

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LISA MARIE RISINGSUN,

Defendant.

CR 25-144-BLG-WWM-TJC-2

**FINDINGS AND
RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

The Defendant, by consent, appeared before me on April 28, 2026, under Fed. R. Crim. P. 11 for a change of plea hearing. Pursuant to a plea agreement, Defendant intended to enter a plea of guilty to Count 4 of the Indictment, which charges the crime of prohibited person in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). During the change of plea hearing, however, the government's offer of proof did not set forth a sufficient factual basis to find that Defendant was in possession of the subject firearms. Further, during the plea colloquy, Defendant denied that she shared the bedroom where the firearms were found and denied that she lived at the residence where the firearms were located. While she acknowledged that she had observed one of the firearms while in the residence, she did not acknowledge that she had both the power and the intention to exercise

dominion and control over it. *Henderson v. United States*, 575 U.S. 622, 626 (2015); *United States v. Carrasco*, 257 F.3d 1045, 1049 (9th Cir. 2001).

Based on the information presented at the hearing, I am unable to find a sufficient factual basis for Defendant's plea to Count 4 of the Indictment, and therefore, did not accept her guilty plea.

For reasons stated on the record of the hearing, IT IS RECOMMENDED that Defendant's motion to change her plea to guilty to the charge in Count 4 of the Indictment be DENIED.

NOTICE OF RIGHT TO OBJECT

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of these Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 28th day of April, 2026.



TIMOTHY J. CAVAN
United States Magistrate Judge