

United States v. Dyer

Decided Dec 20, 2016

Case No. 16-cr-100-pp

12-20-2016

UNITED STATES OF AMERICA, Plaintiff, v.
TODD A. DYER, Defendant.HON. PAMELA PEPPER United States District
Judge**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION (DKT. NO.
32) AND ACCEPTING
DEFENDANT'S GUILTY PLEA**

On December 7, 2016, the defendant (and stand-by counsel) appeared before Magistrate Judge David E. Jones for a change-of-plea hearing. Dkt. No. 32. Both parties consented to Judge Jones conducting the plea colloquy. *Id.* at 1. Judge Jones explained that he would make a recommendation to this court, and that this court would decide whether to accept the plea. *Id.*

Judge Jones questioned the defendant about his rights, the penalties associated with the offense to which he was pleading, and this court's final authority to impose a sentence regardless of the recommendations of the probation department or the parties. *Id.* at 1-2. At the end of the hearing, Judge Jones concluded, and recommended that this court find, that the defendant's plea was knowing and voluntary, and supported by an

independent factual basis. *Id.* at 2. Judge Jones recommended that this court accept the defendant's guilty plea and schedule the case for sentencing. *Id.* *2

No party has objected to Judge Jones' report and recommendation. Having reviewed the case, and in particular, the plea hearing and Judge Jones' findings, the court **ADOPTS** Judge Jones' report and recommendation. The court **ACCEPTS** defendant Todd Dyer's guilty plea, finding that he made it knowingly and voluntarily, understanding his rights and the consequences of his plea. The court **ORDERS** that the probation department begin the process of preparing a presentence investigation report. The court's staff will contact the parties (including the probation officer) to schedule a date for the sentencing hearing, as well as deadlines for disclosure of the draft presentence investigation report, objections to the report, responses, the filing of letters or other supporting documentation, and the filing of the revised presentence report.

Dated in Milwaukee, Wisconsin this 20th day of December, 2016.

BY THE COURT:

/s/ _____

HON. PAMELA PEPPER

United States District Judge