

UNITED STATES OF AMERICA

v.

JOSHUA BENJAMIN BUTLER, IV.

The lawsuit filed against Mr. Joshua B. Butler, IV by Ms. Nanette Saucier is based of the filing of the case stated above. There are two federal documents attached in this package so that the reader will better understand the severity of the charges, and the judgement by the Court.

I am including these two documents because Council Member Joshua B. Butler has not complied with the parole requirements of the Court that should be adhered to by the State of Georgia. CM Butler continues to violate the Federal and State Statutes and the City Charter by discussing and voting on issues that provide a personal financial benefit to him that has nothing to do with him as an elected official acting in his official capacity.

Instead of Mayor and Council voting to impeach him, they have chosen to pay more than \$14,000 in attorney fees for him against the advice of the City Attorney and in violation of City policy without an itemized invoice. The motion to pay his attorney fees did not state an amount or any limit,

After, Ms. Saucier refiled the lawsuit, Mr. Butler rehired his former attorney to represent him.

As a resident, former Council Member and Mayor, I will not remain silent nor condone the illegal prior acts of Mr. Butler; the current violations of Federal and State Statutes and the City Charter and policies by CM Butler and Mayor and Council.

Carmelina D. Pittman

United States District Court
Western District of North Carolina

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

V.

JOSHUA BENJAMIN BUTLER, IV.
(Name of Defendant)

Case Number: 3:00cr6-2

Sandra Michael
Defendant's Attorney

FILED
CHARLOTTE, N. C.

NOV 16 2000

THE DEFENDANT:

- pleaded guilty to count(s) 1 & 7
- pleaded nolo contendere to count(s) _____ which was accepted by the court.
- pleaded guilty by alford plea to count(s) _____
- was found guilty on count(s) _____ after a plea of not guilty.

U. S. DISTRICT COURT
W. DIST. OF N. C.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
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18 USC 371

Conspiracy to defraud the United States

12/31/98

1

18 USC 1030(a)(4), 2

Computer fraud; aid & abet same

CHARLOTTE, N. C.

9/22/98

7

FILED

NOV 16 2000

U. S. DISTRICT COURT
W. DIST. OF N. C.

Certified to be a true and correct copy of the original U.S. District Court
Frank G. Johns, Clerk
Western District of N.C.
By: *[Signature]*
Deputy Clerk
Date: 2/17/2019

The Defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The Defendant has been found not guilty on count(s) _____.

Count(s) 8,9,10,11 & 12 are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 257-57-1200

Date of Imposition of Sentence: 11/1/00

Defendant's Date of Birth: 7/8/70

[Signature]
Signature of Judicial Officer

Defendant's USM No.: 15961-058

LACY H. THORNBURG
U.S. District Court Judge

Defendant's Mailing Address:
320 Dix Lee On Drive
Fairburn, Ga. 30213

Date: 11-15-00

DOCUMENT
SCANNED

150

Defendant: Joshua Benjamin Butler, IV
Case Number: 3:00cr6-2

IMPRISONMENT

The Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 Months on each of Cts. 1 & 7, to be served concurrently.

The Court makes the following recommendations to the Bureau of Prisons: That defendant be located as near as possible to a facility in Atlanta, Georgia as his family & friends reside in that area.

The Defendant is remanded to the custody of the United States Marshal.

The Defendant shall surrender to the United States Marshal for this District:

at a.m. / p.m. on .

as notified by the United States Marshal.

The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on .

as notified by the United States Marshal, at own expense.

as notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Case Number: 3:00cr6-2

SUPERVISED RELEASE

Upon release from imprisonment, the Defendant shall be on supervised release for a term of 3 Years. This consists of terms of 3 years on each of Cts. 1 & 7, both such terms to run concurrently.

The condition for mandatory drug testing is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

STANDARD CONDITIONS OF SUPERVISION

The defendant shall comply with the standard conditions that have been adopted by this court and any additional conditions ordered.

- 1) The Defendant shall not commit another federal, state, or local crime.
- 2) The Defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
- 3) The Defendant shall pay any financial obligation imposed by this judgment remaining unpaid as of the commencement of the sentence of probation or the term of supervised release on a schedule to be established by the Probation Officer.
- 4) The Defendant shall provide access to any personal or business financial information as requested by the probation officer.
- 5) The Defendant shall not acquire any new lines of credit unless authorized to do so in advance by the probation officer.
- 6) The Defendant shall not leave the Western District of North Carolina without the permission of the Court or probation officer.
- 7) The Defendant shall report in person to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 8) A Defendant on supervised release shall report in person to the probation officer in the district to which he or she is released within 72 hours of release from custody of the Bureau of Prisons.
- 9) The Defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 10) The Defendant shall support his or her dependents and meet other family responsibilities.
- 11) The Defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other activities authorized by the probation officer.
- 12) The Defendant shall notify the probation officer within 72 hours of any change in residence or employment.
- 13) The Defendant shall refrain from excessive use of alcohol and shall not unlawfully purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as duly prescribed by a licensed physician.
- 14) The Defendant shall participate in a program of testing and treatment or both for substance abuse if directed to do so by the probation officer, until such time as the defendant is released from the program by the probation officer, provided, however, that defendant shall submit to a drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter for use of any controlled substance, subject to the provisions of 18.3563(a)(4) or 18.3583(d), respectively.
- 15) The Defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 16) The Defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 17) The Defendant shall submit his person, residence, office or vehicle to a search, from time to time, conducted by any U.S. Probation Officer and such other law enforcement personnel as the probation officer may deem advisable, without a warrant; and failure to submit to such a search may be grounds for revocation of probation or supervised release. The defendant shall warn other residents or occupants that such premises or vehicle may be subject to searches pursuant to this condition.
- 18) The Defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed by the probation officer.
- 19) The Defendant shall notify the probation officer within 72 hours of defendant's being arrested or questioned by a law enforcement officer.
- 20) The Defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
- 21) As directed by the probation officer, the Defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 22) If the instant offense was committed on or after 4/24/96, the defendant shall notify the probation officer of any material changes in defendant's economic circumstances which may affect the defendant's ability to pay restitution, fines or special assessments.

ADDITIONAL CONDITIONS:

Defendant: Joshua Benjamin Butler, IV
 Case number: 3:00cr6-2

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
\$200.00	\$	\$984,717.50

Restitution to Equifax Credit Information Services, Inc.

FINE

The above fine includes costs of incarceration, if any, and/or supervision.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

- The court has determined that the defendant does not have the ability to pay interest and it is ordered that:
- The interest requirement is waived.
- The interest requirement is modified as follows:

RECEIVED

JUN 13 2005
CHIEF U.S. PROBATION OFFICE
CHARLOTTE, N. C.

FILED
CHARLOTTE, N. C.

JUN 14 2005

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

U. S. DISTRICT COURT
W. DIST. OF N. C.

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: Joshua Benjamin Butler, III Case Number: 3:00CR00006-002

Name of Sentencing Judicial Officer: The Honorable Lacy H. Thornburg
U.S. District Judge

Date of Original Sentence: 11-01-00 Register Number: PACTS Number: 08630

Original Offense: 18:371 - Conspiracy to Defraud the United States
18:1030(a)(4),2 - Computer Fraud; Aid & Abet Same

Original Sentence: 21 months imprisonment; 3 years Supervised Release. Special conditions:
\$984,717.50 restitution (bal: \$981,992.50)

Type of Supervision: Supervised Release Date Supervision Commenced: 09-03-02

PETITIONING THE COURT

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

The defendant's supervision will be allowed to expire with the outstanding financial obligation to be collected by civil means through the U.S. Attorney's Office.

CAUSE

Offender has made a good-faith effort to pay restitution, but will continue to owe a significant balance after his supervision expires. The supervising officer sees no chance that the balance of the restitution can be paid before termination of supervised release due to the large balance.

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

Respectfully submitted,

by



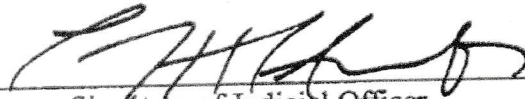
Glynnis L. Eaton
U.S. Probation Officer Assistant
(704) 350-7651
Date: 06-01-05

THE COURT ORDERS:

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other

6-10-05

Date



Signature of Judicial Officer