



**U.S. Department of Justice**

*United States Attorney  
Eastern District of Wisconsin*

*517 East Wisconsin Avenue*

*414 / 297-1700*

*Milwaukee, WI 53202*

July 30, 2008

Hon. Rudolph T. Randa  
Chief United States District Judge  
517 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

Re: United States v. Gary George, Case No. 03-CR-259

Dear Judge Randa:

Defendant Gary George, in a pro se letter, has requested that this Court terminate his supervised release term after only one year of the three years imposed by the Court in the Amended Judgment dated May 3, 2006. Pursuant to Title 18, United States Code, section 3583(e)(1), the Court may take such action "if it is satisfied that such action is warranted by the conduct of the defendant . . . and the interest of justice." For the following reasons, the United States opposes this request.

1. Mr George still has in excess of \$439,000 in outstanding restitution obligations. In the past nine months, Mr. George has done nothing to reduce this balance other than pay the bare minimum of \$300 a month required by the Amended Judgment.

2. The underlying criminal conduct of Mr. George prompted this Court to impose multiple financial restrictions on Mr. George during the period of supervised release. These conditions serve not only to assist in restitution collection efforts, but to provide protection to the public from further crimes of the defendant. *See* Title 18, United States Code, section 3583(c), incorporating factors of section 3553(a)(2)(C). For example, this Court ordered that during the period of supervised release Mr. George hold no employment with fiduciary duties without notifying his employer of his conviction; nor was he to open any new lines of credit without notifying his supervising probation officer. The government is unaware of any change that would make these protections no longer necessary.

3. Mr. George asserts that he wants to be relieved of his supervision obligations so that he may have more freedom to travel (national and international) and in anticipated renewal of his law practice. Both of these stated motives give pause. Mr. George's underlying criminal conduct involved abuses of his law practice and laundering money in the Virgin Islands. As indicated, the supervised release term provides protection against Mr. George's return to criminal conduct.

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4. The overall conduct of Mr. George during these criminal proceedings also weighs against early termination of supervision. The record fails to establish that Mr. George fully accepts responsibility for his underlying conduct. As the Court will recall, despite a plea of guilty, Mr. George persisted in arguing that he was not really guilty of a federal crime. He also contended that he had been unfairly targeted for prosecution. This posture continued on appeal. *See* 403 F.3d 470 (7th Cir. 2005). The United States is unaware of any change in Mr. George's view of the underlying charges.

Finally, the government notes that in his correspondence to the Court, Mr. George writes: "The USPO (United States Probation Office) is not opposed to this request." It is unclear whether this statement refers to the request for early termination, more liberal travel restrictions, or submitting travel plans under seal. The United States respectfully requests that the Court solicit the view of the Probation Department before taking action on the request.

Thank you for your attention to this matter.

Very truly yours,

s/STEVEN M. BISKUPIC  
United States Attorney  
Steven M. Biskupic Bar Number: 1018217  
Attorney for Plaintiff  
Office of the United States Attorney  
Eastern District of Wisconsin  
517 East Wisconsin Avenue, Room 530  
Milwaukee, WI 53202  
Telephone: (414) 297-1700  
Fax: (414) 297-1738  
E-Mail: [Steven.Biskupic@usdoj.gov](mailto:Steven.Biskupic@usdoj.gov)

cc: Gary R. George  
Attorney David A. Geier  
United States Probation Office