

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

Sentencing Minute Sheet for the Honorable Fernando J. Gaitan, Jr., Chief U. S. District Judge,  
Kansas City, MO

UNITED STATES OF AMERICA

Case No: 08-00026-03-01-CR-W-FJG

vs.

TROY R. SOLOMON

Date: 5/16/2011

Plaintiff Counsel

Rudolph Rhodes/J. Curt Bohling, AUSA

Defendant Counsel

Chip Lewis, Retained

Time Commenced: 10:03 a.m.

Time Terminated: 11:09 a.m.

Reconvene: 11:25 a.m.

Adjourn: 11:43 a.m.

**TOTAL TIME: 1 hour 26 minutes**

Parties appear for hearing. Off-record discussion held re: defendant's request for downward departure and/or variance (doc #431). Defendant sworn. Parties argue government's objections (doc. #435) re: 4-level adjustment (for defendant's role in the offense as an organizer) and 2-level upward adjustment for obstruction of justice. The Court overrules objections and adopts the PSR w/o change. Direct and cross-examinations conducted of defense witnesses: Dr William Richardson, Eliska Brinkley and Mrs. Lucy Solomon. Defense counsel makes statements regarding sentence to be imposed. Government's response. Recess: 11:09 a.m. Reconvenes: 11:25 a.m. Court finds that the guidelines are greater than necessary and grants defendant's request for a variance. Defendant makes statements.

The Defendant is sentenced to Counts 1 through 12.

**INCARCERATION:** Defendant committed to the custody of the BOP for a total term of 24 months each on Counts 1 through 10; 12 months each on Counts 11 and 12, concurrent.

**SUPERVISED RELEASE:** Court orders defendant to be placed on 2 Years of supervised release on each Count 1 through 10; 1 year on each Count 11 and 12, concurrent.

**FINE:** \$5,000, due immediately, interest waived.

**SPECIAL ASSESSMENT:** \$1200.00, due immediately.

**SPECIAL CONDITIONS OF SUPERVISED RELEASE:** See J & C.

The denial of federal benefits, as provided in 21 U.S.C. 862, is not ordered in this case.

Court orders forfeiture in the amount of \$991,114.00, joint and several w/other defendants in this case. (Doc. #444)

Defense counsel requests defendant remain on bond pending appeal or in the alternative to be placed as close to Houston, Texas possible. Court denies request; however, defendant shall have 90 days to self-surrender and the Court recommends to the Bureau of Prisons that the defendant be placed as close to the Houston, Texas area as possible.

Government states its objections to the denial of the 4 and 2 level adjustments and to the 24 month sentence.

Court Reporter: Gayle Wambolt

Joella Baldwin, Courtroom Deputy