

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

-vs-

Case No. 1:05-CR-190-01JOF

ELMER E. TWILLEY

Defendant's Attorney:
JIMMY HARDY

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

The defendant plead guilty to Count(s) One of the Indictment.

Accordingly, the defendant is adjudged guilty of such count(s) which involves the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count No.</u>
18:1341	Frauds and Swindles via Mail Fraud	1

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.

It is ordered that the defendant shall pay the special assessment of **\$ 100.00** which shall be due immediately.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within thirty 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. 0382
Defendant's Date of Birth: 1943
Defendant's Mailing Address:
Gallatin, TN

Date of Imposition of Sentence:
September 7, 2006

Signed this the 8th day of September, 2006.

/s/ J. Owen Forrester
J. OWEN FORRESTER
SENIOR UNITED STATES DISTRICT JUDGE

1:05-CR-190-01JOF : ELMER E. TWILLEY

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **Thirty (30) Months**.

The court recommends that the defendant be allowed to serve his term of imprisonment in an appropriate, minimum security facility in or closest to Tennessee.

The defendant shall voluntarily surrender for service of sentence at the institution designated by the Bureau of Prisons as notified by the United States Marshal.

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 U.S. Marshal

1:05-CR-190-01JOF : ELMER E. TWILLEY

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **Three (3) Years**.

While on supervised release, the defendant shall not commit another federal, state or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard and special conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

The defendant shall not own, possess or have under his control any firearm, dangerous weapon or other destructive device.

The defendant shall cooperate in the collection of DNA as directed by the probation officer, pursuant to 42 U.S.C. 14135a(d)(1) and 10 U.S.C. 1565(d), which requires mandatory DNA testing for federal offenders convicted of felony offenses.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer unless the defendant is in compliance with the installment payment schedule.

The defendant shall make a full and complete disclosure of finances and submit to an audit of financial documents, at the request of the United States Probation Officer.

1:05-CR-190-01JOF : ELMER E. TWILLEY

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

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 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;
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 within **72** hours of any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician, and shall submit to periodic urinalysis tests as directed by the probation officer to determine the use of any controlled substance;
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 by the probation officer;
11. The defendant shall notify the probation officer within **72** 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.

1:05-CR-190-01JOF : ELMER E. TWILLEY

RESTITUTION

Restitution, due in full and payable immediately, totals \$6,364.05. The defendant shall make restitution to each of the following victims in the amount of \$43 .89 unless otherwise noted:

Allied Industrial Supply, Inc .	Allied Gas & Chemical Co ., Inc.
Metro Power Electrical Contractors	A .C . Mc Cartney Farm Equipment
American Orthopedic Supply Company, Inc .	Act Technologies, Inc .
Alamia, Inc.	Allied Garage Door, Inc .
AC Corporation	Alexis Fire Equipment
Hamilton County Equipment	Alliance Production of Iowa, LLC
Ace Construction, Inc.	Albion
Acro Trailer Company	Agrarian Marketing Corporation
A . McCrary Corporation	Lewan Industries, Inc .
Lane Home Furnishings	ASI Modulex
Amazon.com	Allstate Glass Co., Inc .
American Lock & Key, Inc.	Altamont Company
A&A Electric, Inc.	Acraloc Corporation
Alsip Home & Nursery Superstore (mailed two checks totaling \$87 .78)	
Altman Tractor Co . of Conway, Inc .	
AOE Supply, Inc.	A.G.W. Wholesale, Inc . of St . Louis
All Rental	Action Marine, Inc.
Alabama Art Supply, Inc.	F & K Glass Company, Inc.
Air Filter Sales and Services, Inc .	Advanced Web Technologies, LLC
A & B Auto Body Supply, Inc.	Al's Trophy Shop, Inc.
US Filter Aerator Products	Amicor, Inc.
Alpact Enterprises, Inc.	Datamax Pioneer
Albany Industries, Inc.	Ambrose Furniture, Inc .
Ace Sign Co.	Hermansen's Home Interior, LTD,
Tom Adams Construction, Inc .	DBA Color Tile & Carpet
Sofas & More	American Tile Company, Inc .
Alexzander Lumber Co .	Ambest Tool & Machine Co ., Inc .
Ameren UE	Active Tool and Die, Inc .
	Carl Kelpis & Sue Kelpis
All Tile inc.	American Glass Company, Inc.
Action Auto Parts, Inc .	American Equipment & Trailer, Inc .
American Aquatics Aquascapes Pool Supply, Inc .	Albert Lea Trailer, Inc .
American Machine Works, Inc.	Ahern Fire Protection-Omaha
Acheson Foundry & Machine Works, Inc .	Air and Hydraulic Equipment, Inc .
Advance Filtration Systems, Inc . (\$87.78)	AG Supply, Inc .
ACME Awning	Drake Comteq USA
Alternate Energy Systems, Inc.	AIRead Filter Products
Alvey Labs, Inc . (Bill Tarter, Jr . & Randy Alvey)	Agner Group, Inc .
Advance Engineering Technology, LLC (\$87 .78)	Airline Manufacturing Co .
Advance Fiberglass, Inc . (\$87.78)	Albemarte
Allimont Pharmacies, Inc . (\$87.78)	Allied Hosiery Mills, Inc.
Agri-Fab (\$87.78)	ACH food Companies, Inc.

1:05-CR-190-01JOF : ELMER E. TWILLEY

RESTITUTION (continued)

American Pride CO-OP
AGP Ad Processing, Inc.
Alar Engineering Corp.
Action Equipment Slaes Co ., Inc.
American Pattern & CNC Works, Inc.
Southern Classic Trailer MFG, Inc .
Adelta Corporation
Warden's Ace Hardware of Mukwonago, Inc .
American Towel & Rental Service, Inc .
American Import Tires, Ltd.
American Glass & Mirror Company, Inc . (mailed two checks totaling \$87 .78)
HI-A
Accurate Iron Works
A&M Laundry
All Contractors Equipment, Inc .
Garry D . Anspaugh & Barbara S . Anspaugh
Skokie Ace Hardware - #48131
AmarFrido Services, Inc.
American Dowell Stonecrafters
Alco Machine Company, Inc.
Alumacraft Boat Co.
American Energy Resources Construction Comp .
American Bedding Company
Landhandlers Services Shop
Absolute Pressure Cleaning Equipment, Inc .
Air Cruisers
Advance Component Technologies, Inc .
ALBIS
Affiliated Seam
AA&L Roofing Co .

Aero Metal Finishing, Inc .
American Proteins, Inc . Gumming
A. McDormatt Co ., Inc .
AALCO
A.C . Nelsen Enterprises, Inc .
Ace Supply Co., Inc .
Alliance Patterns, Inc .
AJ Manufacturing Co ., Inc .
Alabama Industrial Distributors, Inc .
American Ornamental Ironworks

Aluminum Castings Corporation
Aisin U.S.A. MFG., Inc .
Advance Engineering & MFG . Co .
Allan, Inc .
Ainsworth-Noah & Associates, Inc.
Cooperative Elevator Association
Kin-Ko Ace Hardware Store, Inc .
Little Antique Shop, Inc .
Alltemp Fireplaces, Inc .
Advance Systems, Inc .
Airtex Products, LLC
Academy of Awards, Inc .
American Midwest Equipment Co .
A&T Rebuilders
American FAB, Inc.
Allied Supply, Inc.
ADO Products

The victims' addresses will be provided to the appropriate party at a later date .