

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	<b>INDICTMENT</b>
	)	
Plaintiff,	)	(26 U.S.C. § 5841)
	)	(26 U.S.C. § 5861(d))
v.	)	(26 U.S.C. § 5871)
	)	(26 U.S.C. § 5872)
BRANDON J. HILL,	)	(28 U.S.C. § 2461(c))
	)	
Defendant.	)	

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

(Possession of a Firearm Not Registered)

On or about the February 29, 2004, in the State and District of Minnesota, the defendant,

**BRANDON J. HILL,**

knowingly received and possessed a firearm, a weapon made from a shotgun, Remington Model 870, 12 Gauge Shotgun, Serial Number, B644984M, with a barrel less than 18 inches in length, not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

**FORFEITURE ALLEGATIONS**

Count 1 of this Indictment is hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 26, United States Code, Section 5872, in conjunction with Title 28, United States Code, Section 2461(c).

Upon his conviction for the foregoing offense, the defendant shall forfeit to the United States any firearms involved in any violation of the National Firearms Act, including the Remington Model 870, 12 Gauge Shot gun, Serial Number B644984M, referenced in Count 1 of the Indictment.

All in violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871, and Title 26, United States Code, Section 5872, in conjunction with Title 28, United States Code, Section 2461(c).

A TRUE BILL

---

UNITED STATES ATTORNEY

---

FOREPERSON

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA

v.

BRANDON J. HILL

Case No.: 04-197 JMR/FLN

**APPLICATION FOR WRIT OF HABEAS CORPUS**

The undersigned attorney hereby applies to the Court for the issuance of a writ of habeas corpus

(X) Ad Prosequendum ( ) Ad Testificandum

Name of Detainee: BRANDON J. HILLDetained at (custodian): Yellow Medicine County Jail

Detainee is: a.) (X) charged in this district by:

(X) Indictment

( ) Information

( ) Complaint

Charging Detainee With: Possession of a Firearm Not Registered

or b.) ( ) a witness not otherwise available by ordinary process of the Court

Detainee will: a.) ( ) return to the custody of detaining facility upon termination of this proceeding  
or b.) (X) be retained in federal custody until final disposition of federal charges.Appearance is necessary on May 5, 2004 at 3:00 p.m. in the courtroom of the Honorable Susan R. NelsonDated: May 5, 2004

Tricia A. Tingle  
TRICIA A. TINGLE, AUSA

**WRIT OF HABEAS CORPUS**

(X) Ad Prosequendum ( ) Ad Testificandum

The above application is granted and the above-named custodian, as well as the United States marshal for this district, is hereby ORDERED to produce the named detainee, on the date and time recited above, and any further proceedings to be had in this case, and at the conclusion of said proceedings to return said detainee to the above-named custodian.

Date

5/4/04

Susan Richard Nelson  
United States District/Magistrate Judge

Please provide the following, if known:

A.K.A.(s) (if applicable):

Booking or Fed. Reg.#:

Facility Address:

Facility Phone:

Currently Incarcerated For:

Gender: MaleDOB: 4/30/81Race: Caucasian

FBI #:

930 4th Street, Suite 1Granite Falls, Minnesota 56241(320)564-2130Possession of a Short Barrel Shot Gun

**RETURN OF SERVICE**

Served to \_\_\_\_\_ by \_\_\_\_\_

## UNITED STATES DISTRICT COURT

**ORIGINAL**

STATE AND

DISTRICT OF

MINNESOTA

UNITED STATES OF AMERICA

V.

**SUBPOENA IN A  
CRIMINAL CASE**

BRANDON J. HILL

Case Number: CR. 04-197(JMR/FLN)

TO: Isaiah Keating  
Canby Chief of Police

- ☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent place, date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

## PLACE

U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

## COURTROOM

James M. Rosenbaum

## DATE AND TIME

November 29, 2004 @ 9:00 AM

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Any and all reports relating to Brandon J. Hill.

To comply with this subpoena, please contact Special Agent Doug Moore at (605) 330-4368, ATFE,  
230 South Phillips Ave, Room 402, Sioux Falls, SD 57104.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

RICHARD D. SLETTEN

(By) Deputy Clerk

November 12, 2004

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

TRICIA A. TINGLE, U.S. Attorney's Office, 600 U.S. Courthouse, 300 South Fourth Street, Minneapolis,  
MN 55415 (612) 664-5600

# PROOF OF SERVICE

<div> <div>ORIGINAL</div> <div> RECEIVED BY SERVER </div> </div>			DATE	PLACE
SERVED			DATE	PLACE
SERVED ON (PRINT NAME)			FEES AND MILEAGE TENDERED TO WITNESS  <input type="checkbox"/> YES <input type="checkbox"/> NO    AMOUNT \$ _____	
SERVED BY (PRINT NAME)			TITLE	

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

ADDITIONAL INFORMATION

**United States District Court**  
**District of Minnesota**

UNITED STATES OF AMERICA

v.

**Brandon Jade Hill****JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

Case Number: **04-CR-197(01)(JMR/FLN)**USM Number: **11631-041**Social Security Number: **9592**Date of Birth: **1981****Andrea George**

Defendant's Attorney

**THE DEFENDANT:**

- ☒ pleaded guilty to Count **1 of the Indictment**.  
☐ pleaded nolo contendere to count(s) which was accepted by the court.  
☐ was found guilty on count(s) after a plea of not guilty.  
The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
26 U.S.C. §§ 5841, 5861(d) and 5871	Possession of an Unregistered Firearm		1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s).  
☐ Count(s) (is)(are) dismissed on the motion of the United States.

Special Assessment Amount \$ **100.00** in full and immediately.

It is ordered that the defendant must notify the United States attorney for this district within 30 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. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material change in the economic circumstances.

October 28, 2005

Date of Imposition of Judgment

s/ JAMES M. ROSENBAUM

Signature of Judge

JAMES M. ROSENBAUM, Chief United States District Judge

Name &amp; Title of Judge

November 1, 2005

Date

AO 245B (Rev. 12/03) Sheet 2 - Imprisonment

DEFENDANT: BRANDON JADE HILL  
CASE NUMBER: 04CR197(01)(JMR/FLN)

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 18 months. Defendant shall receive credit for time served.

- ☒ The Court makes the following recommendations to the Bureau of Prisons:  
It is recommended that defendant participate in the residential drug abuse prevention program. The Court recommends a facility in the State of Minnesota, particularly the facility in Duluth, for service of sentence.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.  
☐ at on .  
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
☐ before on .  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

u \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy United States Marshal

AO 245B (Rev. 12/03) Sheet 3 - Supervised Release

DEFENDANT: BRANDON JADE HILL  
CASE NUMBER: 04CR197(01)(JMR/FLN)

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this Judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

**STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the 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 dependants 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 at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 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 of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two 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; and
- 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.



AO 245B (Rev. 12/03) Sheet 3A - Supervised Release

DEFENDANT: BRANDON JADE HILL  
CASE NUMBER: 04CR197(01)(JMR/FLN)

**SPECIAL CONDITIONS OF SUPERVISION**

- a The defendant shall not commit any crimes, federal, state, or local.
- b The defendant shall abide by the standard conditions of supervised release recommended by the Sentencing Commission.
- c The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
- d The defendant shall participate in a program for drug and/or alcohol abuse as approved by the probation officer. That program may include testing and inpatient or outpatient treatment, counseling, or a support group.
- e The defendant shall undergo mandatory drug testing as approved by the probation officer and mandated by 18 U.S.C. §§ 3563(a) and 3583(d).
- f The defendant shall participate in the collection of DNA as approved by the probation officer and mandated by 18 U.S.C. §§ 3563(a) and 3583(d).
- g The defendant shall participate in educational programming, as approved by the probation officer, to obtain a high school diploma or General Equivalency Diploma.