

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTHUR "JACK" SCHUBARTH,

Defendant.

CR-24-06-GF-BMM

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

Defendant Arthur Schubarth (Schubarth) has appeared before me by consent under Fed. R. Crim. P. 11 and has entered a plea of guilty to one count of Conspiracy to violate the Lacey Act and one count of Lacey Act Trafficking as charged in the Information.

After examining the Schubarth under oath, I make the following determinations:

1. Schubarth is fully competent and capable of entering an informed and voluntary plea,
2. Schubarth is aware of the nature of the charge against her and consequences of pleading guilty to the charge,

3. Schubarth fully understands his constitutional rights and the extent to which he is waiving those rights by pleading guilty, and

4. Schubarth's plea of guilty is a knowing and voluntary plea supported by an independent basis in fact sufficient to prove each of the essential elements of the count charged.

The Court further concludes Schubarth had adequate time to review the Plea Agreement with counsel, he fully understands each and every provision of the Plea Agreement, and all of the statements in the Plea Agreement are true. Therefore, I recommend that the Schubarth be adjudged guilty of the charges in the Information and that sentence be imposed.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.

DATED this 12th day of March, 2024.



John Johnston United States
Magistrate Judge