UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, Plaintiff, v. CRAIG MARLOW, Defendant.	Case No. 4:23-cr-00235-BLW **ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is a Report and Recommendation filed by the United States Magistrate Judge. (Dkt. 28). On August 13, 2024, Defendant appeared before the Magistrate Judge to enter a change of plea pursuant to a written plea agreement. The Magistrate Judge conducted the plea hearing and concluded there is a factual basis for Defendant's admission to forfeiture and plea of guilty to the charges contained in Count Three of the Indictment (Dkt. 2), and that it was entered voluntarily and with full knowledge of the consequences. No objections to the Report and Recommendation have been filed.

The Court now has reviewed the record, and finds that the requirements of Rule 11 have been met. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003). Specifically, the Court finds that the Magistrate Judge adhered to the requirements of Rule 11(b); that under Rule 11(b)(2), the Defendant's plea was

voluntary and not the result of force or threats or promises apart from the plea agreement; and that a factual basis for the plea exists. *See id.* Accordingly,

NOW THEREFORE IT IS HEREBY ORDERED that the Report and Recommendation (Dkt. 28) shall be, and the same is hereby, ADOPTED as the decision of the District Court and incorporated fully herein by reference.

IT IS FURTHER ORDERED that the Defendant's plea of guilty to the crimes charged in Count Three of the Indictment (Dkt. 2) shall be, and the same is hereby, ACCEPTED by the Court as a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

IT IS FURTHER ORDERED that Defendant is found GUILTY as to the applicable crimes charged in Count Three of the Indictment. (Dkt 2).

DATED: September 12, 2024

B. Lynn Winmill
U.S. District Court Judge