

PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 7763173

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

CASE NO. 0:21-CR-60293-WPD (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: Edward Moise

Name of Sentencing Judicial Officer: The Honorable William P. Dimitrouleas, United States District Judge,
Fort Lauderdale Division

Date of Original Sentence: March 15, 2022

Original Offense: Count One: Conspiracy to defraud the United States, in violation of 18 U.S.C. § 371,
a Class D Felony

Original Sentence: Eighteen (18) months custody of the Bureau of Prisons; followed by a three-year term of supervised release. Special conditions included: The defendant shall 1) provide the probation office with access to financial information; 2) not apply for, solicit or incur any further debt without first obtaining permission from the United States Probation Officer; 3) submit to a search of his person or property; 4) not own, operate, act as a consultant, be employed in, or participate in any matter, in any employment, which permits him access to customers or other individual's personal identifiers or credit card information during the period of supervision; 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. A special Assessment of \$100.00, which has been satisfied and restitution was ordered in the amount of \$864,147.45, to be paid at the rate of 10% of the defendant's monthly gross earnings.

Type of Supervision: Supervised Release

Date Supervision Commenced: February 24, 2023

PETITIONING THE COURT

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

The defendant shall pay restitution at a rate of \$400.00 per month, until such time as the court may alter the 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.

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CAUSE

On February 24, 2023, the defendant commenced his term of supervised release in the Southern District of Florida and is scheduled to terminate on February 23, 2026. The defendant is currently employed full time with STR-Miami, located at 7200 Northeast 4th Court, Miami and part time with FedEx. The defendant's gross income is \$4,800.00 per month. The defendant was ordered to pay restitution in the amount of \$864,147.45. The defendant has been paying 10% of his gross monthly income. To date, a total of \$16,617.49 has been collected, the remaining balance is \$847,529.96. A financial investigation was conducted to determine what amount the defendant could afford to pay on a monthly basis. The defendant reported a monthly net income of \$4,500.00 and joined net income of \$8,000 with his spouse. The total monthly expenses are \$7,070 with a cash flow of \$930.00. The information was compared to the documentation provided, and the expenses were adjusted accordingly. Based on the information, it was determined the defendant will be able to pay \$400.00 per month towards his restitution balance.

The defendant was presented with this information and concurred with our assessment. He voluntarily signed the enclosed *Waiver of Hearing to Modify Conditions of Supervised Release*, thus establishing restitution at \$400.00 per month, commencing June 2024 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 \$400.00 per month. The United States Probation Office will continue to monitor the defendant's financial and employment situation.

Respectfully submitted,

by:



Shaina E. Kus
United States Probation Officer
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Shaina_Kus@flsp.uscourts.gov
Date: June 17, 2024

J.A.

THE COURT ORDERS:

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



WILLIAM P. DIMITROULEAS
United States District Judge
Date June 21, 2024