

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION AT LONDON
CRIMINAL MINUTES – RE-ARRAIGNMENT AND PLEA

Case No. 6:20-CR-11-SSS-REW-02 At London Date July 13, 2021

USA vs Gary Baldock aka Gary E. Baldock X present X custody bond OR Age 57

DOCKET ENTRY: The parties appeared as noted. The Defendant indicated his intent to plead guilty to Count 2 of the Third Superseding Indictment (DE #88). The Court advised Baldock of his constitutional rights. The Court reviewed the charges and potential penalties. The Clerk placed Baldock under oath, and the Court engaged in a full Rule 11 colloquy. As set forth on the record, the Court found Defendant to be fully competent and capable of entering an informed and voluntary plea. The Count 1 and Count 5 convictions, by jury trial, of course persist in the case.

Defendant proceeded to plead guilty to Count 2 of the Third Superseding Indictment (DE 88). The Court confirmed that the United States extended, and Baldock fully reviewed, one (1) written plea offer with negotiation related modifications. Defendant was advised of all oral communications involving the plea agreement, and Defendant confirmed on the record that he was so advised. After advising Defendant of all applicable rights, covering all terms of the plea agreement (including specific appeal and collateral attack waivers), and assuring Defendant’s awareness of all potential penalties applicable to the charges, the Court found that Defendant’s plea – including entry into the ¶ 8 waiver provision – was knowing, voluntary, and intelligent. Further, an adequate factual basis (from the colloquy, related record, and plea agreement) supported the plea as to each essential offense element of Count 2, for the reasons stated more fully on the record. The United States indicated at the time of sentencing it will move to dismiss the underlying indictments (DE #'s 1, 26, 68) and Count 3 of the Third Superseding Indictment (DE 88).

Accordingly, the Court **ACCEPTS** Baldock’s guilty plea and **ADJUDGES** him guilty of Count 2 of the Third Superseding Indictment (DE #88). Defendant’s oral motion to withdraw the DE 160 motion upon acceptance of his guilty plea is **GRANTED**; the motion is properly withdrawn per the plea agreement. Accordingly, the United States’s DE 168 motion for an extension of time to respond to that motion is **DENIED** as moot.

The Court **ACCEPTS** the plea agreement and returned the sealed supplement to the United States. As stated on the record, sentencing for this conviction will be October 18, 2021 at 1:30 p.m. (the same time as Defendant’s sentencing for the convictions for Counts 1 and 5). Any sealed portion of the proceedings, as delineated by the Court, shall remain **under seal** in any transcript prepared.

PRESENT: HON. ROBERT E. WIER, UNITED STATES DISTRICT JUDGE

<u>Scott Greiwe</u> US Probation Officer	<u>Michelle Sliter</u> Deputy Clerk	<u>Kimberley Keene</u> Court Reporter	<u>Jason Parman</u> Assistant U.S. Attorney
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Counsel for Deft John Kevin West X present retained X appointed

PROCEEDINGS: **RE-ARRAIGNMENT and GUILTY PLEA**

- X Copy of Indictment previously given to Defendant.
- X Defendant states true full name is **Gary Edward Baldock**.
- X Defendant formally arraigned and advised of rights, pursuant to F.R.Cr.P. 11. X Third Superseding Indictment Read.
- X Defendant moves to **CHANGE PLEA** to the offense charged in Count 2 of the Third Superseding Indictment (DE #88).

- Court granted motion.
- Defendant pleads **X GUILTY** to the offense charged in Count 2 of the Third Superseding Indictment (DE #88).
- PLEA AGREEMENT** shall be filed in the record.
- The Jury Trial previously set and continued generally is now **CANCELED** as to this Defendant.
- The transcript shall be deemed the written findings of the Court.
- Court orders Presentence Report, with copies to be furnished to counsel and Defendant, pursuant to Rule 32, F.R.Cr.P.
- The Defendant to remain on bond under current 3143(a)(1) conditions of release as previously imposed by the Court.
- Defendant remanded to custody of the United States Marshals Service.
- Case continued until **Monday, October 18, 2021 @ 1:30 p.m., at LONDON, Kentucky** for sentencing before District Judge Robert E. Wier, subject to intervening orders of the Court.

Copies: COR, USP, USM

Initials of Deputy Clerk mrs

TIC: 1/10



Signed By:

Robert E. Wier *REW*

United States District Judge