UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Timothy Kelvin Harvey **Docket No. 5:23-CR-293-D**

Petition for Action on Supervised Release

COMES NOW Andrew B. Medley, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Timothy Kelvin Harvey, who, upon an earlier plea of guilty to Conspiracy to Commit Mail Fraud, in violation of 18 U.S.C. §§ 1349 and 1341, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on September 3, 2024, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Timothy Kelvin Harvey was released from custody on August 13, 2025, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 10, 2025, the defendant was held in civil contempt of court in Halifax County, North Carolina, both by his failure to pay child support as ordered, and by his failure to appear in court for the related hearing. As of December 2025, the defendant has a financial obligation to pay $131 per month towards North Carolina Child Support. The defendant is $6,206.45 in arrears.

Additionally, as a condition of supervision, the defendant was ordered to pay a $100 special assessment and restitution in the amount of $51,185.00, at a rate of $300.00 per month, beginning 60 days after release from prison. The defendant has failed to make any payments toward this outstanding financial obligation and he is currently $900 in arrears, with an outstanding balance due of $51,260.00. Based on a review of the defendant's financial information, the probation office has determined that the defendant is unable to make payments in the originally ordered amount, and a reduced monthly payment of $50.00 is appropriate.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall comply with a modified payment plan reducing the monthly payment toward the court-ordered financial obligation to $50.00, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Melissa K. Lunsmann
Melissa K. Lunsmann
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Andrew B. Medley
Andrew B. Medley
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 984-212-1689
Executed On: February 9, 2026

ORDER OF THE COURT

Considered and ordered this 10 day of February, 2026, and ordered filed and made a part of the records in the above case.

J. Dever
James C. Dever III
U.S. District Judge