out of this community. Then, forward to October 6th of 2020, one year into the crime. And that's when he has a exchange -- or he writes this again to Carie, the codefendant in this case, his wife:

By December 6th, we need to begin cleaning and restoring the building in Penrose to be out by December 31st. Options, A, build a new machine, ASAP. B, dig a big hole and use lye. Where? C, dig a small hole and build a large fire. Where? D, I go to prison, which is probably what's going to happen.

Yes, indeed, that's happening. And it should happen, and it's going to happen shortly.

The defendant kept taking money and stacking bodies

even after he knew prison was inevitable for what he did. In the course of that, they even buried two wrong bodies -- this is a man who doesn't care -- at a national cemetery, a veteran of our community at Pikes Peak National Cemetery, he put the wrong body in there. Not only was it traumatizing for the veteran's family when they found out, but the poor lady who wasn't supposed to be in the grave, when she was contacted and her door was knocked on, their whole family had to go through grief because they found out their mother wasn't in fact cremated, and the remains that they had were in fact not of their mother.

And as indicated, some people can say it better than me, so I won't belabor it, he had a chance to fix all this. He -- through his lies, he managed to get approximately $800,000 from the COVID -- from the Small Business Administration to keep his business going during the pandemic. That money was to be used to keep the lights on and make sure he could give his clients what they needed, his customers the service as they buried their loved ones.

If he had taken just a portion of that, 100,000, $200,000, whatever, he could have bought a retort, which is effectively a cremation machine, and he could have perhaps started to undo the wrongs that he had done, and clean it up. He could have just stopped taking bodies when he realized he didn't have anything to do with them. He had numerous options to put an end to this early on, even at a point where he knew he

was going to prison, but he just kept trucking right on down the road.

Please send me your check, give me your credit card. I will take your money. You bet I will take care of your loved one. All the while he's blowing the money from the Government on the things we already heard about, lavish lifestyle trips, entertainment, plastic surgery, SUV, college tuition, and the list goes on. It was greed, simple greed.

Well, I'm about done here. I'm about to my closing, but I would like to just end with a couple things. Your Honor, as counsel actually quoted from Ms. Stokes at the start, there was a last-minute statement from a victim in this case that I thought can kind of put a capstone or a conclusion on what has occurred here, and what needs to occur here. And it is from in fact victim Margarita Stokes. It was provided to the Court, and again, I would like to just touch on a couple of her points that she said, because I think they can bring this together.

She writes, the ashes we received, the ashes we believed were my mothers, are now a haunting question mark. You, Mr. Hallford, stole from us the certainty of her resting place. You stole the peace that comes with knowing my family's loved ones was treated with dignity. You deliberately turned a moment of deep sorrow into a source of ongoing anguish and doubt. This was not only a professional failing on your part, it was an intense personal violation that has left indelible

scars on my family. We are left to wonder whose remains we have, and this is a torment no family should ever endure.

Towards the end of her letter she states, when your time on Earth concludes, Mr. Hallford, you will face an internal reckoning for the heinous actions you committed. The weight of your deception, the disrespect you showed to the deceased, and the pain you inflicted on grieving families will be a burden you will carry into eternity. There is no escaping the spiritual consequences of such a profound betrayal of trust and human decency.

And in her concluding portion she states, today, however, marks a turning point for my family. The uncertainty, the anger, the feeling of violation, they have consumed our thoughts and stolen our peace. This sentencing closes a chapter. We will reclaim our lives. We are taking back the emotional energy and mental space that your horrific deeds have occupied. Today, we begin the process of truly moving forward, leaving you and your deplorable actions in the past where they belong.

The sentence you impose here today, Your Honor, will be a pivotal and important part of the start of the healing process for many of these victims here and who are not in this courtroom. It will allow them, as Ms. Stokes said, to start, perhaps, to reclaim their lives. It will allow them the chance to restore their dignity, possibly restore their faith in

humanity by giving them some sense that there is justice, there is some just punishment in our society.

And hopefully, hopefully, this sentence we're asking for will allow them to once again find peace in their lives, which they so richly deserve after all the pain and suffering that they have gone through due to this man's actions. For all of these reasons, Your Honor, we are asking for the upward departure, and we are asking you sentence Jon Hallford to 15 years' imprisonment. Thank you.

THE COURT: Thank you, Mr. Neff. Mr. Hallford, at this time, I want to give you an opportunity to address the Court with anything you'd like me to know as I make my sentencing decision. You are under no obligation to speak, but if you would like to say something, I would be glad to listen.

MS. SUELAU: Would Your Honor like Mr. Hallford to go to the podium or remain seated?

THE COURT: He can remain seated.

THE DEFENDANT: Your Honor and all those that are present here today, and to all those who are not, James 1:8, a double-minded man is unstable in all his ways. That verse sums me up during the four years of Penrose. We opened Return to Nature Funeral Home to make a difference, to facilitate change within our industry, to do a better job by way of the environment, and to do something good and right.

Then everything got completely out of control,

especially me. No words of mine can ever justify my horrible actions. No words of mine can ever undo the deep and lasting harm my actions have caused. What was meant to be a soft place for grieving families to land turned into a nightmare for all those who trusted us. However, the victims of Penrose are not just limited to those families. They also include the community first responders, law enforcement, the El Paso Coroner's Office, the Fremont County Coroner's Office, and all those involved with the cleanup of Penrose, who all have to live with the horrible memories of that place.

I have no idea how to express the amount of regret or the amount of sorrow I feel towards everyone. I am so deeply sorry for my actions. Please believe me when I say this is not me. Penrose is not who I am. I made so many mistakes. I am sorry to my children, who are also victims of my decisions. I love my children, and I ask them to please forgive me for my sins. My actions have harmed my whole family, costing my children their father and my parents their son.

To my family, I love you all. Please forgive me. I do not recognize who I was during those four years. I was living a double life. I was unstable towards my wife and my children, my parents, my sister, pulling away from my friends and our business, unstable in every way. Living with the guilt of my actions destroyed my soul, and it changed who I am. I have never been so lost. I hated myself. I still hate myself for

what I've done.

All the victims deserve peace and an absolution. All I can offer is my deepest apology and assurance that nothing like this will ever happen again. I will carry the regret of my actions with me for the rest of my life, every single day.

I will not disrespect or dishonor any victim by blaming my actions on someone else. I am responsible for what -- for my choices, and for my role in what took place. I wish that I could undo the harm that I have caused. I know I can't, but I do accept responsibility for causing that harm. Thank you.

THE COURT: Thank you, Mr. Hallford. Although I may not mention all of them, I have carefully considered the factors set forth in 18 USC Section 3553(a). My responsibility here is to determine a sentence that is sufficient but not greater than necessary to comply with the purposes set forth in section 3553(a)(2). In considering the sentencing guidelines, I do not start from the presumption that the guidelines are reasonable. Instead, I must make an individualized assessment based on the facts presented.

The factors that I consider according to the statute are the nature and circumstances of the offense; the history and characteristics of the defendant; the need to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; the need to afford adequate deterrence to criminal conduct; the need to protect the

public from further crimes of this defendant; the need to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner; the kinds of sentences available; the kinds of sentence and sentencing range established for someone who commits this category of offense and has this criminal history level set forth in the sentencing guidelines; any pertinent policy statements in the sentencing guidelines issued by the sentencing commission pursuant to 28 USC Section 994(a)(2) and in effect at the date this defendant is sentenced; the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct; and the need to provide restitution to any victims of the offense.

The Court begins this discussion with the nature and circumstances of the offense. As an initial matter, the Court turns its clear eye to the elements of the crime to which Mr. Hallford is pleading guilty in this court, conspiracy to commit wire fraud. The elements of that criminal offense are, first, that the defendant agreed with at least one other person to violate the law, to knowingly commit wire fraud. Second, the defendant knew the essential objective of the conspiracy. Third, the defendant knowingly and voluntarily involved himself with the conspiracy. Fourth, there was an interdependence among members of the conspiracy, that is the members in some way or

manner intended to act together for their shared mutual benefit within the scope of the conspiracy charged. And fifth, that the defendant acted with the specific intent to defraud.

The elements of wire fraud are, first, that the defendant devised or intended to devise a scheme to defraud as alleged in the indictment. Second, the defendant acted with the specific intent to defraud. Third, the defendant used or caused another person to use interstate or foreign wire communications for the purposes of carrying out the scheme. Fourth -- and fourth, the scheme was deployed by false or fraudulent pretenses, representations, or promises that were material.

A scheme to defraud is conduct intended to -- intended to or reasonably calculated to deceive persons of ordinary prudence or comprehension. A scheme to defraud also includes a scheme to deprive another of money, property, or the intangible right of honest services.

An intent to defraud means an intent to deceive or cheat someone. A representation is false if it's known to be untrue or is made with reckless indifference as to its truth or falsity, and a representation would also be false when it constitutes a half truth or effectively omits or conceals a material fact, provided it is made with an intent to defraud. And a false statement is material if it has the natural tendency to influence or is capable of influencing the decision of a person or entity to which it is addressed.

The Court begins with these legal elements, Mr. Hallford, not to provide a law school lesson to you, the attorneys, or those in the gallery. The Court begins here because it frames its entire analysis of the Section 3553(a) factors and the sentence that the Court has determined to be sufficient but not greater than necessary to comply with those factors.

In doing so, the Court recognizes that there is a state case involving the abuse of corpse felonies to which you have pled guilty. But to the extent that there is any confusion, the Court wants to make clear that it is those elements, the elements of deceit and falsehood, that guides its consideration in the sentence here today.

Mr. Hallford, you and your wife and codefendant, Carie L. Hallford, were joint owners in Hallford Homes, LLC, which operated under the trade name of Return to Nature. You operated Return to Nature Funeral Home from approximately August of 2017 through October of 20 -- October 5th, 2023, at which point it was closed by the State of Colorado law enforcement and regulatory officials.

You ran your funeral business from two locations, including one in Colorado Springs and one located at 31 Werner Road, Penrose, Colorado. In 2017, as reflected in your own sentencing statement, you gave an interview to a newspaper about the start of Return to Nature, and I read your quote therein.

When I -- Return to Nature encouraged its customers not to embalm or preserve bodies with chemicals, he said. When I started learning about green burial, I started thinking, why on Earth have we been doing this all this time, and how many times have I facilitated a final moment with a family member, and they've smelled or experienced formaldehyde, Jon said. That's where it really sunk in that I'm not going to do this anymore. This is our passion. I'm not going -- I'm not going to just leave the industry. I'm going to find a better way to do it.

Later on, the article notes that you say, in the funeral business, there are no guidelines, so when a body is being embalmed, whatever excess formaldehyde mixture is left in the tank just goes right down the drain. It's not neutralized. It goes straight back into our water system that's eventually recycled or used.

Beginning on or about September 15th, 2019, despite those words, despite knowing that the funeral business -- or perhaps because you knew that the funeral business lacked guidelines, and continuing through October 5th, 2023, you offered various services and products to the members of the public, including funeral burials and cremations. You advertised your business to potential customers using the internet website which stated, among other things, in the frequently asked questions section, Return to Nature Funeral Home is a unique family owned and operated Colorado Springs and

Penrose mortuary service. We operate with three generations of funeral service experience and education. Our family is here to serve your family and to guide you through every step of the bereavement process. We cater to your family and provide your loved one with the utmost professional care and discretion. Our family serving your family for over 80 years.

You and your wife typically met customers and offered either burial or cremation using services of the Return to Nature Funeral Home. The customers included individuals making their own funeral arrangements prior to death, family members, or friends of the recently deceased or next of kin of the deceased.

Then you would enter a contract for goods and services with customers related to the services to be provided in connection with burial or cremation. When a customer selected cremation, you would agree as part of the contract to arrange for the body of the deceased to be cremated. Afterwards, you agreed to return the cremains, also referred to as ashes, to the family member, friend, or designated next of kin.

When a customer selected funeral burial, you agreed to provide a burial of the deceased at a designated cemetery as well as supply a specific kind of coffin purchased by the customer. And in addition to these written contracts, you verbally promised and represented to customers they would -- that you would provide either cremation or burial as set forth

within the terms of the contract.

A fee for these services for the end of life services were not only contracted, but the cost of each contract varied based on the goods and services that the customer believed he or she was purchasing. They commonly ranged between 900 and $1,500 for cremations. Costs of burials were substantially higher than the cremations in most cases, and you were paid by your customers through various means, including cash, check, and credit card. Many of the customers paid Return to Nature with credit cards, using a payment processing service Square, Inc., later known as Block, Inc., which operated within interstate commerce and was located outside of Colorado.

But despite the promises in both written contracts and through verbal interactions, the Hallfords failed to provide even basic core services that are promised to its customers, either a cremation or burial of their particular loved one. Nonetheless, you continued to collect payment from such customers for the funeral services and goods despite not fulfilling their commitment to provide such service. And at times, the Hallfords also collected payment for cremation or burial costs from an insurance company, a government entity, or third parties connected to the deceased.

Beginning as early as September of 2019 and continuing through 2023, you failed to cremate or bury approximately 190 bodies in connection with this scheme, and as a result,

collected in excess of $130,000 from victims for cremation or burial services which you never provided.

The Hallfords attempted to conceal the fraudulent activity by allowing 190 bodies, approximately, to remain in various states of decay and decompensation within the Penrose location in Penrose, Colorado. And you concealed that gruesome collection of bodies by preventing outsiders from entering the building, covering the windows and doors of the building to limit viewing from outside, providing false statements to others regarding the foul odor emanating from the building and the true nature of the activity occurring inside.

You routinely prepared death certificates for the deceased, then filed or caused to be filed such certificates with the Colorado state's electronic death registry. On many of the death certificates of the 190 bodies found in the Penrose location, Ms. Hallford with your assistance falsely stated that the method of disposition was either by cremation or burial when truth of fact you knew that no disposition of certain bodies had been done at all, because they were left decomposing at the Penrose location.

At times you misrepresented to and concealed from third-party business conducting cremation on behalf of Return to Nature Funeral Home the true identities of some of the bodies being submitted for cremation, and as a result, third-party businesses at times misidentified within their own records the

identities of the bodies that they were cremating. In a number of instances, you provided the decedent's family members, friends, or designated next of kin with cremains filled with dried concrete mix instead of the actual ashes of the deceased. On at least two occasions you arranged for and provided the wrong body to a cemetery burial resulting in incorrect remains being buried in a gravesite plot, while concealing this fact from the next of kin.

A review of surveillance cameras that were located on the property revealed an incident on September 9th, 2023, where you entered some sort of contract with the family of the deceased to provide end of life services, but instead, on September 9th, 2023, you entered the building with a body on the cart. The interior camera shows that multiple deceased bodies in the room with one on a gurney -- you dumped, Mr. Hallford, the body from the gurney onto the floor, wiped down the decomposition from the gurney from the other bodies in the room, as that specific gurney was needed. That's in the PSR at paragraph 51.

Victim Jack Denis Edward Jackson's gravesite was exhumed from the Evergreen cemetery. He had died on July 12th, 2018. That's before the alleged beginning of the conspiracy on September of 2023. Investigators located instant messages between the Hallfords regarding the burial of Jackson in which you wrote, I'm also 99 percent sure there is a dead baby in the

casket with him, and it was not opened at the cemetery. The body recovered was not that of Jack Denis Edward Jackson, and there is no infant recovered. That's in the PSR at paragraph 55.

On October 5th, 2023, the FBI state law enforcement officers and the regulatory officials searched and processed the Penrose location. Within the Return of Nature [sic] building, officials recovered multiple human remains in various states of decay. The conditions within the Penrose location presented an extremely hazardous environment for all first responders and other members of the public who may have encountered the building. Workers entering the building were required to wear specialized hazmat gear, and they were only allowed to remain within the facility for brief intervals due to the toxic environment.

Law enforcement officers and any member of the public who encountered the location were at risk for contracting illness and thus suffering serious bodily injury. After exiting the building, workers were required to follow a rigorous decontamination protocol to ensure the safety of their health.

Later, the Environmental Protection Agency condemned the entire building at the Penrose location after determining it to be a toxic waste site unfit for further human usage and a serious health threat to others who might encounter it in the future. Ultimately, on April 20th, 2024, the EPA razed the

building to the ground. The EPA then disinfected the building materials and foundation and later transferred the debris to an offsite hazardous waste dump.

On October 26th, 2023, after the discovery, victim Melvin M. Utton, Junior's, gravesite was exhumed from the Pikes Peak National Cemetery after his remains were recovered from the Penrose location. Inside the casket was the body of a heavily decomposed female wrapped in duct tape and plastic sheets. A review of the records identified the female's date of death as March 20th, 2020, and her cremation took place at Roselawn's crematorium. However, Roselawn had no record of her cremation. That's in the PSR at paragraph 54.

During the same time period, Mr. Hallford, you engaged in a separate scheme to defraud the Small Business Administration that provided emergency assistance to small business owners suffering adverse economic effects caused by the COVID-19 pandemic. All told, you received over $880,000 from the SBA by at least falsely stating that you were not engaged in any illegal activity, when in truth in fact, you and Ms. Hallford were jointly engaged in a separate ongoing wire fraud and scheme to defraud the customers of their business, Return to Nature.

To receive those funds, you also falsely certified on security agreements for each of these loans that all the loan funds would be primarily used for personal, family, or household

purposes. But once you received the 883 -- I'm sorry -- $882,300 from the SBA, and those occurred in April of 2020, May of 2021, and November of 2021, you used it for your own personal use and personal benefit by spending the funds on things such as a vehicle, multiple vacations, entertainment, dining, tuition for a minor child, cryptocurrency, cosmetic medical procedures, jewelry, various goods, and merchandise from Amazon, and the payments to other vendors unrelated to the business.

And what does this all mean in plain English? Because I have been reading from the legal documents filed in this case. It means, Mr. Hallford, for at least four years, and five if I extend it to the time period of the incorrect burial, you and your wife met with people, told them you were very sorry for their loss, assured them you would take care of their loved ones and provide them a respectful and dignified end of life experience, either through natural burial or cremation that was better for the worth [sic], and you did nothing of the sort.

You not only defrauded them of their money, Mr. Hallford, but you did so knowingly, that you did not provide them with services that they were securing for their loved ones who had passed away, but also for their surviving family member and friends. You defrauded them into believing them -- that you were helping them fulfill the promises that they had made to their loved ones at their ends of life. You lied to them about what you did with their loved ones' bodies, and then you

returned to them concrete mix that was not anyone's ashes, and in some cases you buried individuals in graves that were not the graves of their own.

You lied to the Government that instead of loans to help small businesses ride out the devastation of the COVID-19 pandemic, you took the money, and you did not fix Penrose, but you spent it on personal things. And then you lied again when you were discovered in October of 2023. You told the Colorado Department of Regulatory Agencies that you were using the building in Penrose to learn how to do taxidermy, and that you knew that you had a problem there. That's docket entry 77, at paragraph 48.

I turn to the history and characteristics of the defendant now to talk briefly -- well, actually, none of this is brief, and so I apologize for that. Mr. Hallford, the Court notes that you have no criminal history, and unlike so many of the individuals that come before the Court in this context, either wire fraud or other felony offenses in the federal system, you were raised in a small town in Oklahoma with two parents and a stable upbringing. You experienced no abuse. You had a comfortable lifestyle, and you had stable employment from it appears 2004 until 2023.

Your history, as noted by your counsel in your sentencing statement, indicates that you wanted to be a minister at some point in your life, but you became disillusioned because

the person that you admired most in the ministry was found to be engaging in extramarital affairs and deceiving the parishioners. And so it is sad and difficult, Mr. Hallford, that you have chosen a similar path of deceiving people who relied upon you and who relied upon you in potentially one of the most vulnerable time periods in their life.

Your character, Mr. Hallford, during this time is reflected by some of the contemporaneously -- communications that you and your wife, and who is also your codefendant, were having during this time period. Some of those text messages are reflected in paragraph 65 of the PSR, but the Court took the time to read and review all 4,000 pages of text messages that were provided in discovery, and pulled out some of the most egregious ones that we will cover later today.

I'm sorry I'm panicked. If anyone smells Penrose and enters the building or smells decomp, word will spread like fire. I'm completely freaking out. That's in May of 2019. And yet, the scheme continued.

The fat one by herself will decompose the fastest, because I didn't open the door to contain the 72 degrees that's in there, as opposed to the 85, almost 90 that's in the building where she is sitting. That's sent in July of 2019.

So, that's difficult for the Court to understand that the air conditioning actually went out in July of 2023, as you posit, when in July of 2019, you were already trying to

decompose bodies by leaving the door open to the heat.

I don't give be a fuck about this family. All I give a fuck about what's happening in Penrose are not going to prison and getting the fuck out of this community. My only -- my one and only focus is keeping us out of jail. What's yours? That's in May of 2020.

In May of 2020, Mr. Hallford, you received hundreds of thousands of dollars from the COVID relief funds through IEDL [sic]. You talked in the text messages with your wife at that time to try to fix Penrose, and yet you didn't do anything. You didn't use that money to fix Penrose. You didn't stop the scheme at that time, and I note that some of the victims here speaking today, their loved ones were given to you after May of 2020 to help them with their end-of-life decisions.

It wouldn't hurt to get a couple folding tables for Penrose so we don't have to put anyone else on the floor. That was sent in April of 2023. And if your plan for me is to Jill myself and then pin Penrose on me, they will still get your phone data. If we get divorced, Penrose will come out, and they will check our phones. And once it does, there won't be any hiding your involvement. We either have to fix all of this, or we have to begin living a horrible existence together until this is all over. That's July of 2023.

If Penrose were to get exposed, we lose -- we both lose everything anyway. We can't allow that to happen. We can't

allow our family to be destroyed. I don't know what's happening with the kids, but I know I'm willing to do whatever it takes to fix it. That's sent August of 2023, just a few months before you were discovered.

You objected to these text messages reflected in paragraph 65 as not reflecting moments of regret and reflection as noted in other omitted text messages. And so to address this concern, the Court took it upon itself to read over 4,000 pages of text messages to get a clearer picture of your characteristics. What the Court found, however, is when you express regret and reflection, it is not about the families that you were deceiving or committing wire fraud against the Small Business Administration, taking money and spending it on other things, not on business expenses.

Instead, what I see is an individual who is taking money from individual families and from the government and using it as you see fit in order to try to float your family, and no money, no incidents, nothing, that suggests that you are at all remorseful about what is happening to the families or those bodies.

And one thing I was particularly struck by when I looked through these text messages, Mr. Hallford, is the utter lack of identification of the individuals. I could only find a handful of text messages that you exchanged with your codefendant where you even refer to the individual by their

name. Otherwise, you're talking about bodies, objects, things that you were picking up from one location and transmitting to another location.

You were talking about who is going to cover what, but you're never talking about remorse that you have been perpetuating this wire fraud against these families who have trusted you with their end-of-life determinations. And we will go over some of these shortly.

You're sending lists of things to do on your off time. You're talking about cleaning up Penrose. You're talking about as early as November 2nd, 2024, I don't trust that you wouldn't turn witness on me. This is to your wife and codefendant. You seriously want to talk about divorce in Tulsa that day? It stuck with me and has never been far from my mind. I don't know what to do about Penrose, and I will be the one going down for it.

Your concern is that you are going to have to take accountability and responsibility one day for it. Your concern is not in these messages that I've read that the people that have trusted you not with their money -- of course they have trusted you with their money -- but trusted you with the end-of-life determinations, the promises and wishes. The ones that you are deceiving out of that security, none of these messages refer to that.

In May of 2019, you texted, I'm sorry I'm panicked.

I'm freaking out. In May of 2020, we just now have a grip on Penrose, and we're days away from getting this rolling. I do not have fucking time for this. The same day you wrote, I literally just told you, it was not my problem. I'm not doing anything with it. I have other things to do, so either figure it out or cancel it. The fact that you would even ask this morning shows that you have no concern for what little time I have getting this fucking done or the amount of time I've already put into it. What I'm doing right now is saving us from going to fucking prison. Right this very second, we have a very small window of grip on Penrose.

And yet that very small window closed, Mr. Hallford, without you doing a single thing to rectify the situation. In fact, despite your lawyer's arguments in your sentencing statement that you were really trying to serve everyone else you could, and your own statements that it just got overwhelmed and out of control, on May 12th, 2020, even knowing that you had bodies stacking up already in Penrose, you asked your wife, where are you? Will you check Penrose, please? And why aren't we getting any new calls?

And she responds, we have a couple pendings on the hook.

You were actively soliciting other people for your business knowing full well you were going to take their money, and you were not going to give them the services that they

asked.

On May 15th, 2019, you indicate, I would just prefer to involve the boys, which I assume refers to your sons, as little as possible until Penrose is not disgusting inside or out. On June 4th, 2020, after the first two -- June 4th, 2020, after the first of the SBA loans were funded, you indicated you were frustrated. I'm sorry. I assure you it's not for any other reason than trial or error. It's R&D. It's learning as you go. I'm trying. I'm beyond freaking. We're getting everything we want right now, and that fucking Penrose could screw everything. No one wants those bodies gone more than I do. I'm sorry.

Well, Mr. Hallford, I'm here to assure you that there are people who wanted those bodies taken care of in a way more than you did, and you failed them in that hour. You deceived them, and you took their money, and you made them promises with full knowledge that you were never going to fulfill those promises.

In September of 2020 -- and this is just an example of the fact that these individuals were not individuals to you. They were not people, and they were not names. You said to Ms. Hallford, I'm thinking that if I can put a body in and then we make that removal at Penrose in the morning at 5:00 a.m. or so, then we would have time to come down here and put that body away, take the body out of the tank, clean up, and be out of here and headed back towards the Springs by when it's time for

him to take over being on call. What do you think?

That is just an example of the lack of individual identification that you showed these individuals and the families who again you deceived, made representations to, took their money through wire, and defrauded them.

The Government highlighted your statement, but the Court will also pass on it from October of 2020, by December 6th, we need to begin cleaning and restoring the building in Penrose, and be out by December 31st. Options, build a new machine, ASAP. B, dig a big hole and use lye. Where? C, dig a small hole and build a large fire. Where? D, I go to prison, which is probably what is going to happen.

Finally, the Court highlights, because it does really highlight the two types of wire fraud that is before the Court today, on April 7th, 2021, after you had been given the first of three EIDL loans from the Small Business Administration, and before you got the second, you texted your wife, do you understand if we get the $350,000, it will completely get us out of debt and handle Penrose?

And she responded, I know, exclamation mark, exclamation mark, exclamation mark. Penrose, exclamation mark. And you got that $350,000, and you did nothing with it to rectify the Penrose situation. And you continued the deceit and the lies for two additional years.

Mr. Hallford, you and your counsel have both spent time

conceding the seriousness of the offense, and your attorney argues that 120 months is just punishment for the offense. She also argues that the Court should not focus on the emotional distress caused by the treatment of the bodies or their various loved ones because you've pled guilty and will be separately sentenced in state court for the non-fraud harm that this -- his actions in a separate concurrent prosecution for abuse of corpses.

For the reasons I have discussed earlier, this Court finds that the fraud that you perpetuated is inextricably intertwined with the resulting harm that has befallen the victims in this case. The seriousness of this offense for wire fraud cannot be appropriately quantified simply through the statements of the individuals who are here today, because some people could not be here. In each of these cases, you made promises to those individuals that you would take care of the end-of-life needs for their loved ones or promised the third party that you would do so.

With respect to the SBA loans, you took that money from the Government and promised the Government that you would use it to -- for business purposes, and not for personal purposes, and yet you didn't do that. You didn't do that, and you even -- when you recognized that if you got that additional money, you could get yourself out of debt and that you could take care Penrose, you could take care of both of your objectives,

essentially, that you've talked about here today, to take care of your family and to take care of Penrose, and then that money taken over and over and over again from the SBA -- because there was a third payment in November of 2021 -- was actually not used to rectify the situation or to stop the scheme or to do anything to resolve the issues at Penrose. Instead, as the Government indicated, you just persisted on.

The sheer impact is reflected by the names that are reflected in docket entry number 114-1, listing all of the individuals who have claimed restitution and listing the names of their loved ones who have been deceased today. I will not take the time, although I think it would be appropriate to reflect the sheer seriousness of this offense, to read each individual name, because it will take enough time. But I do note for the record that these names of the loved ones who have passed away are reflected at docket entry 114-1, which is the first -- I'm sorry -- the third addendum that was filed on June 25th, 2025. And the sheer number of names and the fact that the Court cannot read them all because of timing reflects the seriousness of this offense.

The Court has also determined in terms of this sentence that I'm about to pronounce and considered the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct and the need to provide restitution to any victims of the offense.

I will begin briefly by the restitution, which obviously is going to be a required component of this judgment that I enter. But as the victims who do not just include the individual family members who made those end-of-life decisions or the family and friends who were impacted by those end-of-life decisions, but also the first responders, the law enforcement officers, the individuals who had to clean up, raze, and know of this, you've impacted not only these individuals, but the community as a whole and the funeral home industry as a whole.

Your fraud has resulted in many of these victims stating in their impact statements that they are unable to trust anyone else in their community or anyone else in the funeral home industry with those end-of-life determinations. And your fraud, not necessarily the abuse of corpse that you will be sentenced separately, has kicked off a chain reaction within the community that this sentence appropriately considers in terms of determining the appropriate sentence.

Now, there was much argument made about needing to avoid unwarranted sentencing disparities among defendants with similar conducts who have been found guilty -- I'm sorry -- with similar records who have been found guilty of similar conduct, but as stated by many of the victims here today and the Government, this Court concludes by looking at the record as a whole, looking through the lens of the elements of wire fraud, looking and focusing on those elements of deceit and fraud, that

this is no ordinary wire fraud case, and nor could it ever be.

And the supposition that somehow the Hess case and the conduct of those individuals was the maximum and everything else should work downwards from there, this Court respectfully disagrees. There is a threshold that the law gives me, which is a maximum sentence for wire fraud, but that doesn't mean that the worst conduct is the maximum, and then I move down from there. There has to be some calculation that some threshold conduct meets the maximum sentence, because that maximum sentence not only takes into account the calculation of accountability for wire fraud, but also in its best form, the Sentencing Reform Act and the sentencing guidelines tends and tries to take into account also the humanity of the defendant who stands before me.

And, Mr. Hallford, I have also attempted to account for your humanity in this sentence. Your -- these statements of your own, I focused on those statements, because those statements are the statements that drove this Court's determination with respect to the sentence.

It is for all of these reasons that the Court will vary from the advisory guideline range for the following -- for those reasons, and pursuant to the Sentencing Reform Act of 1984, it is the judgment of this Court that the defendant Jon M. Hallford is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of 240 months. The term of

imprisonment imposed by the judgment will run concurrently with your sentence anticipated in El Paso County Court case number 2023-CR-4849.

Upon release from imprisonment, you shall be placed on supervised release for a term of three years. Within 72 hours of release from custody of the Bureau of Prisons, you shall report in person to the probation office in the district to which the defendant is released. While you are on supervision, you must not commit another federal, state, or local crime, and you must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment, and a maximum of 20 tests per year of supervision thereafter.

You must make restitution in accordance with 18 USC Sections 3663(a) and 3663 -- I'm sorry. 3663 and 3663(a), or any other statute authorizing a sentence of restitution. You must cooperate in the collection of DNA as directed by the probation officer. You must comply with the standard conditions adopted by the Court in general order 2020-20.

The Court finds that the following special conditions of supervised release are determined to be reasonably related to the factors enumerated by 18 USC Section 3553(a) and 18 USC Section 3583(d). Further, based on the nature and circumstances of the offense and the history and characteristics of this

particular defendant, the following conditions do not constitute a greater deprivation of liberty than is reasonably necessary to accomplish the goals of sentencing.

One, if the judgment imposed a financial penalty or restitution, you must pay the financial penalty or restitution in accordance with the scheduled payment sheets of this judgment. You must also notify the Court of any changes in economic circumstances that might affect your ability to pay the financial penalty or restitution.

Two, you must incur [sic] new credit charges or open additional lines of credit without approval of the probation officer, unless you are in compliance with the periodic payment obligations imposed pursuant to the Court's judgment and sentence.

Three, you must provide the probation officer access to any requested financial information and authorize the release of any financial information until all financial obligations imposed by the Court are paid in full.

Four, you must apply any monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court ordered financial obligation in this case.

Five, if you have any outstanding financial obligations, the probation office may share any financial or employment documentation relevant to you with the asset recovery

division of the United States Attorney's Office to assist in the collection of that obligation.

Six, you must participate in a program of cognitive behavioral treatment approved by the probation officer, and follow the rules and regulations of such program. The probation officer in consultation with the treatment provider will supervise your participation in the program as to modality, duration, and intensity. You must pay for the cost of treatment based on your ability to pay.

Seven, you must engage in an -- you must not engage in an occupation, business, profession, or volunteer activity that would require or enable you to be involved in the funeral, cremation, or burial business without prior permission of the -- your probation officer.

Eight, any business you operate during the term of supervision must be approved by the probation officer. You must operate under a formal registered entity, and you must provide the probation officer with the name of the business entity and its registered agents. You must maintain business records and provide all business documentation and records as requested by the probation officer.

The determination of restitution -- you must make restitution to the victims in the amounts indicated in the presentence and -- presentence investigation report and related attachments. The total restitution amount is reflected in the

third addendum to the presentence investigation report of $193,966.18 to the victims, and $876,447.56 to the Small Business Administration, for a total of $1 million -- $1,070,413.74.

It is ordered that restitution be jointly and severally with the following codefendant: Carie L. Hallford, case number 24-cr-113-2, to be determined. Once restitution is determined, each victim shall receive an approximately proportional payment based on the victim's share of the total loss.

You are ordered to pay a special assessment fee of $100 due and payable immediately. The Court finds that the defendant does not have the ability to pay a fine, so the Court will waive the fine in this case. The Court has determined that the Court -- the defendant does not have the ability to pay interest on the final restitution amount, and it is ordered that the interest requirement is waived for restitution.

It's ordered that the payment of the monetary obligation shall be due as follows: The special assessment and restitution obligations are due immediately. Any unpaid restitution balance upon release from incarceration shall be paid in monthly installment payments during the term of supervised release. The monthly installment payments will be calculated as at least ten percent of the defendant's gross monthly income.

Pursuant to Rule 32.2 of the Federal Rules of Criminal

Procedure, the defendant must forfeit his interest in the following property to the United States: a money judgment in the amount of proceeds obtained by the defendant in the scheme.

The defendant is advised of his right to appeal the sentence. If you so desire to appeal, a notice of appeal must be filed with the clerk of the court within 14 days after the entry of judgment, or the right to be -- right to appeal will be lost. If the defendant is unable to afford an attorney on appeal, the Court will appoint one to represent you. And if you so request, the clerk of the court must immediately prepare and file a notice of appeal on behalf of the defendant.

Mr. Hallford, today you have talked about your actions depriving your parents and your family, including your children, of moments in their lives, and the Court has accounted for that in determining the sentence. And I -- I empathize with the fact that those individuals who are important in your life will not have you be part of their life for quite some time.

I very much hope that you are sincere and you follow through in the fact that you would like to live your life in a different way than you did in those four years, and you actually contribute to the community. And hopefully, if that can occur, that there will be some healing not only with respect to the individuals impacted by the wire fraud that was conducted through -- from at least September of 2019 through October of 2023, but that those individuals, including your parents and

your children, can look at you and know that you have taken full accountability for the actions that have occurred.

I wish you luck, Mr. Hallford. It's ordered that the defendant is remanded to the custody of the United States Marshal.

Anything further on behalf of the Government?

MR. NEFF: No, Your Honor. Thank you.

THE COURT: Anything further -- oh. I will make the recommendation of designation to the facilities as requested by the defendant, El Reno or Texarkana.

MS. SUELAU: Thank you, Your Honor. We would also ask as requested in our sentencing statement that Your Honor not order the payment of restitution during the period of imprisonment.

THE COURT: I've already waived the interest, but I'm going to have the order of restitution be due and payable immediately, as previously ordered.

MS. SUELAU: Understood. Also, for purposes of the record, given recent Tenth Circuit precedent on waiver, I object to Your Honor's sentence as substantively unreasonable, specifically, but among other things, Your Honor to rely on Mr. Hallford's conduct during the course of this offense particularly.

Reliance on text messages between 2019 and 2020, when *Pepper versus United States*, that's 562 U.S. 476, 2011, directs

Your Honor to consider all conduct by Mr. Hallford, including before the instant offense and the conduct that's happened -- or rehabilitation that's happened since the instant offense, the statements of remorse, his expressions of acceptance of responsibility today, and through his persistence in maintaining the plea agreement. So, for those and -- for those reasons outlined in our sentencing statement, we object to Your Honor's sentence as substantively unreasonable.

THE COURT: Thank you. Anything else? All right. Thank you very much. We will be in recess.

(Proceedings concluded at 12:45 p.m.)

REPORTER'S CERTIFICATE

I, KEVIN P. CARLIN, Official Court Reporter for the United States District Court for the District of Colorado, a Registered Merit Reporter and Certified Realtime Reporter, do hereby certify that I reported by machine shorthand the proceedings contained herein at the time and place aforementioned and that the foregoing pages constitute a full, true, and correct transcript.

Dated this 7th day of August, 2025.

Kevin P. Carlin, RMR, CRR
Official Court Reporter