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2 District of Arizona  
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6 Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF ARIZONA

9 United States of America,

10 Plaintiff,

11 v.

12 Fernando Aguirre-Ochoa  
aka Reymundo Coronel de Campo,

13 Defendant.  
14

CR 01-0070-PHX-CKJ(HCE)

REVOCATION DISPOSITION  
AGREEMENT

15 The United States of America and the defendant agree to the following disposition  
16 of this matter:

17 TERMS OF THE AGREEMENT

18 1. This is a revocation of:

19 ( X ) supervised release

20 ( ) probation

21 2. The defendant will admit to the allegation in the Petition to Revoke. This is a Grade  
22 B violation. As a result, the defendant's supervised release will be revoked. The  
23 government agrees to dismiss at disposition any remaining allegations in the petition, if the  
24 defendant is sentenced in accordance with this agreement.

25 3. The parties agree that the defendant will be sentenced to:

26 ( ) \_\_\_\_\_ months incarceration; OR



1           **Grade A**    (1) Except as provided in subdivision (2) below:

2                   12-18   15-21    18-24    24-30    30-37    33-41

3                   (2) Where a defendant was on probation or supervised release as a  
4                   result of a Class A felony:

5                   24-30    27-33    30-37    37-46    46-57    51-63

6           Penalties applicable for defendant's original offense:

- 7                   1)    Criminal History - IV
- 8                   2)    Guideline Range - 27 to 33 months
- 9                   3)    Statutory Maximum Incarceration - 10 years
- 10                  4)    Maximum Supervised Release - 3 years

11           c)    For **probation** violations, the defendant, upon revocation of probation, may  
12           be re-sentenced to any term of imprisonment not to exceed statutory  
13           maximum of the original offense of conviction. (18 U.S.C. § 3565 (a)(2))

14           d)    For **supervised release** violations, the maximum *imprisonment* upon  
15           revocation of supervised release (pursuant to 18 U.S.C. § 3583 (e)(3)) is:

- 16                   ( )    Class A felony - 5 years
- 17                   ( )    Class B felony - 3 years
- 18                   (X)    Class C or D felony - 2 years
- 19                   ( )    Any other case - 1 year

20                   The maximum *supervised release* following any term of imprisonment upon  
21                   revocation of supervised release shall not exceed the maximum supervised  
22                   release for the underlying offense, less any term of imprisonment that was  
23                   imposed upon revocation. (18 U.S.C. § 3883(h))

24           7.    Waiver of Appeal & Collateral Attacks - The defendant waives any and all motions,  
25           defenses, probable cause determinations, and objections which the defendant could assert  
26           to the information or indictment, or petition to revoke, or to the Court's entry of judgment  
          and imposition of sentence upon the defendant, providing the sentence is consistent with  
          this agreement. The defendant further waives: (1) any right to appeal the Court's entry of  
          judgment against defendant; (2) any right to appeal the imposition of sentence upon  
          defendant; and (3) any right to collaterally attack defendant's conviction and sentence in

1 a habeas petition under 28 U.S.C. § 2255 or motion under any other statute or rule. If the  
2 defendant files a notice of appeal or any habeas petition, notwithstanding this agreement,  
3 the defendant agrees that, upon motion of the government, this case shall be remanded to  
4 the district court to determine whether defendant is in breach of this agreement and, if so,  
5 to permit the United States to withdraw from this disposition agreement.

6 8. The defendant understands the government's obligation to provide all information  
7 in its file regarding the defendant to the United States Probation Office. The defendant  
8 fully understands and agrees to cooperate fully with the United States Probation Office in  
9 providing all information requested by the probation officer.

10 9. I understand all of the provisions of this agreement. This written disposition  
11 agreement contains all the terms and conditions of my agreement, and any promises made  
12 by anyone (including my attorney) that are not contained within this written agreement are  
13 without effect and are void.

14 12/11/06  
15 Date

14 X F. C. C.  
15 Fernando Aguirre-Ochoa  
16 Defendant

17 10. I have discussed this case and the written agreement with my client in detail, and  
18 have translated it for him if he does not speak English. No assurances, promises, or  
19 representations have been given to me or my client by the government or by any of its  
20 representatives which are not contained in this written agreement. I concur in the entry of  
21 the agreement as indicated above and agree that the terms and conditions set forth in this  
22 agreement are in the best interests of my client.

23 12/11/06  
24 Date


23 Frank Leon  
24 Frank Leon  
25 Attorney for Defendant  
26

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1 11. I have reviewed this matter and the agreement. I agree on behalf of the United States  
2 that the terms and conditions set forth are appropriate and are in the best interests of justice.

3 PAUL K. CHARLTON  
4 United States Attorney  
5 District of Arizona

6 12-13-06  
Date

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8 Claire K. Lefkowitz  
9 Assistant U.S. Attorney  
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