

UNITED STATES DISTRICT COURT

Western District of Washington

UNITED STATES OF AMERICA

v.

ROMAN SELEZNEV

Date of Original Judgment: 4/21/2017
(Or Date of Last Amended Judgment)

Reason for Amendment:

- Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
- Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
- Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
- Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 2:11CR00070RAJ-001

USM Number: 04385-093

Igor Litvak

Defendant's Attorney

- Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
- Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
- Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
- Direct Motion to District Court Pursuant 28 U.S.C. § 2255 or 18 U.S.C. § 3559(c)(7)
- Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:

- pleaded guilty to count(s) _____
- pleaded nolo contendere to count(s) _____ which was accepted by the court.
- was found guilty on count(s) 1-10, 12-19, 21-29, 30-38, and 39-40 after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

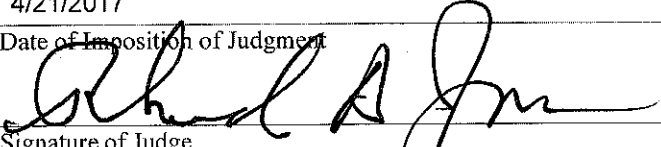
Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. §1343	Wire Fraud	7/5/2014	1-10
18 U.S.C. §1030(a)(5)	Intentional Damage to a Computer	7/5/2014	12-19
18 U.S.C. §1030(c)(4)(B)		7/5/2014	

The defendant is sentenced as provided in pages 2 through 5 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) 11 and 20
- Count(s) _____ 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.

4/21/2017
Date of Imposition of Judgment


Signature of Judge

Honorable Richard A. Jones U.S. District Judge
Name and Title of Judge

May 6, 2017
Date

DEFENDANT: ROMAN SELEZNEV
CASE NUMBER: 2:11CR00070RAJ-001

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §1030	Obtaining Information from a Protected Computer	7/5/2014	21-29
18 U.S.C. §1029(a)(3)	Access Device Fraud	7/5/2014	30-38
18 U.S.C. §1028A(a)(I)	Aggravated Identity Theft	7/5/2014	39-40

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

DEFENDANT: ROMAN SELEZNEV
CASE NUMBER: 2:11CR00070RAJ-001

IMPRISONMENT

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

As to each of Counts 1-10, the defendant shall be committed to the custody of the United States Bureau of Prisons for a term of 300 months (25 years) to be run concurrently with one another, and also concurrently with all other counts, except for counts 39 and 40, which must run consecutively. As to each of Counts 12-19 and 30-38, the defendant shall be committed to the custody of the United States Bureau of Prisons for a term of 120 months. The sentences on these counts shall run concurrently with one another, and also concurrently with all other counts, except for counts 39 and 40, which must run consecutively. As to each of Counts 21-29, the defendant shall be committed to the custody of the United States Bureau of Prisons for a term of 60 months. These sentences shall run concurrently with one another and concurrently with all other counts, except for counts 39 and 40, which must run consecutively. As to each of Counts 39 and 40, the defendant shall be committed to the custody of the United States Bureau of Prisons for a term of 24 months. These terms shall run concurrently with one another, but the 24-month sentence on Counts 39 and 40 will run consecutively, as required by statute, to the 300-month term of imprisonment on all other counts. The total term of imprisonment is 324 months (27 years).

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

DEFENDANT: ROMAN SELEZNEV
CASE NUMBER: 2:11CR00070RAJ-001

CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 3,800.00	\$ 0.00	\$ 0.00	\$ 169,905,166.49

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

The defendant shall 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>
See attached Lists of Payees and Exhibit A to the Govt's Sentencing Memo (Dkt. 464-1)	\$169,905,166.49	\$169,905,166.49	

TOTALS \$ 169,905,166.49 \$ 169,905,166.49

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 fine restitution.

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

* 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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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A Lump sum payment of \$ 169,905,166.49 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

During the period of imprisonment, no less than 25% of their inmate gross monthly income or \$25.00 per quarter, whichever is greater, to be collected and disbursed in accordance with the Inmate Financial Responsibility Program. During the period of supervised release, in monthly installments amounting to not less than 10% of the defendant's gross monthly household income, to commence 30 days after release from imprisonment. Any unpaid amount shall be paid to Clerk's Office, United States District Court, 700 Stewart Street, Seattle, WA 98101.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

DEFENDANT: ROMAN SELEZNEV
CASE NUMBER: 2:11CR00070RAJ-001
DISTRICT: Western District of Washington

STATEMENT OF REASONS

VII. COURT DETERMINATIONS OF RESTITUTION

A. Restitution not applicable.

B. Total amount of restitution: \$ _____

C. Restitution not ordered: *(Check only one)*

- 1. For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because the number of identifiable victims is so large as to make restitution impracticable under 18 U.S.C. § 3663A(c)(3)(A).
- 2. For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because determining complex issues of fact and relating them to the cause or amount of the victims' losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim would be outweighed by the burden on the sentencing process under 18 U.S.C. § 3663A(c)(3)(B).
- 3. For other offenses for which restitution is authorized under 18 U.S.C. § 3663 and/or required by the sentencing guidelines, restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweigh the need to provide restitution to any victims under 18 U.S.C. § 3663(a)(1)(B)(ii).
- 4. For offenses for which restitution is otherwise mandatory under 18 U.S.C. §§ 1593, 2248, 2259, 2264, 2327 or 3663A, restitution is not ordered because the victim(s)'s losses were not ascertainable (18 U.S.C. § 3664(d)(5)).
- 5. For offenses for which restitution is otherwise mandatory under 18 U.S.C. §§ 1593, 2248, 2259, 2264, 2327 or 3663A, restitution is not ordered because the victim(s) elected to not participate in any phase of determining the restitution order (18 U.S.C. § 3664(g)(1)).
- 6. Restitution is not ordered for other reasons: *(Explain)*

D. Partial restitution is ordered for these reasons: *(18 U.S.C. § 3553(c))*

VIII. ADDITIONAL BASIS FOR THE SENTENCE IN THIS CASE *(If applicable)*

Defendant's Soc. Sec. No.: _____

Date of Imposition of Judgment _____

Defendant's Date of Birth: _____

Signature of Judge _____

Defendant's Residence Address: _____

Name and Title of Judge _____

Defendant's Mailing Address: _____

Date: _____

United States v. Roman Seleznev
Victim Restitution Amounts
per Victim Financial Loss Restitution Statements

	A	B	C	D
1	Victim	Impact Statement	Restitution Statement	Restitution Amount Requested
2	City Newsstand 4018 N Cicero Ave Chicago, IL 60641	yes	yes	\$20,991.25
3	CJ Saretto 5255 Reeder School Rd Greenbrier TN 37073	yes	yes	\$20,580.00
4	Double D Market & Catering 2595 County Road 516 Old Bridge, NJ 08857	no	yes	\$12,128.11
5	Fighting Burrito PO Box 1336 Ames, IA 50014	no	yes	\$5,995.00
6	Foley Fuel & Lumber Company 240 Main Street Box 157 Foley, MN56329	yes	yes	\$10,399.88
7	G's Pizza 200 West Houghton Avenue West Branch, MI 48661	no	yes	\$6,000.00
8	Grand Central Baking 2249 NW York Street Portland, OR 97210	no	yes	\$6,575.00
9	Huston Zoo 1513 Cambridge Houston, TX 77030	yes	yes	\$266,163.00
10	Mountain Mike's Pizza 11974 Highway 88, Suite 2082 Jackson, CA 95642	yes	yes	\$7,000.00
11	Pasta Factory 2 West Street St George Blvd. #8 St. George, UT 84770	yes	yes	\$14,806.76
12	Shaka Sandwich & Pizza Inc. 1770 S. Kihei Road Kihei, HI 96753	yes	yes	\$23,006.34
13	Tiffany's Pizza PO Box 24 Carleton, MI 48117	no	yes	\$13,500.00
14	University Book Exchange, Inc 516 S Cotanche Stree Greenville, NC 27858	yes	yes	\$43,214.37
15	Village Idiot Pizza 2009 Devine Street Columbia, SC 29205	yes	yes	\$18,800.00
16	Zpizza Corp. 909 Canyon View Drive Laguna Beach, CA 92651	yes	yes	\$31,970.00
17	TOTAL			\$486,322.95
18				
19				
20				