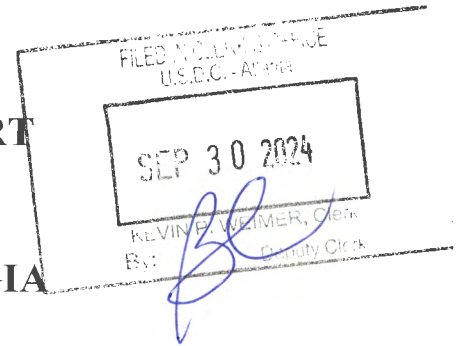


ND/GA PROB 12B
(Rev. 1/21)

UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF GEORGIA



**Violation Report and Petition to Modify Conditions of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing Attached)

Name of Offender: Antonio Hosey Docket No: 1:20-CR-396 *Lmm*

Judicial Officer: The Honorable Leigh Martin-May, United States District Judge
Northern District of Georgia, Atlanta Division

Date of Original Sentence: December 6th, 2022

Original Offense: Count One: Conspiracy to Defraud the United States, 18 U.S.C. § 371, a Class D felony

Original Sentence: One-year and a day custody of the United States Bureau of Prison, three-years supervised release, special assessment fee in the amount of \$100.00, for the offense of Count One: Conspiracy to Defraud the United States, 18 U.S.C. §371.

Special Conditions: The defendant shall 1) submit to a search of his person, property, house, residence, vehicle, papers, computers, other electronic communications, or data storage devices or media, or office, to a search conducted by a United States Probation officer; 2) permit confiscation and/or disposal of any material considered to be contraband or any other item which maybe deemed to have evidentiary value of violations manner; 3) make full and complete disclosure of your finances and submit to an audit of your financial documents at the request of your probation officer; and 4) not incur new credit charges, or open additional lines of credit without the approval of the probation officer.

On January 3rd, 2023, the defendant's conditions of supervised release were modified to include restitution in the amount of \$463,777.79 joint and several. In addition, the defendant's monthly restitution payments were set at \$250.00. All conditions of the original judgment and commitment order remain in full effect.

Type of Supervision: Supervised Release Date Supervision Commenced: October 5th, 2023

PREVIOUS VIOLATION(S) REPORTED TO THE COURT:

None.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS:

On October 5th, 2023, the defendant commenced his three-year term of supervised release in the Northern District of Georgia, Atlanta Division. His supervised release is scheduled to terminate on November 23rd, 2026. The defendant has satisfied his DNA requirement, special assessment fee in the amount of \$100.00, and all urine analysis testing has been negative for the presence of any illegal substances.

Since the onset of supervised release, the defendant has maintained stable housing in Smyrna, Georgia, and remains gainfully employed with a logistics company as a broker. He continues to re-establish family ties and reintegrate himself back into the community. The defendant has set the following goals for himself while on and after supervised release: obtain stable employment, financial stability, re-establish family ties, and secure his own residence.

The defendant was ordered to pay restitution in the amount of \$463,877.79 joint and several. To date, the defendant has individually paid a total of \$500.00, which includes payments and forfeitures. However, as this obligation is joint and several, a total of \$31,881.45 has been collected jointly and the remaining balance owed is \$431,896.34.

A financial investigation was conducted to determine what amount the defendant could afford to pay monthly. The defendant reported monthly household income and expenses. The information was compared to the documentation provided by the defendant, and the expenses were adjusted accordingly to comply with the Internal Revenue Service national standards. The defendant's net monthly income is \$3,676.00 and his monthly allowable expenses total \$3,426.00, leaving him with a monthly disposable income of \$250.00. Half of this amount is being allotted to the defendant for emergency incidentals. Based on this information, it was determined that the defendant will be able to pay \$100.00 per month towards restitution.

The defendant was presented with this information and concurred with our assessment, consequently he voluntarily signed the enclosed Waiver of Hearing to Modify Conditions of Supervised Release, thus establishing restitution \$50.00 per month commencing on October 1st, 2024, and every month thereafter. The defendant reported no assets which can be liquidated to pay the remaining balance of restitution owed.

Supervision Outline

Currently, the defendant is supervised as a low-risk case with a Post Conviction Risk Assessment (PCRA) Score of 5 / Category 1. The defendant's dynamic risk factor is social networks, and his criminogenic need is criminal peers. No elevated thinking styles or responsivity factors were present.

Dynamic Risk Factors

Social Networks - An individual with social network issues may not understand the influence and importance of social networks for recidivism with the person under supervision. The defendant was advised criminal behavior is learned through interaction with other persons and in small intimate groups in which specific motives, drives, or attitudes/beliefs are conveyed. He was informed our supervision meetings will include skill building which will help him challenge his prosocial response in high-risk situations.

Criminogenic Needs

Criminal Peers - An individual may lack the social skills necessary to attract pro-social peers. In thinking about this driver, one may ask: "Would I want to be friends with them, or would they want to be friends with me?"

General Recidivism Risk

An individual in this category has a 3% arrest rate and a < 1% revocation rate in the next 6 months

PETITIONING THE COURT TO:

The defendant shall pay restitution at the rate of \$100.00 per month, until such time as the Court may alter that payment schedule in the interest of justice. The United States Probation Office and United States Attorney's Office shall monitor the payment of restitution and report to the Court any material changes in the defendant's ability to pay.

Respectfully submitted,

 9/25/2024

Brandon C. Harper
United States Probation Officer

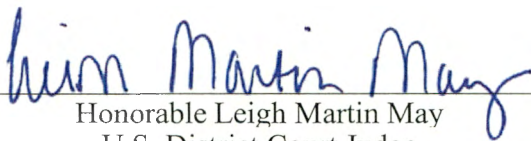
Date

/s/ Lauren J. Peña 9/26/2024

For Abnel Albaladejo-Torres Date
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☒ The modification of restitution payments as noted above
- ☐ No Action
- ☐ Other



Honorable Leigh Martin May
U.S. District Court Judge

September 30, 2024

Date

PROB 49
(3/89)

United States District Court

Northern District of Georgia

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall pay restitution at the rate of \$100.00 per month, until such time as the Court may alter that payment schedule in the interest of justice. The U.S. Probation Office and U.S. Attorney's Office shall monitor the payment of restitution and report to the court any material change in the defendant's ability to pay.

Witness: Brandon C. Harper ^{Anto}
Brandon C. Harper

Signed: Antonio Hosey
Antonio Hosey

09/25/2024