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John T. Copenhaver, Jr.
Senior United States District Judge

UNITED STATES PROBATION OFFICE
SOUTHERN DISTRICT OF WEST VIRGINIA

MEMORANDUM



TO: The Honorable John T. Copenhaver, Jr.
Senior United States District Judge

FROM: Whitney R. Brame
United States Probation Officer

DATE: July 2, 2025

**SUBJECT: GARY LOMAX, DOCKET NUMBER: 2:24CR00114
REQUEST FOR DECREASE IN MONTHLY RESTITUTION PAYMENTS**

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On November 19, 2024, Gary Lomax was sentenced following his conviction of violating 18 U.S.C. § 641, theft of public money, property, or records. He was sentenced to 5 years' probation with the first 4 months to be served on home detention with the special condition he pay restitution in the amount of \$29,592, at the rate of \$150 per month. Additionally, Mr. Lomax was ordered to pay a lump sum payment of \$4,000 of his Social Security immediately upon receipt of back pay.

Mr. Lomax's sole income is social security benefits. He has provided verification that he receives a \$2101 monthly installment and his ex-wife, whom he is the caretaker for, receives \$717. Mr. Lomax has provided verification to this officer that most of his bills are past due and his current living expenses are exceeding his income. Additionally, Mr. Lomax is the caretaker for his adult son who is in heart failure. Due to the health complications of Mr. Lomax, and his son, the offender is required to travel for medical procedures and appointments multiple times monthly. The expense of travel for Mr. Lomax is an additional expense that also results in his expenses surpassing his monthly income.

Mr. Lomax has paid \$4,550 toward the restitution balance. The probation officer respectfully recommends that Mr. Lomax's restitution payments be decreased to \$50 per month. Should the defendant become more financially stable in the future, the probation officer will request an additional modification to increase the amount of the payment.

