

**FILED**

**JUN 08 2022**

**UNITED STATES DISTRICT COURT**

District of Columbia

**Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia**

UNITED STATES OF AMERICA

v.

PHILIP EDWARD KRAMER

**JUDGMENT IN A CRIMINAL CASE**

Case Number: CR 21-413-01 (EGS)

USM Number: 39788-509

JONATHAN OGATA/ ANITA EVE (AUSA)

Defendant's Attorney

**THE DEFENDANT:**

pleaded guilty to count(s) 4 OF THE INFORMATION FILED ON 6/21/2021

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>
40 USC § 5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building	1/6/2021	4

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

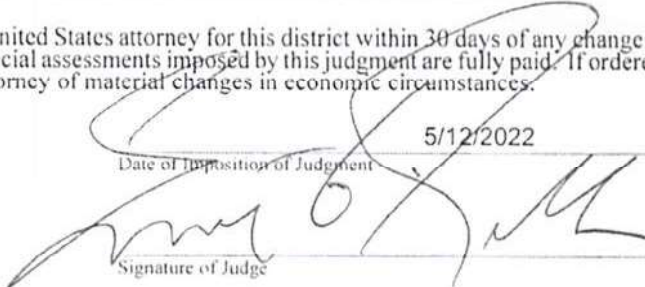
The defendant has been found not guilty on count(s) \_\_\_\_\_

Count(s) ALL REMAINING COUNTS  is  are dismissed on the motion of the United States.

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 material changes in economic circumstances.

5/12/2022

Date of Imposition of Judgment



Signature of Judge

EMMET G. SULLIVAN U.S. DISTRICT COURT JUDGE

Name and Title of Judge

Date

06/08/2022

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**IMPRISONMENT**

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

Thirty (30) Days as to Count 4

- The court makes the following recommendations to the Bureau of Prisons:
  
- 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 \_\_\_\_\_  a.m.  p.m. 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 2 p.m. 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 \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL  
  
By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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### **ADDITIONAL IMPRISONMENT TERMS**

The defendant will self report for service of sentence at the institution designated by the Bureau of Prisons by no later than September 15, 2022.

Pursuant to 18 USC § 3742, the defendant has a right to appeal the sentence imposed by this Court if the period of imprisonment is longer than the statutory maximum. If the defendant chooses to appeal, he must file any appeal within 14 days after the Court enters judgment.

As defined in 28 USC § 2255, the defendant also has the right to challenge the conviction entered or sentence imposed if new and currently unavailable information becomes available to him or, on a claim that he received ineffective assistance of counsel in entering a plea of guilty to the offense(s) of conviction or in connection with sentencing.

If the defendant is unable to afford the cost of an appeal, he may request permission from the Court to file an appeal without cost to him.

Pursuant to D.C. Circuit opinion in *United States v. Hunter*, 809 F.3d 677, decided on January 12, 2016 there were no objections to the sentence imposed that are not already noted on the record.

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### SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

No Period Of Supervised Release Was Imposed As To Count 4

### MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to 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 you pose a low risk of future substance abuse. *(check if applicable)*
4.  You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5.  You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6.  You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7.  You must participate in an approved program for domestic violence. *(check if applicable)*

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

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**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
<b>TOTALS</b>	\$ 10.00	\$ 500.00	\$ 2,500.00	\$	\$

The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Architect of the Capitol	\$500.00		
Office of the Chief Financial Officer			
Attn: Kathy Sherrill, CPA			
Ford House Office Building, Room H2-205B			
Washington DC 20515			

<b>TOTALS</b>	\$ <u>500.00</u>	\$ <u>0.00</u>
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Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the  fine  restitution.

the interest requirement for the  fine  restitution is modified as follows:

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

\*\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

\*\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.



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### **ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES**

The financial obligations are payable within ninety (90) days to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.