

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

HONORABLE MARY S. SCRIVEN

CASE NO. 8:19-cr-334-T-35CPT	DATE: November 18, 2020
TITLE: USA v. Joseph S. Anile, II	
TIME: 9:12 AM – 10:41 AM	TOTAL: 1 HR 29 MIN

Courtroom Deputy: Cynthia Biron	
Court Reporter: David Walker-Collier	Probation: Tashika Curtis
Counsel for Government: Rachelle Desvaux Bedke	
Counsel for Defendant: Gerard Marrone, Michael Gonzalez	

CRIMINAL MINUTES

The Court has confirmed that Defendant, after consulting with his attorney, consents to holding this hearing via Zoom videoconference, with all parties appearing as such.

Defendant sworn and adjudicated guilty as to Counts One, Two, and Three of the Information.

Witnesses:

- Patti Katter; sworn and testified
- Kenneth Katter; sworn and testified
- Matthew Michaud; sworn and testified
- Mitchell Rosen; sworn and testified

Imprisonment: **ONE HUNDRED TWENTY (120) MONTHS, consisting of 120 months as to Count One, 120 months as to Count Two, and 36 months as to Count 3, all such terms to run concurrently.**

Supervised Release: **THREE (3) YEARS, consisting of 3 years on Counts One and Two, and 1 year on Count Three, all such terms to run concurrently.**

Special Conditions of Supervised Release:

- Defendant shall submit to a search of your person, residence, place of business, any storage units under your control, computer, or vehicle, conducted by the United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release.

Defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition. Failure to submit to a search may be grounds for revocation.

- The mandatory drug testing provisions of the Violent Crime Control Act are waived. The Court authorizes random drug testing not to exceed 104 tests per year.
- Defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, acquisitions or obligating himself/herself for any major purchases (over \$500), **or attempting to do so**, without the **express prior approval** of the probation officer.
- Defendant shall provide the probation officer access to any requested financial information.
- Defendant shall refrain from engaging in any employment related to financial trades or consultation related to trades.
- Defendant shall fully cooperate with the Internal Revenue Service and in keeping with that cooperation provide the Internal Revenue Service with lawful tax returns for the years 2016, 2017, and 2018. Additionally, Defendant shall pay all outstanding taxes, interest, and penalties relating to the offense of conviction. Furthermore, Defendant shall provide the probation officer with verification that the income tax obligations are being met to the fullest extent possible.

Restitution: \$53,270,336.08 (*See Criminal Monetary Penalties section of the Judgment for details*) joint and several with Michael J. DaCorta in related case No. 8:19-cr-605-T-02CPT

While in the Bureau of Prisons custody, the defendant shall either (1) pay at least \$25 quarterly if the defendant has a non-Unicor job or (2) pay at least 50% of his monthly earnings if the defendant has a Unicor job. **Upon release from custody**, the defendant shall make monthly payments of no less than \$500.00 and this payment schedule shall continue until such time as the Court is notified by the defendant, the victim or the government that there has been a material change in his ability to pay.

Fine is waived.

Special Assessment: \$300.00. This obligation is to be paid immediately.

The Court recommends the following to the Bureau of Prisons:

- Placement at a facility that can manage the Defendant's medical needs – The Court first recommends Butner in North Carolina.

Defendant to surrender to the designated institution as notified by the US Marshal but not before June 2021.

The defendant is ordered to remain at home expect as necessary to attend medical appointments and legal proceedings, and to confer with counsel. Any efforts to leave the home must be pre-approved by the office of Probation. Defendant's remaining previously imposed terms and conditions of supervision remain in effect through the date of his surrender in June 2021.

Defendant is directed to confer with the U.S. Marshals via telephone after the proceeding to coordinate processing.

Defendant advised of right to appeal and of right to counsel on appeal.

Forfeiture ordered by the Court. Forfeiture order is made a part of the Judgment.

GUIDELINE RANGE DETERMINED BY THE COURT AT SENTENCING

Total Offense Level	35
Criminal History Category	I
Imprisonment Range	168 – 210 months
Supervised Release Range	1 - 3 years on Cts.1, 2; 1 year as to Ct. 3
Restitution	\$53,270,336.08
Fine Range	\$40,000 - \$250,000
Special Assessment	\$300.00