

<p align="center"><b>United States District Court</b></p>	<p align="center">DISTRICT OF ARIZONA RECEIVED</p>
<p align="center">UNITED STATES OF AMERICA V. CHRISTOPHER A. SIMCOX</p> <p>DOB: [REDACTED]/60 United States Citizen</p>	<p>DOCKET NO. APR 7 2003</p> <p align="center">U.S. DISTRICT COURT DISTRICT OF ARIZONA</p> <p align="center">03-0215M</p>

Complaint for violation of Title 36

Code of Federal Regulations §§ 2.4(a)(1)(ii); 2.32(a)(3)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

Count I

On or about January 27, 2003, at or near the Coronado National Memorial, in the District of Arizona, CHRISTOPHER A. SIMCOX knowingly entered National Park Service property, while knowingly carrying a weapon, to wit: a .45 caliber Firestorm pistol, serial # 71-04-06237-02; in violation of Title 36, Code of Federal Regulations, Section 2.4(a)(1)(ii).

Count II

On or about January 27, 2003, at or near the Coronado National Memorial, in the District of Arizona, CHRISTOPHER A. SIMCOX, while on National Park Service property, knowingly gave a false or fictitious report to Federal Park Ranger Deborah Girard, an authorized person investigating a violation of law or regulation; in violation of Title 36, Code of Federal Regulations, Section 2.32(a)(3).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On or about January 27, 2003, CHRISTOPHER A. SIMCOX entered the Coronado National Memorial in the District of Arizona. He carried a loaded .45 caliber Firestorm pistol, serial #71-04-06237-02 concealed in the waistband of his pants. When asked specifically whether he carried or possessed a weapon, CHRISTOPHER A. SIMCOX stated to Federal Park Ranger Deborah Girard, that he carried no weapons.

MATERIAL WITNESSES IN RELATION TO THE CHARGE:

DETENTION REQUESTED

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

jams

*Thane Weigand*

SIGNATURE OF COMPLAINANT (official title)

*Thane Weigand for*

OFFICIAL TITLE  
Federal Park Ranger, Deborah C. Girard

Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE JUDGE

①

DATE  
April 7, 2003

<sup>11</sup> See Federal rules of Criminal Procedure Rules 3 and 54



03-00215-001M

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- 7) You shall notify the probation officer at least ten days prior to any change of residence or employment.
- 8) You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. Possession of controlled substances will result in mandatory revocation of your term of supervision. If ordered by the Court to participate in a drug and/or alcohol abuse treatment program, you shall totally abstain from the use of any alcoholic beverages or other intoxicants during and after the course of your treatment.
- 9) You shall not frequent places where controlled substances are illegally sold, used, distributed or administered, or other places specified by the Court.
- 10) You 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.
- 11) You shall permit a probation officer to visit at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You shall immediately notify the probation officer (within forty-eight (48) hours if during a weekend or on a holiday) of being arrested or questioned by a law enforcement officer.
- 13) You 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.
- 14) As directed by the probation officer, you shall notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm your compliance with such notification requirement.
- 15) You shall refrain from possessing a firearm, destructive device, or other dangerous weapon. Possession of a firearm will result in mandatory revocation of your term of supervision. This prohibition does not apply to misdemeanor cases unless special condition imposed by Court.
- 16) Unless suspended by the Court, you shall submit to one substance abuse test within the first 15 days of supervision and at least two periodic substance abuse tests thereafter, pursuant to 18 U.S.C. §§ 3563(a)(4) and 3583(d);
- 17) If supervision follows a term of imprisonment, you shall report in person to the Probation Office in the district to which you are released within seventy-two (72) hours of release.
- 18) The balance of any financial obligation ordered by this Court shall be paid in regular monthly installments approved by the probation officer, the full amount to be paid 90 days prior to expiration of supervision. You will notify the probation officer of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

The defendant shall also comply with the following special conditions:

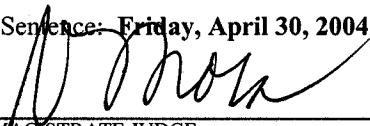
❖ The Court may change the conditions of probation or supervised release or extend the term of supervision, if less than the authorized maximum, at any time during the period of probation or supervised release. The Court may issue a warrant and revoke the original or any subsequent sentence for a violation occurring during the period of probation or supervised release.

**UNLESS PREVIOUSLY WAIVED, THE DEFENDANT IS ADVISED OF THE RIGHT TO APPEAL THE IMPOSED SENTENCE BY FILING A NOTICE OF APPEAL WITHIN 10 DAYS FROM THE IMPOSITION OF SENTENCE.**

**IT IS FURTHER ORDERED** that the Clerk of the Court deliver a certified copy of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons and recommends:

Date of Imposition of Sentence: ~~Friday, April 30, 2004~~



Date 4/30/2004

NANCY F. FIORA, U. S. MAGISTRATE JUDGE

RETURN

I have executed this Judgment as follows: \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

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

By: \_\_\_\_\_ Deputy Marshal

CC: USA/CNSL(Joe Heinzl)/PROB/ICE/OB/USM(2 certified)  
03-00215-001M -

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

AMENDED TO SHOW SPECIAL CONDITIONS OF PROBATION

United States of America

v.

JUDGMENT IN A CRIMINAL CASE

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

CHRISTOPHER A. SIMCOX  
(Name and address of defendant)

No. 03-00215-001M

Joe Heinzl (Retained)  
Attorney for Defendant

FILED	LOGGED
RECEIVED	COPY
MAY 19 2004	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

THE DEFENDANT ENTERED A PLEA OF:

guilty  nolo contendere: as to \_\_\_\_\_

not guilty to the Complaint

THERE WAS A:

finding  verdict: of guilty as to the Complaint

THERE WAS A:

finding  verdict: of not guilty as to count(s) \_\_\_\_\_

judgment of acquittal as to count(s) \_\_\_\_\_

The defendant is acquitted and discharged as to this/these counts.

IT IS FURTHER ORDERED that \_\_\_\_\_ is DISMISSED on motion of the United States.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating 36CFR 2.4(a)(1)(ii) and 36 CFR 2.32(a)(3), as charged in the Complaint filed herein.

IT IS THE JUDGMENT OF THIS COURT THAT: the defendant is sentenced to TWENTY-FOUR MONTHS SUPERVISED PROBATION ON COUNT 1 AND TWENTY-FOUR MONTHS SUPERVISED PROBATION ON COUNT 2, BOTH TO RUN CONCURRENTLY.

WITH THE ADDED SPECIAL CONDITIONS: 1. Defendant shall submit to search of person, property, vehicles, business, and residence to be conducted in a reasonable manner and at a reasonable time by, or at the direction of the probation officer. 2. Defendant shall provide the probation officer access to any requested financial information. 3. Defendant is prohibited from making purchases, incurring new financial obligations, or entering into any financial contracts without the prior approval of the probation officer. 4. Defendant is prohibited from owning, maintaining or using a firearm.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk, U.S. District Court, Attn: Finance, Suite 130, 401 West Washington St., SPC 1, Phoenix, Arizona 85003-2118, the following total criminal monetary penalties:

SPECIAL ASSESSMENT: WAIVED

FINE: \$1000.00

RESTITUTION:

All monetary penalties are due immediately or in regular monthly installments. If incarcerated, payments shall begin under the Bureau of Prisons Inmate Financial Responsibility Program. Any unpaid balance shall become a condition of supervision and shall be paid within 90 days of the expiration of supervision.

Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address.

CONDITIONS OF SUPERVISION

Where probation/supervised release has been ordered, the defendant shall 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.

For offenses committed on or after September 13, 1994: The defendant shall refrain from any unlawful use of a controlled substance. Pursuant to 18 USC §3563(a)(4) and 3583(d) the defendant shall submit to one drug test within 15 days of release from imprisonment and such other periodic drug tests thereafter, as directed from time to time by the probation officer.

The defendant shall not possess a firearm, ammunition or other dangerous weapon as defined in 18 U.S.C. §921.

The defendant shall comply with the standard conditions of supervision:

- 1) You shall not commit another federal, state, or local crime during the term of supervision.

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- 2) You shall not leave the judicial district or other specified geographic area without the permission of the Court or probation officer.
- 3) You shall report to the Probation Office as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.
- 4) You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 5) You shall support your dependents and meet other family responsibilities.
- 6) You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You shall notify the probation officer at least ten days prior to any change of residence or employment.
- 8) You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. Possession of controlled substances will result in mandatory revocation of your term of supervision. If ordered by the Court to participate in a drug and/or alcohol abuse treatment program, you shall totally abstain from the use of any alcoholic beverages or other intoxicants during and after the course of your treatment.
- 9) You shall not frequent places where controlled substances are illegally sold, used, distributed or administered, or other places specified by the Court.
- 10) You 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.
- 11) You shall permit a probation officer to visit at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You shall immediately notify the probation officer (within forty-eight (48) hours if during a weekend or on a holiday) of being arrested or questioned by a law enforcement officer.
- 13) You 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.
- 14) As directed by the probation officer, you shall notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm your compliance with such notification requirement.
- 15) You shall refrain from possessing a firearm, destructive device, or other dangerous weapon. Possession of a firearm will result in mandatory revocation of your term of supervision. This prohibition does not apply to misdemeanor cases unless special condition imposed by Court.
- 16) Unless suspended by the Court, you shall submit to one substance abuse test within the first 15 days of supervision and at least two periodic substance abuse tests thereafter, pursuant to 18 U.S.C. §§ 3563(a)(4) and 3583(d);
- 17) If supervision follows a term of imprisonment, you shall report in person to the Probation Office in the district to which you are released within seventy-two (72) hours of release.
- 18) The balance of any financial obligation ordered by this Court shall be paid in regular monthly installments approved by the probation officer, the full amount to be paid 90 days prior to expiration of supervision. You will notify the probation officer of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

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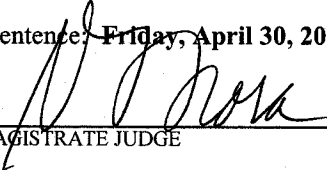
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NANCY F. FIORA, U. S. MAGISTRATE JUDGE

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Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

United States Marshal

By: \_\_\_\_\_  
Deputy Marshal