

PROB 12B
(SD/FL 4/24)

SD/FL PACTS No. 8569101

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 9:23-CR-80141-DMM(1)

Request for Modifying the Conditions or Term of Supervision
With Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Emmanuel Bully, Jr.

Name of Sentencing Judicial Officer: The Honorable Donald M. Middlebrooks, United States District Judge, West Palm Beach, Florida

Date of Original Sentence: December 7, 2023

Original Offense: Count One: Wire fraud, 18 U.S.C. § 1343, a Class C felony

Original Sentence: Twenty-four (24) months custody of the United States Bureau of Prisons, followed by two years supervised release, \$100.00 special assessment, and restitution in the amount of \$503,235.00. Special conditions: The defendant shall 1) provide complete access to financial information; 2) submit to a search of his person or property; 3) obtain prior written approval from the Court before entering into any self-employment; 4) participate in an approved treatment program for drug and/or alcohol abuse and abide by all supplemental conditions of treatment; and 5) notify the probation officer of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay.

Type of Supervision: Supervised Release Date Supervision Commenced: January 15, 2025

PETITIONING THE COURT

- ☐ To extend term of supervision for ____ years, for a total term of ____ years.
- ☒ To modify the condition of supervision as follows:

The defendant shall pay restitution at the rate of \$150.00 per month, until such time as the Court may alter that payment schedule in the interests of justice. The United States Probation Office and the United States Attorney's Office shall monitor the payment of restitution and report to the Court any material change in the defendant's ability to pay.

CAUSE

On January 15, 2025, the defendant was released from the custody of the United States Bureau of Prisons and commenced his term of supervised release in the Southern District of Florida. The defendant's supervised release is scheduled to expire on January 14, 2027.

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Since the start of supervision, the defendant has been residing at 1080 Brickell Avenue, Apt. 4301, Miami, Florida, with his girlfriend, Mia Edwards. He is currently employed as an assistant trainer with Taylor Sports Group, in Miami, Florida, earning approximately \$2,500.00 monthly.

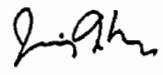
As Your Honor may recall, the defendant was ordered to pay restitution in the sum of \$503,235.00 and a special assessment fee of \$100.00. Per the Offender Payment Enhanced Report Access (OPERA), the outstanding restitution balance is \$502,535.00. The special assessment fee has been paid in full. The defendant has made payments totaling \$800.00 towards the restitution and special assessment fee since he commenced supervision.

A financial investigation was conducted to determine what amount the defendant could afford to pay monthly. The defendant reported his income and expenses on a monthly basis. The information was compared to the documentation provided by the defendant, and the expenses were adjusted accordingly. Based on this information, it was determined that the defendant will be able to pay \$150.00 per month towards his restitution balance.

The defendant was presented with this information and concurred with our assessment, consequently voluntarily signed the enclosed *Waiver of Hearing to Modify Conditions of Supervised Release*, thus establishing restitution at \$150.00 per month, commencing in April 2025, and every month thereafter.

RECOMMENDATION: As such, it is respectfully recommended Your Honor modify the conditions of supervised release allowing the defendant to pay restitution at the rate of \$150.00 per month. The United States Probation Office will continue to monitor the defendant's financial situation.

Respectfully submitted,

by: 

Jimmy Wong
United States Probation Officer
Office: (305) 259-1308
Cellular: (305) 742-6414
Date: April 29, 2025

THE COURT ORDERS:

- ☐ No Action
☒ The Modification of Conditions as Noted Above
☐ Submit a Request for ☐ Warrant or ☐ Summons


Signature of Judicial Officer

Date: 4/29/25