

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JO ANN HOWARD AND ASSOCIATES, P.C., )  
SPECIAL DEPUTY RECEIVER OF LINCOLN )  
MEMORIAL LIFE INSURANCE COMPANY, )  
MEMORIAL SERVICE LIFE INSURANCE )  
COMPANY, AND NATIONAL )  
PREARRANGED SERVICES, INC., ET AL., )

Plaintiffs, )

v. )

J. DOUGLAS CASSITY; RANDALL K. )  
SUTTON; BRENT D. CASSITY; J. TYLER )  
CASSITY; RHONDA L. CASSITY; ET AL., )

Defendants. )

Case No. 09-CV-1252-ERW

**PLAINTIFFS' MOTION FOR DISMISSAL WITHOUT PREJUDICE OF  
COMPLAINT AGAINST DEFENDANT J. DOUGLAS CASSITY**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiffs respectfully request an Order of the Court approving dismissal without prejudice of Plaintiffs' claims against Defendant J. Douglas Cassity ("Cassity").

The decision to grant a Rule 41(a)(2) motion to dismiss without prejudice lies within the sound discretion of the district court. *Thatcher v. Hanover Ins. Grp., Inc.*, 659 F.3d 1212, 1213 (8th Cir. 2011) (quoting *Hamm v. Rhone-Poulenc Rorer Pharm., Inc.*, 187 F.3d 941, 950 (8th Cir. 1999)). In exercising its discretion, the court should consider: (1) whether the party presents a proper explanation for its desire to dismiss; (2) whether a dismissal would result in waste of judicial resources; (3) whether a dismissal will prejudice the opposing party; and (4) whether the party seeks dismissal merely to avoid an adverse decision or to seek a more favorable forum. *Id.* at 1213-14 (quoting *Hamm*, 187 F.3d at 950).

All four of these factors weigh in favor of granting Plaintiffs' motion. First, Plaintiffs' reasons for seeking voluntary dismissal of their claims against Cassity are simple and pragmatic. Since filing their Third Amended Complaint, a \$435,000,000 restitution order has entered against Cassity in the parallel criminal case, with the Special Deputy Receiver named as the primary victim to receive restitution payments. *See* Ex. A at 6. Representations made by Cassity indicate that he will be financially unable to pay even a fraction of this award, let alone an additional judgment. *See* ECF No. 1442 (Exs. A & B). In addition, costly and time-consuming challenges related to Cassity's access to case information will only increase through the remainder of discovery and trial. Continuing to litigate this matter against Cassity makes little economic sense in light of the fact that any recovery by Plaintiffs would be duplicative and outweighed by the time and effort spent pursuing their claims.

Second, dismissal will conserve, rather than waste, judicial resources by avoiding any additional rulings or motion practice that may be prompted by Cassity's continued presence in this lawsuit. Dismissing Cassity will simplify matters before the Court and the presence of fewer defendants will streamline the case for both pretrial and trial purposes. *Cf. Furminator, Inc. v. Ontel Prods. Corp.*, 246 F.R.D. 579, 594 (E.D. Mo. 2007) (grant of voluntary dismissal would conserve judicial resources expended on hearings, motion practice, and trial).

Third, no prejudice will be suffered by Cassity or by any of the remaining Defendants as a result of Cassity's dismissal from this lawsuit. Cassity has not filed any motions for summary judgment, has not been served with any discovery directed at him, and has not initiated any discovery. Cassity also has asserted no counterclaims or cross claims, and no cross claims have been asserted against him. Not only will Cassity suffer no prejudice, he will benefit from not

having to expend time, costs, and resources to prepare for trial and will avoid the risk of additional adverse judgments.

Finally, Plaintiffs do not seek voluntary dismissal of their claims against Cassity to avoid an adverse decision or to seek a more favorable forum. Plaintiffs have already defeated two motions to dismiss filed by Cassity and dismissal does not give them any tactical advantage. Plaintiffs will continue to pursue their claims in this court.

**CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully request the Court dismiss Plaintiffs' claims against Defendant Douglas Cassity without prejudice.

Dated this 21st day of July 2014.

Respectfully submitted,

s/ Wendy B. Fisher

Daniel M. Reilly (Admitted *Pro Hac Vice*)  
Larry S. Pozner, E.D. Missouri Bar No. 2792CO  
Wendy B. Fisher (Admitted *Pro Hac Vice*)  
Glenn E. Roper (Admitted *Pro Hac Vice*)  
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Attorneys for Plaintiffs Jo Ann Howard and Associates, P.C., in its capacity as Special Deputy Receiver of Lincoln Memorial Life Insurance Company, Memorial Service Life Insurance Company, and National Prearranged Services, Inc.; the National Organization of Life and Health Insurance Guaranty Associations; the Missouri Life & Health Insurance Guaranty Association; the Texas Life & Health Insurance Guaranty Association; the Illinois Life & Health Insurance Guaranty Association; the Kansas Life & Health Insurance Guaranty Association; Oklahoma Life & Health Insurance Guaranty Association; the Kentucky Life & Health Insurance Guaranty Association; and the Arkansas Life & Health Insurance Guaranty Association

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2014, the foregoing PLAINTIFFS' MOTION FOR DISMISSAL WITHOUT PREJUDICE OF COMPLAINT AGAINST DEFENDANT DOUGLAS CASSITY was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record in this case participating in Electronic Case Filing.

I hereby further certify that on July 21, 2014, the foregoing was sent by United States Postal Service or by electronic means, as indicated below, to the following non-participants in Electronic Case Filing:

Randall J. Singer  
10833 Forest Circle Dr.  
St. Louis, MO 63128  
*Pro se*

Tony B. Lumpkin, III  
2125 Amur Drive  
Austin, TX 78745-2085  
*Pro se*

Brent Douglas Cassity, *Pro se*  
Register # 38224-044  
USP Leavenworth  
U.S. Penitentiary Satellite Camp  
P.O. Box 1000  
Leavenworth, KS 66048

Sharon Nekol Province, *Pro se*  
Register # 36759-044  
FMC Carswell  
Federal Medical Center  
P.O. Box 27137  
Fort Worth, TX 76127

David R. Wulf, *Pro se*  
Register # 38227-044  
FCI Terre Haute  
Federal Correctional Institution  
Satellite Camp  
P.O. Box 33  
Terre Haute, IN 47808

James Douglas Cassity, *Pro se*  
Register # 02005-045  
USP Marion  
U.S. Penitentiary  
Satellite Camp  
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Marion, IL 62959

Randall K. Sutton, *Pro Se*  
Register Number 36549-044  
FCI Terre Haute  
Federal Correctional Institution  
Satellite Camp  
P.O. Box 33  
Terre Haute, IN 47808

*s/ Wendy B. Fisher*

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Wendy B. Fisher  
(Admitted *Pro Hac Vice*)  
Attorney for Plaintiffs

**Exhibit A**

# United States District Court

Eastern District of Missouri

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

JAMES DOUGLAS CASSITY

CASE NUMBER: 4:09-CR-00509-JCH-3

USM Number: 02005-045

N. Scott Rosenblum and Gilbert C. Sison

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) 7, 17, 21, 24, 36 and 48 of the Second Superseding Indictment.

pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.

was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. § 1344	Bank Fraud	Prior to 1992 and continued until on or about April 28,2010	Seven(7)
18 U.S.C. § 1343	Wire Fraud	Prior to 1992 and continued until on or about April 28,2010	Seventeen(17)
18 U.S.C. § 1343	Wire Fraud	Prior to 1992 and continued until on or about April 28,2010	Twenty-one(21)

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

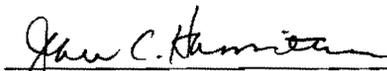
The defendant has been found not guilty on count(s) \_\_\_\_\_

Count(s) 1-6,8-16,18-20,22,23,25-35,44-47,49 are dismissed on the motion of the United States.

It is ordered that the defendant must 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. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 14, 2013

Date of Imposition of Judgment

  
\_\_\_\_\_  
Signature of Judge

Honorable Jean C. Hamilton

United States District Judge

\_\_\_\_\_  
Name & Title of Judge

November 14, 2013

Date signed

DEFENDANT: JAMES DOUGLAS CASSITY

CASE NUMBER: 4:09-CR-00509-JCH-3

District: Eastern District of Missouri

### ADDITIONAL COUNTS OF CONVICTION

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1341	Mail Fraud	Prior to 1992 and continued until on or about April 28,2010	Twenty-four(24)
18 U.S.C. § 1957(a) and 18 U.S.C. § 1957(b)(1)	Money Laundering	Prior to 1992 and continued until on or about April 28,2010	Thirty-six(36)
18 U.S.C. § 1033(b)(1) and 18 U.S.C. § 1033(b)(2)	Misappropriation of Insurance Funds Jeopardizing Soundness of Insurer	Prior to 1992 and continued until on or about April 28,2010	Forty-eight(48)

DEFENDANT: JAMES DOUGLAS CASSITY

CASE NUMBER: 4:09-CR-00509-JCH-3

District: Eastern District of Missouri

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 115 months.

This term consists of a term of 115 months on each of Counts 7, 17, 21, 24, 36, and 48, all such terms to be served concurrently.

The court makes the following recommendations to the Bureau of Prisons:

It is recommended that the defendant participate in the Financial Responsibility Program while incarcerated, if that is consistent with Bureau of Prisons policies. It is also recommended that the defendant be evaluated for participation in the Residential Drug Abuse Program, if this is consistent with the Bureau of Prisons policies. Further recommended the defendant be placed in the BOP Facility at FMC Lexington if this is consistent with the Bureau of Prisons policies.

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./pm 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 Designation requested to be extended past the Holidays on Jan. 6, 2014.

as notified by the Probation or Pretrial Services Office

**MARSHALS RETURN MADE ON SEPARATE PAGE**

DEFENDANT: JAMES DOUGLAS CASSITYCASE NUMBER: 4:09-CR-00509-JCH-3District: Eastern District of Missouri**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of five years.

This term consists of a term of five years on Count 7, and a term of three years on each of Counts 17, 21, 24, 36, and 48, all such terms to run concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment

The defendant shall comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

**STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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 in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

DEFENDANT: JAMES DOUGLAS CASSITY  
CASE NUMBER: 4:09-CR-00509-JCH-3  
District: Eastern District of Missouri

### SPECIAL CONDITIONS OF SUPERVISION

While on supervision, the defendant shall comply with the standard conditions that have been adopted by this Court and shall comply with the following additional conditions. If it is determined there are costs associated with any services provided, the defendant shall pay those costs based on a co-payment fee established by the probation office.

1. The defendant shall refrain from any unlawful use of a controlled substance and submit to a drug test within 15 days of commencement of supervision and at least two periodic drug tests thereafter for use of a controlled substance.
2. The defendant shall participate in a substance abuse treatment program approved by the probation office, which may include substance abuse testing, counseling, Residential Re-entry Center placement, residential or inpatient treatment.
3. The defendant shall abstain from the use of alcohol and/or all other intoxicants.
4. The defendant shall participate in a domestic violence counseling program approved by the probation office.
5. The defendant shall provide the probation office and the Financial Litigation Unit (FLU) of the U.S. Attorney's Office access to any requested financial information. The defendant is advised that the probation office may share financial information with FLU.
6. The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without the approval of the probation office so long as there is a balance on the Court-imposed financial obligation.
7. The defendant shall apply all monies received from any anticipated and/or unexpected financial gains, including any income tax refunds, inheritances, or judgments, to the outstanding Court-ordered financial obligation. The defendant shall immediately notify the probation office of the receipt of any indicated monies.
8. The defendant shall pay the restitution as previously ordered by the Court.
9. The defendant shall not be self-employed or be employed as a "consultant" without the written permission of the probation office.
10. The defendant shall submit his person, residence, office, or vehicle to a search conducted by the probation office based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
11. The defendant shall not create, operate, manage or participate in the creation, operation or management of any business entity, including a family business without the written permission of the probation office.

DEFENDANT: JAMES DOUGLAS CASSITY  
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**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on sheet 6

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	<u>\$600.00</u>	<u>                    </u>	<u>\$435,515,234.00</u>

The determination of restitution is deferred until \_\_\_\_\_ . *An Amended Judgment in a Criminal Case (AO 245C)* will be entered after such a determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Jo Ann Howard & Associates, P.C. Attn: Special Deputy Receiver P.O. Box 160050 Austin, Texas 78716		\$435,515,234.00	

Totals: \_\_\_\_\_ \$435,515,234.00

Restitution amount ordered pursuant to plea agreement \_\_\_\_\_

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

The interest requirement is waived for the.     fine                     restitution.

The interest requirement for the     fine     restitution is modified as follows:

IT IS FURTHER ORDERED that pursuant to 18 U.S.C. § 3663A, for each of Counts 7, 17, 21, 24, 36, and 48, the defendant shall make restitution in the total amount of \$435,515,234.00.

THE COURT FINDS that the defendant does not have the ability to pay a fine.

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: JAMES DOUGLAS CASSITYCASE NUMBER: 4:09-CR-00509-JCH-3District: Eastern District of Missouri

### ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

IT IS FURTHER ORDERED that pursuant to 18 U.S.C. § 3663A, for each of Counts 7, 17, 21, 24, 36, and 48, the defendant shall make restitution in the total amount of \$435,515,234.00.

This obligation is joint and several with Brent Douglas Cassity, Howard A. Wittner, Randall K. Sutton, David R. Wulf, and Sharon Nekol Province, meaning that no further payments shall be required after the sum of the amounts actually paid by all defendants has fully covered the compensable injuries. Payments of restitution shall be made to the Clerk of the Court for transfer to the victims. The interest requirement for the restitution is waived.

All criminal monetary penalties are due in full immediately. The defendant shall pay all criminal monetary penalties through the Clerk of Court. If the defendant cannot pay in full immediately, then the defendant shall make payments under the following minimum payment schedule: During incarceration, it is recommended that the defendant pay criminal monetary penalties through an installment plan in accordance with the Bureau of Prisons' Inmate Financial Responsibility Program at the rate of 50% of the funds available to the defendant. If the defendant owes any criminal monetary penalties when released from incarceration, then the defendant shall make payments in monthly installments of at least \$300 or no less than 10% of the defendant's gross earnings, whichever is greater, with payments to commence no later than 30 days after release from imprisonment. Until all criminal monetary penalties are paid in full, the defendant shall notify the Court and this district's United States Attorney's Office, Financial Litigation Unit, of any material changes in the defendant's economic circumstances that might affect the defendant's ability to pay criminal monetary penalties. The defendant shall notify this district's United States Attorney's Office, Financial Litigation Unit, of any change of mailing or residence address that occurs while any portion of the criminal monetary penalties remains unpaid.

It is recommended that the defendant participate in the Financial Responsibility Program while incarcerated, if that is consistent with Bureau of Prisons policies.

DEFENDANT: JAMES DOUGLAS CASSITY  
CASE NUMBER: 4:09-CR-00509-JCH-3  
District: Eastern District of Missouri

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A  Lump sum payment of \$435,515,834.00 due immediately, balance due
  - not later than \_\_\_\_\_, or
  - in accordance with  C,  D, or  E below; or  F below; or
- B  Payment to begin immediately (may be combined with  C,  D, or  E below; or  F below; or
- C  Payment in equal \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \_\_\_\_\_ over a period of \_\_\_\_\_ e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D  Payment in equal \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \_\_\_\_\_ over a period of \_\_\_\_\_ e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E  Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after Release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time: or
- F  Special instructions regarding the payment of criminal monetary penalties:

IT IS FURTHER ORDERED that the defendant shall pay to the United States a special assessment of \$100 on each of Counts 7, 17, 21, 24, 36, and 48, for a total of \$600, which shall be due immediately. Restitution ordered in the amount of \$435,515,234.00 see pgs. 6&7.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program are made to the clerk of the court.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

**Joint and Several**  
Defendant and Co-defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

This obligation is joint and several with Brent Douglas Cassity, Howard A. Wittner, Randall K. Sutton, David R. Wulf, and Sharon Nekol Province, meaning that no further payments shall be required after the sum of the amounts actually paid by all defendants has fully covered the compensable injuries. Payments of restitution shall be made to the Clerk of the Court for transfer to the victims. The interest requirement for the restitution is waived.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):

The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1 ) assessment; (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest (6) community restitution.(7) penalties, and (8) costs, including cost of prosecution and court costs.



DEFENDANT: JAMES DOUGLAS CASSITY  
CASE NUMBER: 4:09-CR-00509-JCH-3  
USM Number: 02005-045

UNITED STATES MARSHAL  
RETURN OF JUDGMENT IN A CRIMINAL CASE

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_

The Defendant was delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

- The Defendant was released on \_\_\_\_\_ to \_\_\_\_\_ Probation
- The Defendant was released on \_\_\_\_\_ to \_\_\_\_\_ Supervised Release
- and a Fine of \_\_\_\_\_  and Restitution in the amount of \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

I certify and Return that on \_\_\_\_\_, I took custody of \_\_\_\_\_  
at \_\_\_\_\_ and delivered same to \_\_\_\_\_  
on \_\_\_\_\_ F.F.T. \_\_\_\_\_

U.S. MARSHAL E/MO

By DUSM \_\_\_\_\_