

BEFORE THE STATE BOARD OF EDUCATION

VICTOR WAKEFIELD,  
SUPERINTENDENT OF PUBLIC  
INSTRUCTION, Department of Education,  
State of Nevada,

Petitioner,

v.

ALEXANDER SCOTT DERRINGER,

Respondent.

CASE NO. 2025-03

DECLARATION OF MICHAEL ARAKAWA

I, MICHAEL ARAKAWA, declare that the following is true.

1. I am over the age of twenty-one (21) and competent to testify to the facts in this Declaration.

2. I am employed by the State of Nevada, Department of Education, as a Chief Compliance Investigator. I have been employed by the Department of Education since July, 2014.

3. Attached hereto as Exhibit "2A" is a true and correct copy of Respondent's License.

4. Attached hereto as Exhibit "2B" is a true and correct copy of the Criminal Indictment.

5. Attached hereto as Exhibit "2C" is a true and correct copy of the Guilty Plea Agreement.

6. Attached hereto as Exhibit "2D" is a true and correct copy of the Judgment of Conviction.

7. These documents are kept by the Department of Education in the normal course of business.

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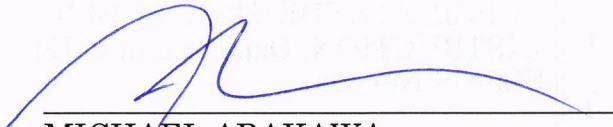
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15 day of July, 2026.



MICHAEL ARAKAWA  
Declarant

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**EXHIBIT LIST**

| <b>Exhibit No.</b> | <b>Title</b>           | <b>Pages</b> |
|--------------------|------------------------|--------------|
| 2A                 | License                | 1            |
| 2B                 | Criminal Indictment    | 3            |
| 2C                 | Guilty Plea Agreement  | 7            |
| 2D                 | Judgment of Conviction | 2            |

**EXHIBIT “2A”**

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**EXHIBIT “2A”**

**State of Nevada**  
**License for Educational Personnel**

License No. 107402

This License Certifies That

**Alexander S. Derringer**

Has complied with the prescribed rules and regulations of the Commission on Professional Standards in Education and that the Superintendent of Public Instruction has granted this license which authorizes the holder to provide service in the schools of the State of Nevada in the following areas :

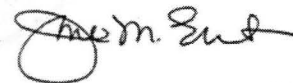
| License               | Grade Level | Original Endorsement Issue Date | Endorsements            | License Issue Date | Expiration Date |
|-----------------------|-------------|---------------------------------|-------------------------|--------------------|-----------------|
| Standard - Elementary | K-8         | 06/13/2018                      | All Elementary Subjects | 06/13/2018         | 09/26/2023      |

**Provisions to be satisfied**

| Provisions                          | Required Due Date |
|-------------------------------------|-------------------|
| All provisions have been satisfied. |                   |

**Renewal Requirements**

| Renewal Requirements                                                                                                                                                            | Required Due Date |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Must complete six (6) semester credits of college/university coursework, or the equivalent in professional development, which is related to the licensee's area of endorsement. | 09/26/2023        |



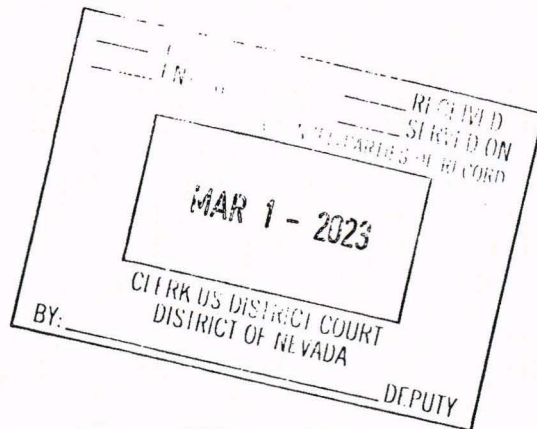
State Superintendent of Public Instruction

**EXHIBIT “2B”**

**EXHIBIT “2B”**

JASON M. FRIERSON  
United States Attorney  
Nevada Bar No. 7709  
SUPRIYA PRASAD  
Assistant United States Attorney  
501 Las Vegas Boulevard South  
Suite 1100  
Las Vegas, Nevada 89101  
Telephone: (702) 388-6336  
supriya.prasad@usdoj.gov

*Attorneys for the United States*



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

**CRIMINAL INDICTMENT**

2:23-CR-039-JCM-NJK

**VIOLATIONS:**

18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1)  
– Distribution of Child Pornography

18 U.S.C. §§ 2252A(a)(5)(B) and  
2252A(b)(2) – Possession of Child  
Pornography

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

Distribution of Child Pornography  
(18 U.S.C. §§ 2252A(a)(2), 2252A (b)(1))

Beginning on or about April 9, 2021, and continuing to a date unknown in the State  
and Federal District of Nevada,

ALEXANDER SCOTT DERRINGER,

defendant herein, knowingly distributed child pornography, as defined in Title 18, United  
States Code, Section 2256(8), and material containing child pornography, that had been

1 mailed, shipped and transported in and affecting interstate and foreign commerce by a  
2 means that included by computer, and that had been shipped and transported using a  
3 means and facility of interstate and foreign commerce, in violation of Title 18, United  
4 States Code, Sections 2252A(a)(2) and 2252A (b)(1).

5 **COUNT TWO**

Possession of Child Pornography  
6 (18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2))

7 Beginning on a date unknown and continuing to on or about October 14, 2021, within  
8 the State and Federal District of Nevada,

9 **ALEXANDER SCOTT DERRINGER,**

10 defendant herein, knowingly possessed a book, magazine, periodical, film, videotape,  
11 computer disk, and other material, namely a Samsung Galaxy S9 with IMEI  
12 359943090337104 and a Samsung Galaxy S9 with IMEI 355028090729106 that contained  
13 an image of child pornography, as defined in Title 18, United States Code, Section 2256(8),  
14 including but not limited to visual depictions of real minors, prepubescent minors and  
15 minors who had not attained twelve years of age, engaged in sexually explicit conduct, and  
16 that had been mailed, shipped and transported using a means and facility of interstate and  
17 foreign commerce and in and affecting interstate and foreign commerce by a means that  
18 included by computer, and that was produced using materials that had been mailed, and  
19 shipped and transported in and affecting interstate and foreign commerce by a means that  
20 included by computer, all in violation of Title 18, United States Code, Sections  
21 2252A(a)(5)(B) and 2252A(b)(2).

**FORFEITURE ALLEGATION**

**Distribution of Child Pornography and Possession of Child Pornography**

1. The allegations contained in Counts One and Two of this Criminal Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

2. Upon conviction of any of the felony offenses charged in Counts One and Two of this Criminal Indictment,

**ALEXANDER SCOTT DERRINGER,**

defendant herein, shall forfeit to the United States of America, any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B):

defendant herein, shall forfeit to the United States of America, any property, real or personal, used or intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B) or any property traceable to such property:

1. a Black Samsung S9 cell phone IMEI: 359943090337104; and
2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106.

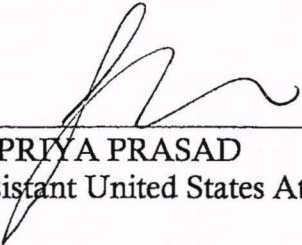
1 All under 18 U.S.C. §§ 2252A(a)(2), 2252A(a)(5)(B), 2253(a)(1), and 2253(a)(3).

2  
3 **DATED:** this 1<sup>st</sup> day of March, 2023.

4 **A TRUE BILL:**

5 /S/  
6 FOREPERSON OF THE GRAND JURY

7  
8 JASON M. FRIERSON  
9 United States Attorney

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11 SUPRIYA PRASAD  
12 Assistant United States Attorney  
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**EXHIBIT “2C”**

**EXHIBIT “2C”**

1 JASON M. FRIERSON  
United States Attorney  
2 District of Nevada  
Nevada Bar Number 7709  
3 AFROZA YEASMIN  
Assistant United States Attorney  
4 501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
5 (702) 388-6336  
Afroza.Yeasmin@usdoj.gov  
6 *Attorneys for the United States*

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| FILED                                         | RECEIVED  |
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| COUNSEL/PARTIES OF RECORD                     |           |
| JUN 05 2024                                   |           |
| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA |           |
| BY:                                           | DEPUTY    |

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8 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ALEXANDER SCOTT DERRINGER,

13 Defendant.

No. 2:23-cr-00039-JCM-NJK

**Plea Agreement for Defendant  
Alexander Scott Derringer Pursuant to Fed. R.  
Crim. P. 11(c)(1)(A) and (B)**

14 This plea agreement between Alexander Scott Derringer (“defendant”) and the United  
15 States Attorney’s Office for the District of Nevada (the “USAO”) sets forth the parties’  
16 agreement regarding the criminal charges referenced herein and the applicable sentences, fines,  
17 restitution, and forfeiture in the above-captioned case. This agreement binds only defendant and  
18 the USAO and does not bind the district court, the U.S. Probation Office, or any other federal,  
19 state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities. This  
20 agreement does not prohibit the USAO or any agency or third party from seeking any other civil  
21 or administrative remedies, including administrative forfeiture or civil forfeiture *in rem* actions,  
22 directly or indirectly against defendant or defendant’s property.

23 This agreement becomes effective upon signature by defendant, defendant’s counsel, and  
24 an Assistant United States Attorney.

**I. DEFENDANT'S OBLIGATIONS**

1. Defendant agrees to:

- a. At the earliest opportunity requested by the USAO and provided by the district court, appear and plead guilty to Count One of the indictment in this case, which charges defendant with Distribution of Child Pornography in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(b)(1);
- b. Stipulate to the facts agreed to in this agreement;
- c. Abide by all agreements regarding sentencing contained in this agreement;
- d. Not seek to withdraw defendant's guilty plea once it is entered;
- e. Appear for all court appearances, surrender as ordered for service of sentence, obey all conditions of any bond, and obey any other ongoing court order in this matter;
- f. Not commit any federal, state, or local crime;
- g. Be truthful at all times with the U.S. Probation and Pretrial Services Offices and the Court;
- h. Before and after sentencing, upon request by the Court, the USAO, or the Probation Office, provide accurate and complete financial information, submit sworn statements, and/or give depositions under oath concerning defendant's assets and defendant's ability to pay. As part of the required disclosure, defendant agrees to provide any and all financial information and authorizations requested by the Probation Office for preparation of the Presentence Report. Defendant further agrees that, upon filing of this agreement, the USAO is authorized to obtain defendant's credit report. Defendant will also complete a financial form provided by the USAO, to include all supporting documentation, and return it to the USAO within ten (10) days from entry of the plea. Defendant agrees that the district court may enter any order necessary to effectuate or facilitate disclosure of defendant's financial information.

1           i.       To facilitate payment of any fine, restitution, or assessment, surrender  
2 assets defendant obtained directly or indirectly as a result of defendant's crimes. Defendant  
3 agrees to voluntarily release funds and property under defendant's control or in which defendant  
4 has any property interest, before and after sentencing, to pay any fine or restitution identified in  
5 this agreement, agreed to by the parties, or ordered by the Court.

6           j.       Defendant agrees that restitution shall be ordered due and payable in full  
7 immediately after the judgment is entered, and that the full amount of any restitution ordered is  
8 subject to immediate enforcement and collection by the USAO or defendant's victims, or both.  
9 Defendant agrees that any schedule of payments entered by the district court is a schedule of the  
10 minimum payment due and does not prohibit or limit the methods by which the USAO may  
11 immediately enforce and collect the judgment in full. Defendant acknowledges that restitution  
12 may not be discharged, in whole or in part, in any present or future bankruptcy proceeding.

13           k.       The forfeiture of the property and the imposition of the forfeiture of the  
14 property as set forth in this plea agreement and the Forfeiture Allegation of the Criminal  
15 Indictment.

16           l.       The USAO and defendant stipulate and agree that the child pornography  
17 images received, distributed, or possessed by defendant depicted images of victims being sexually  
18 abused and further agree that a victim's knowledge that images of his or her abuse is being  
19 disseminated and possessed by others caused certain victims to be re-victimized and has resulted  
20 in harm that is distinct from that suffered from the actual contact physical sexual abuse, thus  
21 such victims are harmed by the actions of defendant. In consequence of these factors, if the  
22 USAO meets its burden under 18 U.S.C. § 2259 and pursuant to *Paroline v. United States*, 134 S.  
23 Ct. 1710 (2014), defendant agrees to pay restitution in the amount of \$5,000 per victim, for any  
24 victim who may be identified through the Child Victim Identification Program (CVIP) or Child

1 Recognition Identification System (CRIS) and who requests restitution prior to sentencing.  
2 Defendant agrees to pay this amount without requiring the USAO to disaggregate the loss  
3 attributed to the original sexual abuse or to other persons who disseminated, received, or  
4 possessed the child pornography images, from defendant's actions in this case.

## 5 II. THE USAO'S OBLIGATIONS

6 2. The USAO agrees to:

7 a. Stipulate to facts agreed to in this agreement;

8 b. Abide by all agreements regarding sentencing contained in this agreement;

9 c. At sentencing, provided that defendant demonstrates an acceptance of  
10 responsibility for the offenses up to and including the time of sentencing, recommend a two-level  
11 reduction in the applicable sentencing guidelines offense level, pursuant to USSG § 3E1.1, and  
12 move for an additional one-level reduction if available under that section;

13 d. At sentencing, move to dismiss the remaining counts of the indictment as  
14 against defendant. Defendant agrees, however, the district court may consider any dismissed  
15 charges in determining the applicable sentencing guidelines range, the propriety and extent of  
16 any departure from that range, and the sentence to be imposed; and

17 e. Not bring any additional charges against defendant arising out of the  
18 investigation in the District of Nevada which culminated in this agreement and based on  
19 conduct known to the USAO. However, the USAO reserves the right to prosecute defendant for  
20 (a) any crime of violence as defined by 18 U.S.C. § 16; and (b) any criminal tax violations  
21 (including conspiracy to commit such violations chargeable under 18 U.S.C. § 371). Defendant  
22 agrees that the district court at sentencing may consider any uncharged conduct in determining  
23 the applicable sentencing guidelines range, the propriety and extent of any departure from that  
24

1 range, and the sentence to be imposed after consideration of the sentencing guidelines and all  
2 other relevant factors under 18 U.S.C. § 3553(a).

### 3 III. ELEMENTS OF THE OFFENSE

4 3. Count One: The elements of Distribution of Child Pornography under 18 U.S.C.  
5 §§ 2252A(a)(2) and (b)(1) are as follows:

6 First: The defendant knowingly distributed material that contained one or more  
7 images of child pornography as defined in 18 U.S.C. § 2256(8);

8 Second: The defendant knew that the material contained child pornography as  
9 defined in 18 U.S.C. § 2256(8) ; and

10 Third: The child pornography had been shipped or transported in or affecting  
11 interstate or foreign commerce by any means, including by computer.

12 See 18 U.S.C. § 2252A(a)(2).

### 13 IV. CONSEQUENCES OF CONVICTION

14 4. Maximum and Minimum Statutory Penalties:

15 a. Defendant understands that the statutory maximum sentence the district  
16 court can impose for a violation of Distribution of Child Pornography as charged in Count One,  
17 is: 20 years imprisonment; a lifetime term of supervised release; a fine of \$250,000 or twice the  
18 gross gain or gross loss resulting from the offense, whichever is greatest; and a mandatory special  
19 assessment of \$100. Defendant further understands that a violation of 18 U.S.C § 2252A(a)(2)  
20 carries a statutory minimum sentence of five (5) years, and a mandatory special assessment of  
21 \$100.

22 b. Defendant understands that, pursuant to the Justice for Victims of  
23 Trafficking Act of 2015, the Court shall impose an additional \$5,000 special assessment per  
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1 count if the Court concludes that defendant is a non-indigent person, to be paid after defendant's  
2 other financial obligations have been satisfied.

3 c. Defendant understands and agrees that under the Sex Offender  
4 Registration and Notification Act ("SORNA"), 34 U.S.C. § 20901 et. seq., defendant must  
5 register as a sex offender and keep the registration current in each of the following jurisdictions:  
6 (1) where defendant resides; (2) where defendant is an employee; and (3) where defendant is a  
7 student. Defendant understands that he must comply with all the registration requirements  
8 contained in SORNA. 34 U.S.C. § 20901 et. seq. Defendant further understands that the  
9 requirements for registration include, but are not limited to, providing defendant's name,  
10 residence address, and the names and addresses of any places where defendant is or will be an  
11 employee or a student. Defendant further understands that the requirement to keep the  
12 registration current includes, but is not limited to, informing at least one jurisdiction in which  
13 defendant resides, is an employee, or is a student no later than three business days after any  
14 change of defendant's name, residence, employment, or student status. Defendant has been  
15 advised, and understands, that failure to comply with these obligations subjects defendant to an  
16 additional prosecution for failure to register as a sex offender under 18 U.S.C. § 2250(a).

17 5. Criminal Forfeiture: Defendant understands that the district court will impose the  
18 forfeiture of the property.

19 6. Parole Abolished: Defendant acknowledges that defendant's prison sentence  
20 cannot be shortened by early release on parole because parole has been abolished.

21 7. Supervised Release: Defendant understands that supervised release is a period of  
22 time following imprisonment during which defendant will be subject to various restrictions and  
23 requirements. Defendant understands that if defendant violates one or more of the conditions of  
24 any supervised release imposed, defendant may be returned to prison for all or part of the term of

1 supervised release authorized by statute for the offense that resulted in the term of supervised  
2 release.

3 8. Factors under 18 U.S.C. § 3553: Defendant understands that the district court  
4 must consider the factors set forth in 18 U.S.C. § 3553(a) in determining defendant's sentence.  
5 However, the statutory maximum sentence and any statutory minimum sentence limit the  
6 district court's discretion in determining defendant's sentence.

7 9. Potential Collateral Consequences of Conviction: Defendant understands that, by  
8 pleading guilty, defendant may be giving up valuable government benefits and valuable civic  
9 rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the  
10 right to serve on a jury. Defendant understands that once the district court accepts defendant's  
11 guilty plea, it will be a federal felony for defendant to possess a firearm or ammunition.  
12 Defendant understands that the conviction in this case may also subject defendant to various  
13 other collateral consequences, including but not limited to revocation of probation, parole, or  
14 supervised release in another case and suspension or revocation of a professional license.  
15 Defendant understands that unanticipated collateral consequences will not serve as grounds to  
16 withdraw defendant's guilty plea.

17 10. Potential Removal/Deportation Consequences of Conviction: Defendant  
18 understands that, if defendant is not a United States citizen, the felony conviction in this case  
19 may subject defendant to removal, also known as deportation, which may, under some  
20 circumstances, be mandatory; denial of citizenship; and denial of admission to the United States  
21 in the future. The district court cannot advise defendant fully regarding the immigration  
22 consequences of the felony conviction in this case, but defendant's attorney has advised him  
23 about the deportation risks of his guilty plea. Defendant understands that unexpected  
24 immigration consequences will not serve as grounds to withdraw defendant's guilty plea[s].

**V. FACTUAL BASIS**

11. Defendant admits that defendant is, in fact, guilty of the offense to which defendant is agreeing to plead guilty. Defendant acknowledges that if defendant elected to go to trial instead of pleading guilty, the USAO could prove defendant's guilt beyond a reasonable doubt and establish its right to forfeit the specified property by preponderance of the evidence. Defendant further acknowledges that defendant's admissions and declarations of fact set forth below satisfy every element of the charged offense. Defendant waives any potential future claim that the facts defendant admitted below are insufficient to satisfy the elements of the charged offense. Defendant admits and declares under penalty of perjury that the facts set forth below are true and correct:

Between on or about April 11, 2021 and on or about August 23, 2021, in the State and District of Nevada, defendant knowingly distributed child pornography through the mobile application Kik messenger on his black Samsung S9 cell phone. Defendant distributed approximately 70 files of child pornography via Kik account "joebidong," and approximately 62 files of child pornography via Kik account "dudewhat875." The following is a description of two files that defendant distributed via Kik:

1. File Name: 4aa448c2-ce36-4bc4-809d-9b1554761c9b.mp4

MD5: 3E4A146017CCA460F04B0415E8AFE724

Description: This video file is approximately 25 seconds in

length. The video depicts a female juvenile, approximately 2-4

years of age, apparently standing in front of a nude male adult

displaying an erect penis. Both subjects appear to be completely

nude. For the duration of the video the male adult is observed

violently forcing his penis into the juvenile female's mouth, using

1 both hands to pull her head to his penis, as she visibly struggles  
2 and cries. The video ends shortly thereafter.

3 2. Filename: 7528c372-1008-44bf-a4a7-9df4cb487922.mp4

4 MD5: 8e4fde5a8433b243c83acd73189c4d6c

5 Description: This 47 second video depicts 2 pre-pubescent  
6 female children approximately 8-11 years of age. The female  
7 children initially appear clothed and are kissing. The video cuts  
8 to another segment when one child is licking the breast area of  
9 the other female while her shirt is lifted. The video cuts to a third  
10 segment where both children now have their pants lowered and  
11 you can see the bare buttocks of one female child straddled over  
12 the abdomen of the other child while moving her vaginal area in  
13 an up and down fashion.

14 Of the approximately 130 files of child pornography shared via two Kik accounts,  
15 approximately 59 of those exact files of child pornography were recovered from two cellphones,  
16 both owned by defendant. These specific 59 files of child pornography were among the  
17 approximately 2,584 images and 269 videos of child pornography found in the aggregate of both  
18 devices.

19 Defendant admits that the files of child pornography the defendant distributed traveled in  
20 interstate commerce. The foregoing occurred in the State and District of Nevada.

## 21 VI. SENTENCING FACTORS

22 12. Discretionary Nature of Sentencing Guidelines: Defendant understands that in  
23 determining defendant's sentence, the district court is required to calculate the applicable  
24 sentencing guidelines range and to consider that range, possible departures under the sentencing

guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the sentencing guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated sentencing guidelines range, and that after considering the sentencing guidelines and the other § 3553(a) factors, the district court will be free to exercise its discretion to impose any sentence it finds appropriate between the mandatory minimum and up to the maximum set by statute for the crime of conviction.

13. Offense Level Calculations: The parties jointly agree and stipulate that, in calculating defendant's advisory guidelines sentencing range, the Court should use the following base offense level and adjustments; acknowledge that these stipulations do not bind the district court; and agree that they will not seek to apply or advocate for the use of any other base offense level(s) or any other specific offense characteristics, enhancements, or reductions in calculating the advisory guidelines range:

|                                                        |           |
|--------------------------------------------------------|-----------|
| Base Offense Level [USSG § 2G2.2(a)(2)]:               | 22        |
| Prepubescent Minors [USSG § 2G2.2(b)(2)]:              | +2        |
| Knowing Distribution [USSG § 2G2.2(b)(3)(F)]:          | +2        |
| Abuse of Infant or Toddler / S&M [USSG § 2G2.2(b)(4)]: | +4        |
| Use of a Computer [USSG § 2G2.2(b)(6)]:                | +2        |
| <u>More than 600 Images [USSG § 2G2.2(b)(7)(D)]:</u>   | <u>+5</u> |
| Adjusted Offense Level:                                | 37        |

14. Reduction for Acceptance of Responsibility: Under USSG § 3E1.1(a), the USAO will recommend that defendant receive a two-level downward adjustment for acceptance of responsibility unless defendant (a) fails to truthfully admit facts establishing a factual basis for the guilty plea when defendant enters the plea; (b) fails to truthfully admit facts establishing the amount of restitution owed when defendant enters the guilty plea; (c) fails to truthfully admit

1 facts establishing the forfeiture allegations when defendant enters the guilty plea; (d) provides  
2 false or misleading information to the USAO, the Court, Pretrial Services, or the Probation  
3 Office; (e) denies involvement in the offense or provides conflicting statements regarding  
4 defendant's involvement or falsely denies or frivolously contests conduct relevant to the offense;  
5 (f) attempts to withdraw defendant's guilty plea; (g) commits or attempts to commit any crime;  
6 (h) fails to appear in court; or (i) violates the conditions of pretrial release.

7 Under USSG § 3E1.1(b), if the district court determines that defendant's total offense  
8 level before operation of § 3E1.1(a) is 16 or higher, and if the USAO recommends a two-level  
9 downward adjustment pursuant to the preceding paragraph, the USAO will move for an  
10 additional one-level downward adjustment for acceptance of responsibility before sentencing  
11 because defendant communicated defendant's decision to plead guilty in a timely manner that  
12 enabled the USAO to avoid preparing for trial and to efficiently allocate its resources.

13 15. Criminal History Category: Defendant acknowledges that the district court may  
14 base defendant's sentence in part on defendant's criminal record or criminal history. The district  
15 court will determine defendant's criminal history category under the sentencing guidelines.

16 16. Additional Sentencing Information: The stipulated sentencing guidelines  
17 calculations are based on information now known to the parties. Defendant understands that  
18 both defendant and the USAO are free to (a) supplement the facts in this agreement by supplying  
19 relevant information to the U.S. Probation and Pretrial Services Offices and the district court  
20 regarding the nature, scope, and extent of defendant's criminal conduct and any aggravating or  
21 mitigating facts or circumstances; and (b) correct any and all factual misstatements relating to the  
22 district court's sentencing guidelines calculations and determination of sentence. While this  
23 paragraph permits both the USAO and defendant to submit full and complete factual  
24 information to the U.S. Probation and Pretrial Services Offices and the district court, even if that

1 factual information may be viewed as inconsistent with the facts agreed to in this agreement, this  
2 paragraph does not affect defendant's and the USAO's obligations not to contest the facts agreed  
3 to in this agreement. Good faith efforts to provide truthful information or to correct factual  
4 misstatements shall not be grounds for defendant to withdraw defendant's guilty plea[s].

5 Defendant acknowledges that the U.S. Probation Office may calculate the sentencing  
6 guidelines differently and may rely on additional information it obtains through its investigation.  
7 Defendant also acknowledges that the district court may rely on this and other additional  
8 information as it calculates the sentencing guidelines range and makes other sentencing  
9 determinations, and the district court's reliance on such information shall not be grounds for  
10 defendant to withdraw defendant's guilty plea[s].

## 11 **VII. POSITIONS REGARDING SENTENCING**

12 17. The USAO will recommend that after applying a three-level downward variance,  
13 the district court impose a sentence at the low end of the advisory guideline range as determined  
14 by the district court. Defendant may argue for a downward variance pursuant to 18 U.S.C. §  
15 3553 but will not, either explicitly or implicitly, argue for a sentence of less than 60 months of  
16 imprisonment.

17 18. Defendant acknowledges that the district court does not have to follow the  
18 recommendation of either party.

19 19. Notwithstanding its agreement to recommend a sentence as described above, the  
20 USAO reserves its right to defend any lawfully imposed sentence on appeal or in any post-  
21 conviction litigation.

22 20. If defendant commits any act that results in the Court finding that defendant is  
23 not entitled to a downward adjustment for acceptance of responsibility, the USAO is entitled to  
24 argue for any sentence it deems appropriate under 18 U.S.C. § 3553(a). In any such event,

1 defendant remains bound by the provisions of this agreement and shall not have the right to  
2 withdraw defendant's guilty plea.

3 **VIII. WAIVER OF CONSTITUTIONAL RIGHTS**

4 21. Defendant understands that by pleading guilty, defendant gives up the following  
5 rights:

- 6 a. The right to persist in a plea of not guilty;
- 7 b. The right to a speedy and public trial by jury;
- 8 c. The right to be represented by counsel—and if necessary have the court  
9 appoint counsel—at trial. Defendant understands, however, that, defendant retains the right to  
10 be represented by counsel—and if necessary have the court appoint counsel—at every other stage  
11 of the proceeding;
- 12 d. The right to be presumed innocent and to have the burden of proof placed  
13 on the USAO to prove defendant guilty beyond a reasonable doubt;
- 14 e. The right to confront and cross-examine witnesses against defendant;
- 15 f. The right to testify and to present evidence in opposition to the charges,  
16 including the right to compel the attendance of witnesses to testify;
- 17 g. The right not to be compelled to testify, and, if defendant chose not to  
18 testify or present evidence, to have that choice not be used against defendant; and
- 19 h. The right to pursue any affirmative defenses; Fourth Amendment or Fifth  
20 Amendment claims; any other pretrial motions that have been or could have been filed; and  
21 challenges to any adverse pre-trial rulings.

22 **IX. WAIVER OF APPELLATE RIGHTS**

23 22. Waiver of Appellate Rights: Defendant knowingly and expressly waives the right  
24 to appeal: (a) any sentence imposed within or below the applicable Sentencing Guideline range

1 as determined by the district court; (b) the manner in which the district court determined that  
2 sentence on the grounds set forth in 18 U.S.C. § 3742; (c) any other aspect of the conviction,  
3 including but not limited to the constitutionality of the statutes of conviction; and (d) any other  
4 aspect of the sentence, including but not limited to the constitutionality of any mandatory or  
5 standard conditions of supervised release; the denial of any motion for early termination of  
6 supervised release; and any order of restitution or forfeiture.

7 23. Defendant reserves only the right to appeal any portion of the sentence that is an  
8 upward departure or variance from the applicable Sentencing Guideline range as determined by  
9 the district court.

10 24. Waiver of Post-Conviction Rights: Defendant also knowingly and expressly  
11 waives all collateral challenges, including any claims under 28 U.S.C. § 2255, to defendant's  
12 conviction, sentence, and the procedure by which the district court adjudicated guilt and  
13 imposed sentence, except non-waivable claims of ineffective assistance of counsel.

14 25. Preservation of Evidence: Defendant acknowledges that the USAO and the  
15 agencies investigating this case are not obligated or required to preserve any evidence obtained in  
16 the investigation of this case.

## 17 X. FORFEITURE

18 26. Defendant knowingly and voluntarily:

19 a. Agrees to the district court imposing the civil judicial forfeiture and the  
20 criminal forfeiture of:

- 21 i. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
22 ii. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
23 (all of which constitutes property);

1           b.     Agrees to the civil judicial forfeiture and the criminal forfeiture of the  
2 property;

3           c.     Forfeits the property to the United States;

4           d.     Relinquishes all possessory rights, ownership rights, and all rights, titles,  
5 and interests in the property;

6           e.     Waives defendant's right to any civil judicial forfeiture proceedings and any  
7 criminal forfeiture proceedings of the property (proceedings);

8           f.     Waives service of process of any and all documents filed in this action and  
9 any proceedings concerning the forfeiture of the property arising from the facts and  
10 circumstances of this case;

11          g.     Waives any further notice to defendant, defendant's agents, and  
12 defendant's attorney regarding the forfeiture and disposition of the property;

13          h.     Agrees not to file any claim, answer, petition, and other documents in any  
14 proceedings concerning the property; agrees not to contest, and agrees not to assist any other  
15 person and entity to contest, the forfeiture; and agrees to withdraw immediately any claim,  
16 answer, petition, and other documents in any proceedings;

17          i.     Waives the statute of limitations, the CAFRA requirements, Fed. R. Crim.  
18 P. 7, 11, 32.2, and 43(a), including, but not limited to, forfeiture notice in the charging  
19 document, the court advising defendant of the forfeiture at the change of plea, the court having a  
20 forfeiture hearing, the court making factual findings regarding the forfeiture, the court  
21 announcing the forfeiture at the change of plea and sentencing, the court attaching the forfeiture  
22 order to the Judgment in a Criminal Case, and any and all constitutional, statutory, legal,  
23 equitable rights, defenses, and claims regarding the property in any proceedings, including, but  
24

1 not limited to, double jeopardy and due process under the Fifth Amendment to the United States  
2 Constitution;

3 j. Waives all constitutional, statutory, legal, equitable rights, defenses, and  
4 claims regarding the property in any proceedings, including, but not limited to, a jury trial under  
5 the Sixth Amendment to the United States Constitution;

6 k. Waives any and all constitutional, statutory, legal, equitable rights,  
7 defenses, and claims regarding the property in any proceedings, including, but not limited to,  
8 excessive fines clause and cruel and unusual punishments clause under the Eighth Amendment  
9 to the United States Constitution;

10 l. Waives any and all constitutional, statutory, legal, equitable rights,  
11 defenses, and claims to the property in any proceedings under *Honeycutt v. United States*, 581 U.S.  
12 443 (2017); *United States v. Thompson*, 990 F.3d 680 (9th Cir. 2021); and *United States v. Prasad*, 18  
13 F.4th 313 (9th Cir. 2021);

14 m. Agrees to the entry of an Order of Forfeiture of the property to the United  
15 States;

16 n. Waives the right to appeal any Order of Forfeiture;

17 o. Agrees the property is forfeited to the United States and can be taken into  
18 custody immediately by the USAO;

19 p. Agrees and understands the civil administrative forfeiture, the civil judicial  
20 forfeiture, and the criminal forfeiture of the property shall not be treated as satisfaction of any  
21 assessment, fine, restitution, cost of imprisonment, and any other penalty the Court may impose  
22 upon defendant in addition to the forfeiture;

23 q. Agrees and understands that on the government's motion, the court may at  
24 any time enter an order of forfeiture or amend an existing order of forfeiture to include

1 subsequently located property or substitute property under Fed. R. Crim. P. 32.2(b)(2)(A) and  
2 (C) and 32.2(e);

3 r. Acknowledges the amount of the forfeiture may differ from, and may be  
4 significantly greater than or less than, the amount of restitution;

5 s. Agrees to take all steps as requested by the USAO to pass clear title of any  
6 forfeitable assets to the United States and to testify truthfully in any judicial forfeiture  
7 proceedings. Defendant understands and agrees that the property represents facilitating property  
8 of illegal conduct and is forfeitable; and

9 t. Admits the property is any visual depiction described in 18 U.S.C.  
10 § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any  
11 such visual depiction, which was produced, transported, mailed, shipped or received in violation  
12 of 18 U.S.C. § 2252A(a)(2) and any property, real or personal, used or intended to be used to  
13 commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property traceable to  
14 such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

15 **XI. RESULT OF WITHDRAWAL OF GUILTY PLEA**  
16 **OR VACATUR/REVERSAL/SET-ASIDE OF CONVICTION**

17 27. Consequence of Withdrawal of Guilty Plea: Defendant agrees that if, after  
18 entering a guilty plea pursuant to this agreement, defendant seeks to withdraw and succeeds in  
19 withdrawing defendant's guilty plea on any basis other than a claim and finding that entry into  
20 this agreement was involuntary, then (a) the USAO will be relieved of all of its obligations under  
21 this agreement and (b) should the USAO choose to pursue any charge that was either dismissed  
22 or not filed as a result of this agreement, or that the government agreed to move to dismiss at  
23 sentencing as part of this agreement, or that the government agreed to move to dismiss at  
24 sentencing as part of this agreement, then (i) any applicable statute of limitations will be tolled  
between the date of defendant's signing of this agreement and the filing commencing any such

1 action; and (ii) defendant waives and gives up all defenses based on the statute of limitations,  
2 any claim of pre-indictment delay, or any speedy trial claim with respect to any such action,  
3 except to the extent that such defenses existed as of the date of defendant's signing this  
4 agreement.

5 28. Consequence of Vacatur, Reversal, or Set-aside: Defendant agrees that if  
6 defendant's conviction is vacated, reversed, or set aside, both the USAO and defendant will be  
7 released from all their obligations under this agreement, except that, should the USAO choose to  
8 pursue any charge that was either dismissed or not filed as a result of this agreement, then (i) any  
9 applicable statute of limitations will be tolled between the date of defendant's signing of this  
10 agreement and the filing commencing any such action; and (ii) defendant waives and gives up all  
11 defenses based on the statute of limitations, any claim of pre-indictment delay, or any speedy  
12 trial claim with respect to any such action, except to the extent that such defenses existed as of  
13 the date of defendant's signing this agreement.

## 14 XII. BREACH OF AGREEMENT

15 29. Defendant agrees that if, at any time after this agreement becomes effective,  
16 defendant knowingly violates or fails to perform any of defendant's obligations under this  
17 agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's  
18 obligations are material, a single breach of this agreement is sufficient for the USAO to declare a  
19 breach, and defendant shall not be deemed to have cured a breach without the express agreement  
20 of the USAO in writing. If the USAO declares this agreement breached, and the district court  
21 finds such a breach to have occurred, then: (a) if defendant has previously entered [a] guilty  
22 plea[s] pursuant to this agreement, defendant will remain bound by the provisions of this  
23 agreement and will not be able to withdraw the guilty plea[s]; and (b) the USAO will be relieved  
24 of all its obligations under this agreement.

1           30.     Following the Court's finding of a knowing breach of this agreement by defendant,  
2 should the USAO choose to pursue any charge that was either dismissed or not filed as a result  
3 of this agreement, or that the government agreed to move to dismiss at sentencing as part of this  
4 agreement, then:

5                 a.     Defendant agrees that any applicable statute of limitations is tolled between  
6 the date of defendant's signing of this agreement and the filing commencing any such action.

7                 b.     Defendant waives and gives up all defenses based on the statute of  
8 limitations, any claim of pre-indictment delay, or any speedy trial claim with respect to any such  
9 action, except to the extent that such defenses existed as of the date of defendant's signing this  
10 agreement.

11                c.     Defendant agrees that: (i) any statements made by defendant, under oath,  
12 at the guilty plea hearing (if such a hearing occurred prior to the breach); (ii) the agreed to factual  
13 basis statement in this agreement; and (iii) any evidence derived from such statements, shall be  
14 admissible against defendant in any such action against defendant, and defendant waives and  
15 gives up any claim under the United States Constitution, any statute, Federal Rule of Evidence  
16 410, Federal Rule of Criminal Procedure 11(f), or any other federal rule, that the statements or  
17 any evidence derived from the statements should be suppressed or are inadmissible.

18                                 **XIII. COURT AND UNITED STATES PROBATION**  
19                                 **AND PRETRIAL SERVICES OFFICE NOT PARTIES**

20           31.     Defendant understands that the Court and the U.S. Probation and Pretrial  
21 Services Office are not parties to this agreement and need not accept any of the USAO's  
22 sentencing recommendations or the parties' agreements to facts or sentencing factors.  
23  
24

1           32. Defendant understands that both defendant and the USAO are free to argue on  
2 appeal and collateral review that the district court's sentencing guidelines calculations and the  
3 sentence it chooses to impose are not error.

4           33. Defendant understands that even if the district court ignores any sentencing  
5 recommendation, finds facts or reaches conclusions different from those agreed to by the parties,  
6 or imposes any sentence up to the maximum established by statute, defendant cannot, for that  
7 reason, withdraw defendant's guilty plea, and defendant will remain bound to fulfill all  
8 defendant's obligations under this agreement. Defendant understands that no one—not the  
9 prosecutor, defendant's attorney, or the Court—can make a binding prediction or promise  
10 regarding the sentence defendant will receive, except that it will be within the statutory  
11 maximum.

#### 12                                   XIV. ADDITIONAL ACKNOWLEDGMENTS

13           34. Defendant acknowledges that:

14                   a. Defendant read this agreement, and defendant understands its terms and  
15 conditions.

16                   b. Defendant had adequate time to discuss this case, the evidence, and this  
17 agreement with defendant's attorney.

18                   c. Defendant carefully and thoroughly discussed all terms of this agreement  
19 with defendant's attorney.

20                   d. Defendant understands the terms of this agreement and voluntarily agrees  
21 to those terms.

22                   e. Defendant has discussed with defendant's attorney the following: the  
23 evidence; defendant's rights; possible pretrial motions that might be filed; possible defenses that  
24

1 might be asserted either prior to or at trial; the sentencing factors set forth in 18 U.S.C. § 3553(a);  
2 the relevant sentencing guidelines provisions; and consequences of entering into this agreement.

3 f. The representations contained in this agreement are true and correct,  
4 including the factual basis for defendant's offense[s] set forth in this agreement.

5 g. Defendant was not under the influence of any alcohol, drug, or medicine  
6 that would impair defendant's ability to understand the agreement when defendant considered  
7 signing this agreement and when defendant signed it.

8 35. Defendant understands that defendant alone decides whether to plead guilty or go  
9 to trial, and acknowledges that defendant has decided to enter defendant's guilty plea[s] knowing  
10 of the charges brought against defendant, defendant's possible defenses, and the benefits and  
11 possible detriments of proceeding to trial.

12 36. Defendant understands that no promises, understandings, or agreements other  
13 than those set forth in this agreement have been made or implied by defendant, defendant's  
14 attorney, or the USAO, and no additional promises, agreements, or conditions shall have any  
15 force or effect unless set forth in writing and signed by all parties or confirmed on the record  
16 before the district court.

17 37. Defendant acknowledges that defendant decided to plead guilty voluntarily and  
18 that no one threatened, coerced, or forced defendant to enter into this agreement.

19 38. Defendant is satisfied with the representation of defendant's attorney, and  
20 defendant is pleading guilty because defendant is guilty of the charges and chooses to take  
21 advantage of the promises set forth in this agreement and for no other reason.  
22  
23  
24

**XV. PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING**

39. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE  
FOR THE DISTRICT OF NEVADA

JASON M. FRIERSON  
United States Attorney

*Afroza Geasmin*  
AFROZA GEASMIN  
Assistant United States Attorney

04/29/2024

Date

*Alexander Derringer*  
ALEXANDER SCOTT DERRINGER  
Defendant

4/29/24

Date

*Nisha Brooks-Whittington*  
NISHA BROOKS-WHITTINGTON  
Attorney for Defendant ALEXANDER SCOTT  
DERRINGER

4/29/24

Date

**EXHIBIT “2D”**

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**EXHIBIT “2D”**

## UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

Alexander Scott Derringer

## JUDGMENT IN A CRIMINAL CASE

Case Number: 2:23-cr-00039-JCM-NJK

USM Number: 47265-510

Nisha Brooks-Whittington, AFPD

Defendant's Attorney

## THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Indictment (ECF No. 1)☐ 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> |
|----------------------------|-----------------------------------|----------------------|--------------|
| 18 U.S.C. § 2252A(a)(2)    | Distribution of Child Pornography | 10/14/2021           | 1            |
| 18 U.S.C. § 2252A(b)(1)    |                                   |                      |              |

The defendant is sentenced as provided in pages 2 through 8 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) remaining ☒ 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.

12/6/2024

Date of Imposition of Judgment

Signature of Judge

James C. Mahan, U.S. District Judge

Name and Title of Judge

December 11, 2024

Date

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### IMPRISONMENT

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

- ☒ The court makes the following recommendations to the Bureau of Prisons:  
The court recommends that the Defendant be allowed to serve his term of incarceration at FCI Inglewood in Colorado.
- ☐ 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 12:00 ☐ a.m. ☒ p.m. on 2/7/2025
- ☐ 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: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SUPERVISED RELEASE**

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

20 years.

### **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, not to exceed 104 tests annually.
  - ☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

**U.S. Probation Office Use Only**

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

1. Substance Abuse Treatment – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
2. Drug Testing – You must submit to substance abuse testing to determine if you have used a prohibited substance. Testing shall not exceed 104 tests per year. You must not attempt to obstruct or tamper with the testing methods.
3. Mental Health Treatment – You must participate in an [Outpatient] mental health treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
4. Minor Prohibition – You must not have direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, inperson communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places.
5. Place Restriction – Children Under 18 – You must not go to, or remain at, any place primarily used by children under the age of 18, unless you have the express prior permission of your Probation Officer. Examples of such prohibited places include parks, schools, playgrounds, and childcare facilities.
6. Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.  
  
The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
7. No Pornography - You must not view or possess any "visual depiction" (as defined in 18 U.S.C. § 2256(5)), or any photograph, film, video, picture, or computer or computergenerated image or picture, whether made or produced by electronic, mechanical, or other means, of "sexually explicit conduct" (as defined by 18 U.S.C. § 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18 U.S.C. § 2257(h)(1)) involving adults. These restrictions do not apply to materials necessary to, and used for, any future appeals, or materials prepared or used for the purposes of sex-offender treatment.
8. Sex Offender Treatment – You must participate in a sex offense-specific [Outpatient] treatment program, and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
9. Polygraph Testing – You must submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure that you are in compliance with the requirements of your supervision or treatment program.
10. Computer Monitoring – To enable the Computer Search Condition, you must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to the installation of computer monitoring software by the probation officer.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

11. Computer Search – Monitoring Software – To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct periodic, unannounced searches of any computers (as defined in 18 U.S.C. § 1030 (e)(1)) subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition.

12. Computer Search – You must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to a search. A probation officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### 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> | \$ 100.00         | \$ 50,000.00       | \$ 0.00     | \$ 0.00                 | \$ 0.00                  |

☐ 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> |
|-------------------------------|----------------------|----------------------------|-------------------------------|
| See attached restitution list |                      |                            |                               |

|               |    |      |    |      |
|---------------|----|------|----|------|
| <b>TOTALS</b> | \$ | 0.00 | \$ | 0.00 |
|---------------|----|------|----|------|

☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 50,100.00 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:  
Any unpaid balance shall be paid at a monthly rate of not less than 10% of any income earned during incarceration and/or gross income while on supervision

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

| Case Number<br>Defendant and Co-Defendant Names<br>(including defendant number) | Total Amount | Joint and Several<br>Amount | Corresponding Payee,<br>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:  
Final Order of Forfeiture attached.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

|                                                  |                                    |
|--------------------------------------------------|------------------------------------|
| <input checked="checked" type="checkbox"/> FILED | <input type="checkbox"/> RECEIVED  |
| <input type="checkbox"/> ENTERED                 | <input type="checkbox"/> SERVED ON |
| COUNSEL PARTIES OF RECORD                        |                                    |
| SEP 30 2024                                      |                                    |
| CLEARINGHOUSE                                    | COURT                              |
| DISTRICT OF NEVADA                               |                                    |

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

2:23-CR-039-JCM-NJK

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. § 2253(a)(1) and 2253(a)(3) based upon the plea of guilty by Alexander Scott Derringer to the criminal offense, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which Alexander Scott Derringer pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 31; Plea Agreement, ECF No. 32; Preliminary Order of Forfeiture, ECF No. 33.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from June 7, 2024, through July 6, 2024, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits, ECF No. 35-1, p. 5.

This Court finds the United States notified known third parties by regular mail and certified mail return receipt requested of their right to petition the Court. Notice of Filing Service of Process – Mailing, ECF No. 34.

1 On July 1, 2024, the United States Attorney's Office served Kathryn Jane Sinksen  
2 with copies of the Preliminary Order of Forfeiture and the Notice through regular mail and  
3 certified mail return receipt requested. Notice of Filing Service of Process – Mailing, ECF  
4 No. 34-1, p. 3-14.

5 This Court finds no petition was filed herein by or on behalf of any person or entity  
6 and the time for filing such petitions and claims has expired.

7 This Court finds no petitions are pending regarding the property named herein and  
8 the time has expired for presenting such petitions.

9 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
10 all possessory rights, ownership rights, and all rights, titles, and interests in the property  
11 hereinafter described are condemned, forfeited, and vested in the United States under Fed.  
12 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 2253(a)(1)  
13 and 2253(a)(3); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

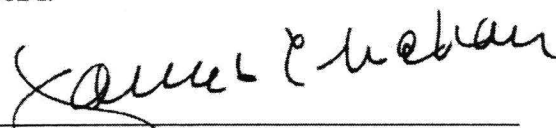
- 14 1. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
15 2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
16 (all of which constitutes property).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R.  
18 Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all  
19 rights, titles, and interests in the property are extinguished and are not recognized for  
20 Alexander Scott Derringer, Kathryn Jane Sinksen, and all third parties.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the property  
22 shall be disposed of according to law.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
24 copies of this Order to all counsel of record.

25 DATED Sept 30, 2024 2024.

26  
27   
28 JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE

**U.S. vs. Alexander Scott Derringer**  
**2:23-cr-00039-JCM-NJK**  
**Restitution List Amendment II – 10/2/2024**

**Note: Capped restitution at \$5,000 per victim in the plea agreement**

|                                                                                                                               |             |
|-------------------------------------------------------------------------------------------------------------------------------|-------------|
| Restore the Child in Trust for Chelsea<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406 | \$ 5,000.00 |
| Restore the Child in Trust for Angela<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406  | \$ 5,000.00 |
| Restore the Child in Trust for April<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406   | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maria<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maureen<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                          | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sarah<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sloane<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                           | \$ 5,000.00 |
| Carol L. Hepburn in trust for Lily                                                                                            | \$ 5,000.00 |

Carol L. Hepburn, P.S.  
PO Box 17718  
Seattle, WA 98127

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Jenny | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Jenny                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Raven | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Raven                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |



|                           |                     |
|---------------------------|---------------------|
| <b>TOTAL RESTITUTION:</b> | <b>\$ 50,000.00</b> |
|---------------------------|---------------------|

BEFORE THE STATE BOARD OF EDUCATION

VICTOR WAKEFIELD,  
SUPERINTENDENT OF PUBLIC  
INSTRUCTION, Department of Education,  
State of Nevada,

CASE NO. 2025-03

Petitioner,

v.

ALEXANDER SCOTT DERRINGER,

Respondent.

DECLARATION OF LISA FORD

I, LISA FORD, declare that the following is true.

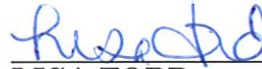
1. I am over the age of twenty-one (21) and competent to testify to the facts in this Declaration.

2. I am employed by the State of Nevada, Department of Education as a Chief Strategy Officer, and I am the acting secretary for the State Board of Education. I have been in this role for the Department of Education since August 2023.

3. Attached hereto are true and correct copies of the following Board of Education documents as kept in the normal course of business: the Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Notice"), submitted as Exhibit "1A"; the USPS certified mail tracking information for service of the Petition and Notice, submitted as Exhibit "1B"; the Courtesy Copy of Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Courtesy Copy of Petition and Notice"), submitted as Exhibit "1C"; the certified mail receipt for service of the Courtesy Copy of Petition and Notice, submitted as Exhibit "1D"; the Notice of Intent to Consider Character, Misconduct, Competence or Health of a Person ("Open Meeting Law Notice"), submitted as Exhibit "1E"; and the certified mail receipt for service of the Open Meeting Law Notice, submitted as Exhibit "1F".

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on this 16 day of July, 2026.

3  
4 

5 LISA FORD  
6 Declarant  
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**EXHIBIT LIST**

| <b>Exhibit No.</b> | <b>Title</b>                                                                       | <b>Pages</b> |
|--------------------|------------------------------------------------------------------------------------|--------------|
| 1A                 | Petition and Notice                                                                | 56           |
| 1B                 | USPS certified mail tracking information for service of the<br>Petition and Notice | 3            |
| 1C                 | Courtesy Copy of Petition and Notice                                               | 59           |
| 1D                 | Certified Mail Receipt for service of the Courtesy Copy of<br>Petition and Notice  | 2            |
| 1E                 | Open Meeting Law Notice                                                            | 2            |
| 1F                 | Certified Mail Receipt for service of the Open Meeting Law<br>Notice               | 1            |

**EXHIBIT “1A”**

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**EXHIBIT “1A”**

BEFORE THE STATE BOARD OF EDUCATION

JHONE EBERT, SUPERINTENDENT OF  
PUBLIC INSTRUCTION, DEPARTMENT  
OF EDUCATION, STATE OF NEVADA,

Petitioner,

v.

ALEXANDER SCOTT DERRINGER,

Respondent.

CASE NO. 2025-03

**PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE AND  
NOTICE OF RIGHT TO HEARING**

Jhone Ebert, Superintendent of Public Instruction, Department of Education, State of Nevada ("Petitioner"), hereby petitions the State Board of Education for the revocation of the teacher license held by ALEXANDER SCOTT DERRINGER ("Respondent"), issued by the Nevada Department of Education. This Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Recommendation") is supported by NRS 391.320, NRS 391.330, and the following allegations:

**I. Jurisdiction**

Respondent was, at the relevant times mentioned in this Petition and Recommendation, the holder of License No. 107402 issued by the Superintendent of Public Instruction, Department of Education, State of Nevada, pursuant to the provisions of Chapter 391 of the Nevada Revised Statutes (the "License"). Such License is as follows: Standard – Elementary K-8 – All Elementary Subjects. The License expired on September 26, 2023. (A true and correct copy of the License is attached as Exhibit A).

1           Petitioner hereby files this Petition and Recommendation in her official capacity as  
2 Superintendent of Public Instruction, Department of Education, State of Nevada. See  
3 NRS 391.322. The State Board of Education may revoke or suspend Respondent's license,  
4 if recommended by the Superintendent of Public Instruction or the Board of Trustees of a  
5 School District, after notice and opportunity for hearing, based upon the NRS 391.330  
6 grounds for suspension and revocation. See also NRS 391.320; NRS 391.322; NRS  
7 391.330.  
8

## 9       **II.     Factual Allegations**

10           According to the Criminal Indictment filed in the United States District Court,  
11 District of Nevada, (a true and correct copy of which is attached as Exhibit B) beginning  
12 on or about April 9, 2021 and continuing to a date unknown, Respondent did commit the  
13 crime of Distribution of Child Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)). This  
14 crime was committed by Respondent who       knowingly distributed child pornography, as  
15 defined in Title 18, United States Code, Section 2256(8), and material containing child  
16 pornography, that had been mailed, shipped and transported in and affecting interstate  
17 and foreign commerce by a means that included by computer, and that had been shipped  
18 and transported using a means and facility of interstate and foreign commerce, in  
19 violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A (b)(1).  
20  
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23           On or about June 5, 2024, Respondent entered into a Guilty Plea Agreement (a true  
24 and correct copy of which is attached as Exhibit C) pleading guilty to the crimes of  
25 Distribution of Child Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)).  
26

27           On or about December 11, 2024, the United States District Court, District of  
28 Nevada, adjudged Respondent guilty of Distribution of Child Pornography (18 U.S.C. §§

1 2251A(a)(2), 2252A(b)(1)). (A true and correct copy of the Judgment in a Criminal Case is  
2 attached hereto as Exhibit D).

3 According to the Judgment in a Criminal Case, the Court sentenced Respondent to  
4 prison for one hundred and eight (108) months for the crime of Distribution of Child  
5 Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)).  
6

7 In addition, according to the Judgment in a Criminal Case, the Court ordered the  
8 Respondent to be on supervised release for a term of 20 years upon release from  
9 imprisonment.

10 Further, according to the Judgment in a Criminal Case, the Court ordered that the  
11 Respondent must comply with the following special conditions:  
12

- 13 1. You must not commit another federal, state or local crime.
- 14 2. You must not unlawfully possess a controlled substance.
- 15 3. You must refrain from any unlawful use of a controlled substance. You must  
16 submit to one drug test within 15 days of release from imprisonment and at least  
17 two periodic drug tests thereafter, as determined by the court, not to exceed 104  
18 tests annually.
- 19 4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any  
20 other statute authorizing a sentence of restitution.
- 21 5. You must cooperate in the collection of DNA as directed by the probation officer.
- 22 6. You must comply with the requirements of the Sex Offender Registration and  
23 Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the  
24 Bureau of Prisons, or any state sex offender registration agency in the location  
25 where you reside, work, are a student, or were convicted of a qualifying offense.  
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- 1 7. You must report to the probation office in the federal judicial district where you are  
2 authorized to reside within 72 hours of your release from imprisonment, unless the  
3 probation officer instructs you to report to a different probation office or within a  
4 different time frame.
- 5 8. After initially reporting to the probation office, you will receive instructions from  
6 the court or the probation officer about how and when you must report to the  
7 probation officer, and you must report to the probation officer as instructed.
- 8 9. You must not knowingly leave the federal judicial district where you are authorized  
9 to reside without first getting permission from the court or the probation officer.
- 10 10. You must answer truthfully the questions asked by your probation officer.
- 11 11. You must live in a place approved by the probation officer. If you plan to change  
12 where you live or anything about your living arrangements (such as the people you  
13 live with), you must notify the probation officer at least 10 days before the change.  
14 If notifying the probation officer in advance is not possible due to unanticipated  
15 circumstances, you must notify the probation officer within 72 hours of becoming  
16 aware of a change or expected change.
- 17 12. You must allow the probation officer to visit you at any time at your home or  
18 elsewhere, and you must permit the probation officer to take any items prohibited  
19 by the conditions of your supervision that he or she observes in plain view.
- 20 13. You must work full time (at least 30 hours per week) at a lawful type of  
21 employment, unless the probation officer excuses you from doing so. If you do not  
22 have full-time employment you must try to find full-time employment, unless the  
23 probation officer excuses you from doing so. If you plan to change where you work  
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1 or anything about your work (such as your position or your job responsibilities), you  
2 must notify the probation officer at least 10 days before the change. If notifying the  
3 probation officer at least 10 days in advance is not possible due to unanticipated  
4 circumstances, you must notify the probation officer within 72 hours of becoming  
5 aware of a change or expected change.  
6

7 14. You must not communicate or interact with someone you know is engaged in  
8 criminal activity. If you know someone has been convicted of a felony, you must not  
9 knowingly communicate or interact with that person without first getting the  
10 permission of the probation officer.  
11

12 15. If you are arrested or questioned by a law enforcement officer, you must notify the  
13 probation officer within 72 hours.  
14

15 16. You must not own, possess, or have access to a firearm, ammunition, destructive  
16 device, or dangerous weapon (i.e., anything that was designed, or was modified for,  
17 the specific purpose of causing bodily injury or death to another person such as  
18 nunchakus or tasers).  
19

20 17. You must not act or make any agreement with a law enforcement agency to act as a  
21 confidential human source or informant without first getting the permission of the  
22 court.  
23

24 18. If the probation officer determines that you pose a risk to another person (including  
25 an organization), the probation officer may require you to notify the person about  
26 the specific risks posed by your criminal record and you must comply with that  
27 instruction. The probation officer may contact the person and confirm that you  
28 have notified the person about the specific risks posed by your criminal record.

- 1 19. You must follow the instructions of the probation officer related to the conditions of  
2 supervision.
- 3 20. Substance Abuse Treatment - You must participate in an outpatient substance  
4 abuse treatment program and follow the rules and regulations of that program.  
5 The probation officer will supervise your participation in the program (provider,  
6 location, modality, duration, intensity, etc.).  
7
- 8 21. Drug Testing - You must submit to substance abuse testing to determine if you  
9 have used a prohibited substance. Testing shall not exceed 104 tests per year. You  
10 must not attempt to obstruct or tamper with the testing methods.  
11
- 12 22. Mental Health Treatment - You must participate in an [Outpatient] mental health  
13 treatment program and follow the rules and regulations of that program. The  
14 probation officer will supervise your participation in the program (provider,  
15 location, modality, duration, intensity, etc.).  
16
- 17 23. Minor Prohibition - You must not have direct contact with any child you know or  
18 reasonably should know to be under the age of 18, including your own children,  
19 without the permission of the probation officer. If you do have any direct contact  
20 with any child you know or reasonably should know to be under the age of 18,  
21 including your own children, without the permission of the probation officer, you  
22 must report this contact to the probation officer within 24 hours. Direct contact  
23 includes written communication, in person communication, or physical contact.  
24 Direct contact does not include incidental contact during ordinary daily activities in  
25 public places.  
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1 24. Place Restriction - Children Under 18 - You must not go to, or remain at, any place  
2 primarily used by children under the age of 18, unless you have the express prior  
3 permission of your Probation Officer. Examples of such prohibited places include  
4 parks, schools, playgrounds, and childcare facilities.

5  
6 25. Search and Seizure - You must submit your person, property, house, residence,  
7 vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1 )), other electronic  
8 communications or data storage devices or media, or office, to a search conducted  
9 by a United States Probation Officer. Failure to submit to a search may be grounds  
10 for revocation of release. You must warn any other occupants that the premises  
11 may be subject to searches pursuant to this condition. The probation officer may  
12 conduct a search under this condition only when reasonable suspicion exists that  
13 you have violated a condition of supervision and that the areas to be searched  
14 contain evidence of this violation. Any search must be conducted at a reasonable  
15 time and in a reasonable manner.

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18 26. No Pornography - You must not view or possess any "visual depiction" (as defined  
19 in 18 U.S.C. § 2256(5)), or any photograph, film, video, picture, or computer or  
20 computer generated image or picture, whether made or produced by electronic,  
21 mechanical, or other means, of "sexually explicit conduct" (as defined by 18 U.S.C. §  
22 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18  
23 U.S.C. § 2257(h)(1 )) involving adults. These restrictions do not apply to materials  
24 necessary to, and used for, any future appeals, or materials prepared or used for  
25 the purposes of sex-offender treatment.  
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- 1 27. Sex Offender Treatment - You must participate in a sex offense-specific  
2 [Outpatient] treatment program and follow the rules and regulations of that  
3 program. The probation officer will supervise your participation in the program  
4 (provider, location, modality, duration, intensity, etc.).  
5
- 6 28. Polygraph Testing - You must submit to periodic polygraph testing at the discretion  
7 of the probation officer as a means to ensure that you are in compliance with the  
8 requirements of your supervision or treatment program.
- 9 29. Computer Monitoring - To enable the Computer Search Condition, you must  
10 submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic  
11 communications or data storage devices or media, to the installation of computer  
12 monitoring software by the probation officer.  
13
- 14 30. Computer Search - Monitoring Software - To ensure compliance with the computer  
15 monitoring condition, you must allow the probation officer to conduct periodic,  
16 unannounced searches of any computers (as defined in 18 U.S.C. § 1030 (e)(1))  
17 subject to computer monitoring. These searches shall be conducted for the purposes  
18 of determining whether the computer contains any prohibited data prior to  
19 installation of the monitoring software; to determine whether the monitoring  
20 software is functioning effectively after its installation; and to determine whether  
21 there have been attempts to circumvent the monitoring software after its  
22 installation. You must warn any other people who use these computers that the  
23 computers may be subject to searches pursuant to this condition.  
24
- 25 31. Computer Search - You must submit your computers (as defined in 18 U.S.C. §  
26 1030(e)(1 )) or other electronic communications or data storage devices or media, to  
27  
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1 a search. A probation officer may conduct a search pursuant to this condition only  
2 when reasonable suspicion exists that there is a violation of a condition of  
3 supervision and that the computer or device contains evidence of this violation. Any  
4 search must be conducted at a reasonable time and in a reasonable manner.

5  
6 **III. Legal Allegations**

7 NRS 391.330(1), states as follows in pertinent part:

8 (a) Unprofessional conduct.

9 . . .

10 (c) Evident unfitness for service.

11 . . .

12 (e) Conviction of a felony or crime involving moral turpitude

13  
14 By committing the acts that constituted the crime of Distribution of Child  
15 Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)) and being convicted of said offense,  
16 Respondent has subjected Respondent's license to revocation or suspension by violation of  
17 the following:  
18

19 (a) NRS 391.330(l)(a) Unprofessional conduct;

20 (c) NRS 391.330(l)(c) evident unfitness for service; and

21 (e) NRS 391.330(l)(e) Conviction of a felony or a crime involving moral  
22 turpitude.  
23

24 **IV. Notice of Right to Hearing**

25 Respondent is hereby given notice of the recommendation by the Superintendent of  
26 Public Instruction for the revocation of Respondent's license. The protocol and procedure  
27 for the suspension or revocation of a license are set forth in NRS 391.320 to 391.361,  
28

1 inclusive. Respondent has the right to a hearing on this Petition and Recommendation  
2 before a hearing officer, who will be selected pursuant to NRS 391.322, to answer the  
3 allegations of the Petition and Recommendation and to present evidence and argument on  
4 all issues involved, either personally or through an attorney.

5       If Respondent desires a hearing before a hearing officer, Respondent must file a  
6 written request within **fifteen (15) days** from the receipt of this Petition and  
7 Recommendation as provided in NRS 391.322. Respondent's request should be addressed  
8 to the Superintendent of Public Instruction, Nevada Department of Education, 700 East  
9 5<sup>th</sup> Street, Carson City, Nevada, 89701-5096 or via email at marakawa@doe.nv.gov. If  
10 Respondent requests a hearing, a hearing officer will be selected pursuant to NRS  
11 391.322, and that hearing officer will notify Respondent, in writing, of the time and  
12 location of the hearing not less than ten (10) days before the hearing. If Respondent  
13 requests a hearing and a hearing officer is selected, the procedures for the suspension or  
14 revocation of licenses found in NAC 391.500 to 391.555, inclusive, will be followed as  
15 appropriate. Pursuant to NAC 391.507, "[n]ot later than ten (10) days after a hearing  
16 officer is selected pursuant to NRS 391.322, the holder of the license shall submit to the  
17 hearing officer an answer to the allegations set forth" in this Petition and  
18 Recommendation. If no request for a hearing is filed within the time specified, the State  
19 Board of Education may suspend or revoke Respondent's license or take no action on the  
20 recommendation.

21 ///

22 ///

23 ///

1 WHEREFORE, Petitioner prays that the State Board of Education issue its  
2 decision to revoke Respondent's license.

3 DATED: March 28, 2025

4 AARON D. FORD  
5 Attorney General

6  
7 By: David M. Gardner  
8 DAVID M. GARDNER  
9 Senior Deputy Attorney General  
10 1 State of Nevada Way, Suite 100  
11 Las Vegas, Nevada 89119  
12 (702) 486-3420  
13 dgardner@ag.nv.gov  
14 Attorneys for the State of Nevada,  
15 Department of Education  
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 28<sup>th</sup> day of March 2025, I served the foregoing  
3 **PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE AND**  
4 **NOTICE OF RIGHT TO HEARING** by depositing a copy of the same in the United  
5 States mail, properly addressed, postage prepaid, CERTIFIED MAIL addressed as  
6 follows:

7 Alexander Scott Derringer  
8 149 Coventry Drive  
9 Reno, NV 89502

10 **Certified Mail No.:** 7020 0640 0000 7651 9067

11 /s/ Debra Turman  
12 An employee of the Office of the  
13 Nevada Attorney General  
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**EXHIBIT LIST**

| <b>Exhibit No.</b> | <b>Title</b>                | <b>Pages</b> |
|--------------------|-----------------------------|--------------|
| A                  | Respondent’s License        | 1            |
| B                  | Criminal Indictment         | 4            |
| C                  | Guilty Plea Agreement       | 22           |
| D                  | Judgment in a Criminal Case | 12           |

**EXHIBIT “A”**

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**EXHIBIT “A”**

**State of Nevada**  
**License for Educational Personnel**

License No. 107402

This License Certifies That

**Alexander S. Derringer**

Has complied with the prescribed rules and regulations of the Commission on Professional Standards in Education and that the Superintendent of Public Instruction has granted this license which authorizes the holder to provide service in the schools of the State of Nevada in the following areas :

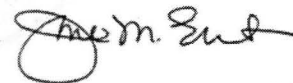
| License               | Grade Level | Original Endorsement Issue Date | Endorsements            | License Issue Date | Expiration Date |
|-----------------------|-------------|---------------------------------|-------------------------|--------------------|-----------------|
| Standard - Elementary | K-8         | 06/13/2018                      | All Elementary Subjects | 06/13/2018         | 09/26/2023      |

**Provisions to be satisfied**

| Provisions                          | Required Due Date |
|-------------------------------------|-------------------|
| All provisions have been satisfied. |                   |

**Renewal Requirements**

| Renewal Requirements                                                                                                                                                            | Required Due Date |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Must complete six (6) semester credits of college/university coursework, or the equivalent in professional development, which is related to the licensee's area of endorsement. | 09/26/2023        |



State Superintendent of Public Instruction

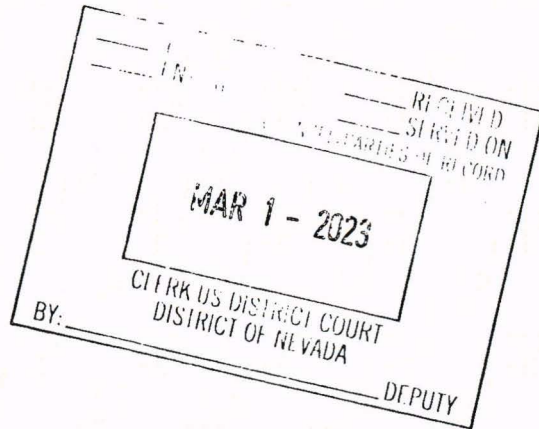
**EXHIBIT “B”**

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**EXHIBIT “B”**

JASON M. FRIERSON  
United States Attorney  
Nevada Bar No. 7709  
SUPRIYA PRASAD  
Assistant United States Attorney  
501 Las Vegas Boulevard South  
Suite 1100  
Las Vegas, Nevada 89101  
Telephone: (702) 388-6336  
supriya.prasad@usdoj.gov

*Attorneys for the United States*



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

**CRIMINAL INDICTMENT**

2:23-CR-039-JCM-NJK

**VIOLATIONS:**

18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1)  
– Distribution of Child Pornography

18 U.S.C. §§ 2252A(a)(5)(B) and  
2252A(b)(2) – Possession of Child  
Pornography

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

Distribution of Child Pornography  
(18 U.S.C. §§ 2252A(a)(2), 2252A (b)(1))

Beginning on or about April 9, 2021, and continuing to a date unknown in the State  
and Federal District of Nevada,

ALEXANDER SCOTT DERRINGER,  
defendant herein, knowingly distributed child pornography, as defined in Title 18, United  
States Code, Section 2256(8), and material containing child pornography, that had been

1 mailed, shipped and transported in and affecting interstate and foreign commerce by a  
2 means that included by computer, and that had been shipped and transported using a  
3 means and facility of interstate and foreign commerce, in violation of Title 18, United  
4 States Code, Sections 2252A(a)(2) and 2252A (b)(1).

5 **COUNT TWO**

Possession of Child Pornography  
6 (18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2))

7 Beginning on a date unknown and continuing to on or about October 14, 2021, within  
8 the State and Federal District of Nevada,

9 **ALEXANDER SCOTT DERRINGER,**

10 defendant herein, knowingly possessed a book, magazine, periodical, film, videotape,  
11 computer disk, and other material, namely a Samsung Galaxy S9 with IMEI  
12 359943090337104 and a Samsung Galaxy S9 with IMEI 355028090729106 that contained  
13 an image of child pornography, as defined in Title 18, United States Code, Section 2256(8),  
14 including but not limited to visual depictions of real minors, prepubescent minors and  
15 minors who had not attained twelve years of age, engaged in sexually explicit conduct, and  
16 that had been mailed, shipped and transported using a means and facility of interstate and  
17 foreign commerce and in and affecting interstate and foreign commerce by a means that  
18 included by computer, and that was produced using materials that had been mailed, and  
19 shipped and transported in and affecting interstate and foreign commerce by a means that  
20 included by computer, all in violation of Title 18, United States Code, Sections  
21 2252A(a)(5)(B) and 2252A(b)(2).

**FORFEITURE ALLEGATION**

**Distribution of Child Pornography and Possession of Child Pornography**

1. The allegations contained in Counts One and Two of this Criminal Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

2. Upon conviction of any of the felony offenses charged in Counts One and Two of this Criminal Indictment,

**ALEXANDER SCOTT DERRINGER,**

defendant herein, shall forfeit to the United States of America, any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B):

defendant herein, shall forfeit to the United States of America, any property, real or personal, used or intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B) or any property traceable to such property:

1. a Black Samsung S9 cell phone IMEI: 359943090337104; and
2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106.

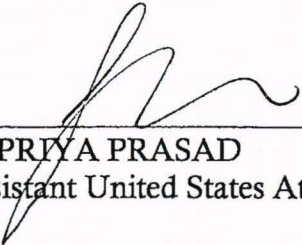
1 All under 18 U.S.C. §§ 2252A(a)(2), 2252A(a)(5)(B), 2253(a)(1), and 2253(a)(3).

2  
3 **DATED:** this 1<sup>st</sup> day of March, 2023.

4 **A TRUE BILL:**

5 /S/  
6 FOREPERSON OF THE GRAND JURY

7  
8 JASON M. FRIERSON  
9 United States Attorney

10   
11 SUPRIYA PRASAD  
12 Assistant United States Attorney  
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**EXHIBIT “C”**

**EXHIBIT “C”**

1 JASON M. FRIERSON  
United States Attorney  
2 District of Nevada  
Nevada Bar Number 7709  
3 AFROZA YEASMIN  
Assistant United States Attorney  
4 501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
5 (702) 388-6336  
Afroza.Yeasmin@usdoj.gov  
6 *Attorneys for the United States*

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| FILED                                         | RECEIVED  |
| ENTERED                                       | SERVED ON |
| COUNSEL/PARTIES OF RECORD                     |           |
| JUN 05 2024                                   |           |
| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA |           |
| BY:                                           | DEPUTY    |

7  
8 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ALEXANDER SCOTT DERRINGER,

13 Defendant.

No. 2:23-cr-00039-JCM-NJK

**Plea Agreement for Defendant  
Alexander Scott Derringer Pursuant to Fed. R.  
Crim. P. 11(c)(1)(A) and (B)**

14 This plea agreement between Alexander Scott Derringer (“defendant”) and the United  
15 States Attorney’s Office for the District of Nevada (the “USAO”) sets forth the parties’  
16 agreement regarding the criminal charges referenced herein and the applicable sentences, fines,  
17 restitution, and forfeiture in the above-captioned case. This agreement binds only defendant and  
18 the USAO and does not bind the district court, the U.S. Probation Office, or any other federal,  
19 state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities. This  
20 agreement does not prohibit the USAO or any agency or third party from seeking any other civil  
21 or administrative remedies, including administrative forfeiture or civil forfeiture *in rem* actions,  
22 directly or indirectly against defendant or defendant’s property.

23 This agreement becomes effective upon signature by defendant, defendant’s counsel, and  
24 an Assistant United States Attorney.

**I. DEFENDANT'S OBLIGATIONS**

1. Defendant agrees to:

- a. At the earliest opportunity requested by the USAO and provided by the district court, appear and plead guilty to Count One of the indictment in this case, which charges defendant with Distribution of Child Pornography in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(b)(1);
- b. Stipulate to the facts agreed to in this agreement;
- c. Abide by all agreements regarding sentencing contained in this agreement;
- d. Not seek to withdraw defendant's guilty plea once it is entered;
- e. Appear for all court appearances, surrender as ordered for service of sentence, obey all conditions of any bond, and obey any other ongoing court order in this matter;
- f. Not commit any federal, state, or local crime;
- g. Be truthful at all times with the U.S. Probation and Pretrial Services Offices and the Court;
- h. Before and after sentencing, upon request by the Court, the USAO, or the Probation Office, provide accurate and complete financial information, submit sworn statements, and/or give depositions under oath concerning defendant's assets and defendant's ability to pay. As part of the required disclosure, defendant agrees to provide any and all financial information and authorizations requested by the Probation Office for preparation of the Presentence Report. Defendant further agrees that, upon filing of this agreement, the USAO is authorized to obtain defendant's credit report. Defendant will also complete a financial form provided by the USAO, to include all supporting documentation, and return it to the USAO within ten (10) days from entry of the plea. Defendant agrees that the district court may enter any order necessary to effectuate or facilitate disclosure of defendant's financial information.

1           i.       To facilitate payment of any fine, restitution, or assessment, surrender  
2 assets defendant obtained directly or indirectly as a result of defendant's crimes. Defendant  
3 agrees to voluntarily release funds and property under defendant's control or in which defendant  
4 has any property interest, before and after sentencing, to pay any fine or restitution identified in  
5 this agreement, agreed to by the parties, or ordered by the Court.

6           j.       Defendant agrees that restitution shall be ordered due and payable in full  
7 immediately after the judgment is entered, and that the full amount of any restitution ordered is  
8 subject to immediate enforcement and collection by the USAO or defendant's victims, or both.  
9 Defendant agrees that any schedule of payments entered by the district court is a schedule of the  
10 minimum payment due and does not prohibit or limit the methods by which the USAO may  
11 immediately enforce and collect the judgment in full. Defendant acknowledges that restitution  
12 may not be discharged, in whole or in part, in any present or future bankruptcy proceeding.

13           k.       The forfeiture of the property and the imposition of the forfeiture of the  
14 property as set forth in this plea agreement and the Forfeiture Allegation of the Criminal  
15 Indictment.

16           l.       The USAO and defendant stipulate and agree that the child pornography  
17 images received, distributed, or possessed by defendant depicted images of victims being sexually  
18 abused and further agree that a victim's knowledge that images of his or her abuse is being  
19 disseminated and possessed by others caused certain victims to be re-victimized and has resulted  
20 in harm that is distinct from that suffered from the actual contact physical sexual abuse, thus  
21 such victims are harmed by the actions of defendant. In consequence of these factors, if the  
22 USAO meets its burden under 18 U.S.C. § 2259 and pursuant to *Paroline v. United States*, 134 S.  
23 Ct. 1710 (2014), defendant agrees to pay restitution in the amount of \$5,000 per victim, for any  
24 victim who may be identified through the Child Victim Identification Program (CVIP) or Child

1 Recognition Identification System (CRIS) and who requests restitution prior to sentencing.  
2 Defendant agrees to pay this amount without requiring the USAO to disaggregate the loss  
3 attributed to the original sexual abuse or to other persons who disseminated, received, or  
4 possessed the child pornography images, from defendant's actions in this case.

## 5 II. THE USAO'S OBLIGATIONS

6 2. The USAO agrees to:

7 a. Stipulate to facts agreed to in this agreement;

8 b. Abide by all agreements regarding sentencing contained in this agreement;

9 c. At sentencing, provided that defendant demonstrates an acceptance of

10 responsibility for the offenses up to and including the time of sentencing, recommend a two-level

11 reduction in the applicable sentencing guidelines offense level, pursuant to USSG § 3E1.1, and

12 move for an additional one-level reduction if available under that section;

13 d. At sentencing, move to dismiss the remaining counts of the indictment as

14 against defendant. Defendant agrees, however, the district court may consider any dismissed

15 charges in determining the applicable sentencing guidelines range, the propriety and extent of

16 any departure from that range, and the sentence to be imposed; and

17 e. Not bring any additional charges against defendant arising out of the

18 investigation in the District of Nevada which culminated in this agreement and based on

19 conduct known to the USAO. However, the USAO reserves the right to prosecute defendant for

20 (a) any crime of violence as defined by 18 U.S.C. § 16; and (b) any criminal tax violations

21 (including conspiracy to commit such violations chargeable under 18 U.S.C. § 371). Defendant

22 agrees that the district court at sentencing may consider any uncharged conduct in determining

23 the applicable sentencing guidelines range, the propriety and extent of any departure from that

24

1 range, and the sentence to be imposed after consideration of the sentencing guidelines and all  
2 other relevant factors under 18 U.S.C. § 3553(a).

### 3 III. ELEMENTS OF THE OFFENSE

4 3. Count One: The elements of Distribution of Child Pornography under 18 U.S.C.  
5 §§ 2252A(a)(2) and (b)(1) are as follows:

6 First: The defendant knowingly distributed material that contained one or more  
7 images of child pornography as defined in 18 U.S.C. § 2256(8);

8 Second: The defendant knew that the material contained child pornography as  
9 defined in 18 U.S.C. § 2256(8) ; and

10 Third: The child pornography had been shipped or transported in or affecting  
11 interstate or foreign commerce by any means, including by computer.

12 See 18 U.S.C. § 2252A(a)(2).

### 13 IV. CONSEQUENCES OF CONVICTION

14 4. Maximum and Minimum Statutory Penalties:

15 a. Defendant understands that the statutory maximum sentence the district  
16 court can impose for a violation of Distribution of Child Pornography as charged in Count One,  
17 is: 20 years imprisonment; a lifetime term of supervised release; a fine of \$250,000 or twice the  
18 gross gain or gross loss resulting from the offense, whichever is greatest; and a mandatory special  
19 assessment of \$100. Defendant further understands that a violation of 18 U.S.C § 2252A(a)(2)  
20 carries a statutory minimum sentence of five (5) years, and a mandatory special assessment of  
21 \$100.

22 b. Defendant understands that, pursuant to the Justice for Victims of  
23 Trafficking Act of 2015, the Court shall impose an additional \$5,000 special assessment per  
24

1 count if the Court concludes that defendant is a non-indigent person, to be paid after defendant's  
2 other financial obligations have been satisfied.

3 c. Defendant understands and agrees that under the Sex Offender  
4 Registration and Notification Act ("SORNA"), 34 U.S.C. § 20901 et. seq., defendant must  
5 register as a sex offender and keep the registration current in each of the following jurisdictions:  
6 (1) where defendant resides; (2) where defendant is an employee; and (3) where defendant is a  
7 student. Defendant understands that he must comply with all the registration requirements  
8 contained in SORNA. 34 U.S.C. § 20901 et. seq. Defendant further understands that the  
9 requirements for registration include, but are not limited to, providing defendant's name,  
10 residence address, and the names and addresses of any places where defendant is or will be an  
11 employee or a student. Defendant further understands that the requirement to keep the  
12 registration current includes, but is not limited to, informing at least one jurisdiction in which  
13 defendant resides, is an employee, or is a student no later than three business days after any  
14 change of defendant's name, residence, employment, or student status. Defendant has been  
15 advised, and understands, that failure to comply with these obligations subjects defendant to an  
16 additional prosecution for failure to register as a sex offender under 18 U.S.C. § 2250(a).

17 5. Criminal Forfeiture: Defendant understands that the district court will impose the  
18 forfeiture of the property.

19 6. Parole Abolished: Defendant acknowledges that defendant's prison sentence  
20 cannot be shortened by early release on parole because parole has been abolished.

21 7. Supervised Release: Defendant understands that supervised release is a period of  
22 time following imprisonment during which defendant will be subject to various restrictions and  
23 requirements. Defendant understands that if defendant violates one or more of the conditions of  
24 any supervised release imposed, defendant may be returned to prison for all or part of the term of

1 supervised release authorized by statute for the offense that resulted in the term of supervised  
2 release.

3 8. Factors under 18 U.S.C. § 3553: Defendant understands that the district court  
4 must consider the factors set forth in 18 U.S.C. § 3553(a) in determining defendant's sentence.  
5 However, the statutory maximum sentence and any statutory minimum sentence limit the  
6 district court's discretion in determining defendant's sentence.

7 9. Potential Collateral Consequences of Conviction: Defendant understands that, by  
8 pleading guilty, defendant may be giving up valuable government benefits and valuable civic  
9 rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the  
10 right to serve on a jury. Defendant understands that once the district court accepts defendant's  
11 guilty plea, it will be a federal felony for defendant to possess a firearm or ammunition.  
12 Defendant understands that the conviction in this case may also subject defendant to various  
13 other collateral consequences, including but not limited to revocation of probation, parole, or  
14 supervised release in another case and suspension or revocation of a professional license.  
15 Defendant understands that unanticipated collateral consequences will not serve as grounds to  
16 withdraw defendant's guilty plea.

17 10. Potential Removal/Deportation Consequences of Conviction: Defendant  
18 understands that, if defendant is not a United States citizen, the felony conviction in this case  
19 may subject defendant to removal, also known as deportation, which may, under some  
20 circumstances, be mandatory; denial of citizenship; and denial of admission to the United States  
21 in the future. The district court cannot advise defendant fully regarding the immigration  
22 consequences of the felony conviction in this case, but defendant's attorney has advised him  
23 about the deportation risks of his guilty plea. Defendant understands that unexpected  
24 immigration consequences will not serve as grounds to withdraw defendant's guilty plea[s].

**V. FACTUAL BASIS**

11. Defendant admits that defendant is, in fact, guilty of the offense to which defendant is agreeing to plead guilty. Defendant acknowledges that if defendant elected to go to trial instead of pleading guilty, the USAO could prove defendant's guilt beyond a reasonable doubt and establish its right to forfeit the specified property by preponderance of the evidence. Defendant further acknowledges that defendant's admissions and declarations of fact set forth below satisfy every element of the charged offense. Defendant waives any potential future claim that the facts defendant admitted below are insufficient to satisfy the elements of the charged offense. Defendant admits and declares under penalty of perjury that the facts set forth below are true and correct:

Between on or about April 11, 2021 and on or about August 23, 2021, in the State and District of Nevada, defendant knowingly distributed child pornography through the mobile application Kik messenger on his black Samsung S9 cell phone. Defendant distributed approximately 70 files of child pornography via Kik account "joebidong," and approximately 62 files of child pornography via Kik account "dudewhat875." The following is a description of two files that defendant distributed via Kik:

1. File Name: 4aa448c2-ce36-4bc4-809d-9b1554761c9b.mp4

MD5: 3E4A146017CCA460F04B0415E8AFE724

Description: This video file is approximately 25 seconds in

length. The video depicts a female juvenile, approximately 2-4

years of age, apparently standing in front of a nude male adult

displaying an erect penis. Both subjects appear to be completely

nude. For the duration of the video the male adult is observed

violently forcing his penis into the juvenile female's mouth, using

1 both hands to pull her head to his penis, as she visibly struggles  
2 and cries. The video ends shortly thereafter.

3 2. Filename: 7528c372-1008-44bf-a4a7-9df4cb487922.mp4

4 MD5: 8e4fde5a8433b243c83acd73189c4d6c

5 Description: This 47 second video depicts 2 pre-pubescent  
6 female children approximately 8-11 years of age. The female  
7 children initially appear clothed and are kissing. The video cuts  
8 to another segment when one child is licking the breast area of  
9 the other female while her shirt is lifted. The video cuts to a third  
10 segment where both children now have their pants lowered and  
11 you can see the bare buttocks of one female child straddled over  
12 the abdomen of the other child while moving her vaginal area in  
13 an up and down fashion.

14 Of the approximately 130 files of child pornography shared via two Kik accounts,  
15 approximately 59 of those exact files of child pornography were recovered from two cellphones,  
16 both owned by defendant. These specific 59 files of child pornography were among the  
17 approximately 2,584 images and 269 videos of child pornography found in the aggregate of both  
18 devices.

19 Defendant admits that the files of child pornography the defendant distributed traveled in  
20 interstate commerce. The foregoing occurred in the State and District of Nevada.

## 21 VI. SENTENCING FACTORS

22 12. Discretionary Nature of Sentencing Guidelines: Defendant understands that in  
23 determining defendant's sentence, the district court is required to calculate the applicable  
24 sentencing guidelines range and to consider that range, possible departures under the sentencing

guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the sentencing guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated sentencing guidelines range, and that after considering the sentencing guidelines and the other § 3553(a) factors, the district court will be free to exercise its discretion to impose any sentence it finds appropriate between the mandatory minimum and up to the maximum set by statute for the crime of conviction.

13. Offense Level Calculations: The parties jointly agree and stipulate that, in calculating defendant's advisory guidelines sentencing range, the Court should use the following base offense level and adjustments; acknowledge that these stipulations do not bind the district court; and agree that they will not seek to apply or advocate for the use of any other base offense level(s) or any other specific offense characteristics, enhancements, or reductions in calculating the advisory guidelines range:

|                                                       |           |
|-------------------------------------------------------|-----------|
| Base Offense Level [USSG § 2G2.2(a)(2)]:              | 22        |
| Prepubescent Minors [USSG § 2G2.2(b)(2)]:             | +2        |
| Knowing Distribution [USSG § 2G2.2(b)(3)(F)]:         | +2        |
| Abuse of Infant or Toddler / S&M [USSG § 2G2.2(b)(4)] | +4        |
| Use of a Computer [USSG § 2G2.2(b)(6)]                | +2        |
| <u>More than 600 Images [USSG § 2G2.2(b)(7)(D)]:</u>  | <u>+5</u> |
| Adjusted Offense Level:                               | 37        |

14. Reduction for Acceptance of Responsibility: Under USSG § 3E1.1(a), the USAO will recommend that defendant receive a two-level downward adjustment for acceptance of responsibility unless defendant (a) fails to truthfully admit facts establishing a factual basis for the guilty plea when defendant enters the plea; (b) fails to truthfully admit facts establishing the amount of restitution owed when defendant enters the guilty plea; (c) fails to truthfully admit

1 facts establishing the forfeiture allegations when defendant enters the guilty plea; (d) provides  
2 false or misleading information to the USAO, the Court, Pretrial Services, or the Probation  
3 Office; (e) denies involvement in the offense or provides conflicting statements regarding  
4 defendant's involvement or falsely denies or frivolously contests conduct relevant to the offense;  
5 (f) attempts to withdraw defendant's guilty plea; (g) commits or attempts to commit any crime;  
6 (h) fails to appear in court; or (i) violates the conditions of pretrial release.

7 Under USSG § 3E1.1(b), if the district court determines that defendant's total offense  
8 level before operation of § 3E1.1(a) is 16 or higher, and if the USAO recommends a two-level  
9 downward adjustment pursuant to the preceding paragraph, the USAO will move for an  
10 additional one-level downward adjustment for acceptance of responsibility before sentencing  
11 because defendant communicated defendant's decision to plead guilty in a timely manner that  
12 enabled the USAO to avoid preparing for trial and to efficiently allocate its resources.

13 15. Criminal History Category: Defendant acknowledges that the district court may  
14 base defendant's sentence in part on defendant's criminal record or criminal history. The district  
15 court will determine defendant's criminal history category under the sentencing guidelines.

16 16. Additional Sentencing Information: The stipulated sentencing guidelines  
17 calculations are based on information now known to the parties. Defendant understands that  
18 both defendant and the USAO are free to (a) supplement the facts in this agreement by supplying  
19 relevant information to the U.S. Probation and Pretrial Services Offices and the district court  
20 regarding the nature, scope, and extent of defendant's criminal conduct and any aggravating or  
21 mitigating facts or circumstances; and (b) correct any and all factual misstatements relating to the  
22 district court's sentencing guidelines calculations and determination of sentence. While this  
23 paragraph permits both the USAO and defendant to submit full and complete factual  
24 information to the U.S. Probation and Pretrial Services Offices and the district court, even if that

1 factual information may be viewed as inconsistent with the facts agreed to in this agreement, this  
2 paragraph does not affect defendant's and the USAO's obligations not to contest the facts agreed  
3 to in this agreement. Good faith efforts to provide truthful information or to correct factual  
4 misstatements shall not be grounds for defendant to withdraw defendant's guilty plea[s].

5 Defendant acknowledges that the U.S. Probation Office may calculate the sentencing  
6 guidelines differently and may rely on additional information it obtains through its investigation.  
7 Defendant also acknowledges that the district court may rely on this and other additional  
8 information as it calculates the sentencing guidelines range and makes other sentencing  
9 determinations, and the district court's reliance on such information shall not be grounds for  
10 defendant to withdraw defendant's guilty plea[s].

## 11 **VII. POSITIONS REGARDING SENTENCING**

12 17. The USAO will recommend that after applying a three-level downward variance,  
13 the district court impose a sentence at the low end of the advisory guideline range as determined  
14 by the district court. Defendant may argue for a downward variance pursuant to 18 U.S.C. §  
15 3553 but will not, either explicitly or implicitly, argue for a sentence of less than 60 months of  
16 imprisonment.

17 18. Defendant acknowledges that the district court does not have to follow the  
18 recommendation of either party.

19 19. Notwithstanding its agreement to recommend a sentence as described above, the  
20 USAO reserves its right to defend any lawfully imposed sentence on appeal or in any post-  
21 conviction litigation.

22 20. If defendant commits any act that results in the Court finding that defendant is  
23 not entitled to a downward adjustment for acceptance of responsibility, the USAO is entitled to  
24 argue for any sentence it deems appropriate under 18 U.S.C. § 3553(a). In any such event,

1 defendant remains bound by the provisions of this agreement and shall not have the right to  
2 withdraw defendant's guilty plea.

3 **VIII. WAIVER OF CONSTITUTIONAL RIGHTS**

4 21. Defendant understands that by pleading guilty, defendant gives up the following  
5 rights:

- 6 a. The right to persist in a plea of not guilty;
- 7 b. The right to a speedy and public trial by jury;
- 8 c. The right to be represented by counsel—and if necessary have the court  
9 appoint counsel—at trial. Defendant understands, however, that, defendant retains the right to  
10 be represented by counsel—and if necessary have the court appoint counsel—at every other stage  
11 of the proceeding;
- 12 d. The right to be presumed innocent and to have the burden of proof placed  
13 on the USAO to prove defendant guilty beyond a reasonable doubt;
- 14 e. The right to confront and cross-examine witnesses against defendant;
- 15 f. The right to testify and to present evidence in opposition to the charges,  
16 including the right to compel the attendance of witnesses to testify;
- 17 g. The right not to be compelled to testify, and, if defendant chose not to  
18 testify or present evidence, to have that choice not be used against defendant; and
- 19 h. The right to pursue any affirmative defenses; Fourth Amendment or Fifth  
20 Amendment claims; any other pretrial motions that have been or could have been filed; and  
21 challenges to any adverse pre-trial rulings.

22 **IX. WAIVER OF APPELLATE RIGHTS**

23 22. Waiver of Appellate Rights: Defendant knowingly and expressly waives the right  
24 to appeal: (a) any sentence imposed within or below the applicable Sentencing Guideline range

1 as determined by the district court; (b) the manner in which the district court determined that  
2 sentence on the grounds set forth in 18 U.S.C. § 3742; (c) any other aspect of the conviction,  
3 including but not limited to the constitutionality of the statutes of conviction; and (d) any other  
4 aspect of the sentence, including but not limited to the constitutionality of any mandatory or  
5 standard conditions of supervised release; the denial of any motion for early termination of  
6 supervised release; and any order of restitution or forfeiture.

7 23. Defendant reserves only the right to appeal any portion of the sentence that is an  
8 upward departure or variance from the applicable Sentencing Guideline range as determined by  
9 the district court.

10 24. Waiver of Post-Conviction Rights: Defendant also knowingly and expressly  
11 waives all collateral challenges, including any claims under 28 U.S.C. § 2255, to defendant's  
12 conviction, sentence, and the procedure by which the district court adjudicated guilt and  
13 imposed sentence, except non-waivable claims of ineffective assistance of counsel.

14 25. Preservation of Evidence: Defendant acknowledges that the USAO and the  
15 agencies investigating this case are not obligated or required to preserve any evidence obtained in  
16 the investigation of this case.

## 17 X. FORFEITURE

18 26. Defendant knowingly and voluntarily:

19 a. Agrees to the district court imposing the civil judicial forfeiture and the  
20 criminal forfeiture of:

- 21 i. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
22 ii. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
23 (all of which constitutes property);

1           b.     Agrees to the civil judicial forfeiture and the criminal forfeiture of the  
2 property;

3           c.     Forfeits the property to the United States;

4           d.     Relinquishes all possessory rights, ownership rights, and all rights, titles,  
5 and interests in the property;

6           e.     Waives defendant's right to any civil judicial forfeiture proceedings and any  
7 criminal forfeiture proceedings of the property (proceedings);

8           f.     Waives service of process of any and all documents filed in this action and  
9 any proceedings concerning the forfeiture of the property arising from the facts and  
10 circumstances of this case;

11          g.     Waives any further notice to defendant, defendant's agents, and  
12 defendant's attorney regarding the forfeiture and disposition of the property;

13          h.     Agrees not to file any claim, answer, petition, and other documents in any  
14 proceedings concerning the property; agrees not to contest, and agrees not to assist any other  
15 person and entity to contest, the forfeiture; and agrees to withdraw immediately any claim,  
16 answer, petition, and other documents in any proceedings;

17          i.     Waives the statute of limitations, the CAFRA requirements, Fed. R. Crim.  
18 P. 7, 11, 32.2, and 43(a), including, but not limited to, forfeiture notice in the charging  
19 document, the court advising defendant of the forfeiture at the change of plea, the court having a  
20 forfeiture hearing, the court making factual findings regarding the forfeiture, the court  
21 announcing the forfeiture at the change of plea and sentencing, the court attaching the forfeiture  
22 order to the Judgment in a Criminal Case, and any and all constitutional, statutory, legal,  
23 equitable rights, defenses, and claims regarding the property in any proceedings, including, but  
24

1 not limited to, double jeopardy and due process under the Fifth Amendment to the United States  
2 Constitution;

3 j. Waives all constitutional, statutory, legal, equitable rights, defenses, and  
4 claims regarding the property in any proceedings, including, but not limited to, a jury trial under  
5 the Sixth Amendment to the United States Constitution;

6 k. Waives any and all constitutional, statutory, legal, equitable rights,  
7 defenses, and claims regarding the property in any proceedings, including, but not limited to,  
8 excessive fines clause and cruel and unusual punishments clause under the Eighth Amendment  
9 to the United States Constitution;

10 l. Waives any and all constitutional, statutory, legal, equitable rights,  
11 defenses, and claims to the property in any proceedings under *Honeycutt v. United States*, 581 U.S.  
12 443 (2017); *United States v. Thompson*, 990 F.3d 680 (9th Cir. 2021); and *United States v. Prasad*, 18  
13 F.4th 313 (9th Cir. 2021);

14 m. Agrees to the entry of an Order of Forfeiture of the property to the United  
15 States;

16 n. Waives the right to appeal any Order of Forfeiture;

17 o. Agrees the property is forfeited to the United States and can be taken into  
18 custody immediately by the USAO;

19 p. Agrees and understands the civil administrative forfeiture, the civil judicial  
20 forfeiture, and the criminal forfeiture of the property shall not be treated as satisfaction of any  
21 assessment, fine, restitution, cost of imprisonment, and any other penalty the Court may impose  
22 upon defendant in addition to the forfeiture;

23 q. Agrees and understands that on the government's motion, the court may at  
24 any time enter an order of forfeiture or amend an existing order of forfeiture to include

1 subsequently located property or substitute property under Fed. R. Crim. P. 32.2(b)(2)(A) and  
2 (C) and 32.2(e);

3 r. Acknowledges the amount of the forfeiture may differ from, and may be  
4 significantly greater than or less than, the amount of restitution;

5 s. Agrees to take all steps as requested by the USAO to pass clear title of any  
6 forfeitable assets to the United States and to testify truthfully in any judicial forfeiture  
7 proceedings. Defendant understands and agrees that the property represents facilitating property  
8 of illegal conduct and is forfeitable; and

9 t. Admits the property is any visual depiction described in 18 U.S.C.  
10 § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any  
11 such visual depiction, which was produced, transported, mailed, shipped or received in violation  
12 of 18 U.S.C. § 2252A(a)(2) and any property, real or personal, used or intended to be used to  
13 commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property traceable to  
14 such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

15 **XI. RESULT OF WITHDRAWAL OF GUILTY PLEA**  
16 **OR VACATUR/REVERSAL/SET-ASIDE OF CONVICTION**

17 27. Consequence of Withdrawal of Guilty Plea: Defendant agrees that if, after  
18 entering a guilty plea pursuant to this agreement, defendant seeks to withdraw and succeeds in  
19 withdrawing defendant's guilty plea on any basis other than a claim and finding that entry into  
20 this agreement was involuntary, then (a) the USAO will be relieved of all of its obligations under  
21 this agreement and (b) should the USAO choose to pursue any charge that was either dismissed  
22 or not filed as a result of this agreement, or that the government agreed to move to dismiss at  
23 sentencing as part of this agreement, or that the government agreed to move to dismiss at  
24 sentencing as part of this agreement, then (i) any applicable statute of limitations will be tolled  
between the date of defendant's signing of this agreement and the filing commencing any such

1 action; and (ii) defendant waives and gives up all defenses based on the statute of limitations,  
2 any claim of pre-indictment delay, or any speedy trial claim with respect to any such action,  
3 except to the extent that such defenses existed as of the date of defendant's signing this  
4 agreement.

5 28. Consequence of Vacatur, Reversal, or Set-aside: Defendant agrees that if  
6 defendant's conviction is vacated, reversed, or set aside, both the USAO and defendant will be  
7 released from all their obligations under this agreement, except that, should the USAO choose to  
8 pursue any charge that was either dismissed or not filed as a result of this agreement, then (i) any  
9 applicable statute of limitations will be tolled between the date of defendant's signing of this  
10 agreement and the filing commencing any such action; and (ii) defendant waives and gives up all  
11 defenses based on the statute of limitations, any claim of pre-indictment delay, or any speedy  
12 trial claim with respect to any such action, except to the extent that such defenses existed as of  
13 the date of defendant's signing this agreement.

## 14 XII. BREACH OF AGREEMENT

15 29. Defendant agrees that if, at any time after this agreement becomes effective,  
16 defendant knowingly violates or fails to perform any of defendant's obligations under this  
17 agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's  
18 obligations are material, a single breach of this agreement is sufficient for the USAO to declare a  
19 breach, and defendant shall not be deemed to have cured a breach without the express agreement  
20 of the USAO in writing. If the USAO declares this agreement breached, and the district court  
21 finds such a breach to have occurred, then: (a) if defendant has previously entered [a] guilty  
22 plea[s] pursuant to this agreement, defendant will remain bound by the provisions of this  
23 agreement and will not be able to withdraw the guilty plea[s]; and (b) the USAO will be relieved  
24 of all its obligations under this agreement.

1           30.     Following the Court's finding of a knowing breach of this agreement by defendant,  
2 should the USAO choose to pursue any charge that was either dismissed or not filed as a result  
3 of this agreement, or that the government agreed to move to dismiss at sentencing as part of this  
4 agreement, then:

5                 a.     Defendant agrees that any applicable statute of limitations is tolled between  
6 the date of defendant's signing of this agreement and the filing commencing any such action.

7                 b.     Defendant waives and gives up all defenses based on the statute of  
8 limitations, any claim of pre-indictment delay, or any speedy trial claim with respect to any such  
9 action, except to the extent that such defenses existed as of the date of defendant's signing this  
10 agreement.

11                c.     Defendant agrees that: (i) any statements made by defendant, under oath,  
12 at the guilty plea hearing (if such a hearing occurred prior to the breach); (ii) the agreed to factual  
13 basis statement in this agreement; and (iii) any evidence derived from such statements, shall be  
14 admissible against defendant in any such action against defendant, and defendant waives and  
15 gives up any claim under the United States Constitution, any statute, Federal Rule of Evidence  
16 410, Federal Rule of Criminal Procedure 11(f), or any other federal rule, that the statements or  
17 any evidence derived from the statements should be suppressed or are inadmissible.

18                                 **XIII. COURT AND UNITED STATES PROBATION**  
19                                 **AND PRETRIAL SERVICES OFFICE NOT PARTIES**

20           31.     Defendant understands that the Court and the U.S. Probation and Pretrial  
21 Services Office are not parties to this agreement and need not accept any of the USAO's  
22 sentencing recommendations or the parties' agreements to facts or sentencing factors.  
23  
24

1           32. Defendant understands that both defendant and the USAO are free to argue on  
2 appeal and collateral review that the district court's sentencing guidelines calculations and the  
3 sentence it chooses to impose are not error.

4           33. Defendant understands that even if the district court ignores any sentencing  
5 recommendation, finds facts or reaches conclusions different from those agreed to by the parties,  
6 or imposes any sentence up to the maximum established by statute, defendant cannot, for that  
7 reason, withdraw defendant's guilty plea, and defendant will remain bound to fulfill all  
8 defendant's obligations under this agreement. Defendant understands that no one—not the  
9 prosecutor, defendant's attorney, or the Court—can make a binding prediction or promise  
10 regarding the sentence defendant will receive, except that it will be within the statutory  
11 maximum.

#### 12                                   XIV. ADDITIONAL ACKNOWLEDGMENTS

13           34. Defendant acknowledges that:

14                   a. Defendant read this agreement, and defendant understands its terms and  
15 conditions.

16                   b. Defendant had adequate time to discuss this case, the evidence, and this  
17 agreement with defendant's attorney.

18                   c. Defendant carefully and thoroughly discussed all terms of this agreement  
19 with defendant's attorney.

20                   d. Defendant understands the terms of this agreement and voluntarily agrees  
21 to those terms.

22                   e. Defendant has discussed with defendant's attorney the following: the  
23 evidence; defendant's rights; possible pretrial motions that might be filed; possible defenses that  
24

1 might be asserted either prior to or at trial; the sentencing factors set forth in 18 U.S.C. § 3553(a);  
2 the relevant sentencing guidelines provisions; and consequences of entering into this agreement.

3 f. The representations contained in this agreement are true and correct,  
4 including the factual basis for defendant's offense[s] set forth in this agreement.

5 g. Defendant was not under the influence of any alcohol, drug, or medicine  
6 that would impair defendant's ability to understand the agreement when defendant considered  
7 signing this agreement and when defendant signed it.

8 35. Defendant understands that defendant alone decides whether to plead guilty or go  
9 to trial, and acknowledges that defendant has decided to enter defendant's guilty plea[s] knowing  
10 of the charges brought against defendant, defendant's possible defenses, and the benefits and  
11 possible detriments of proceeding to trial.

12 36. Defendant understands that no promises, understandings, or agreements other  
13 than those set forth in this agreement have been made or implied by defendant, defendant's  
14 attorney, or the USAO, and no additional promises, agreements, or conditions shall have any  
15 force or effect unless set forth in writing and signed by all parties or confirmed on the record  
16 before the district court.

17 37. Defendant acknowledges that defendant decided to plead guilty voluntarily and  
18 that no one threatened, coerced, or forced defendant to enter into this agreement.

19 38. Defendant is satisfied with the representation of defendant's attorney, and  
20 defendant is pleading guilty because defendant is guilty of the charges and chooses to take  
21 advantage of the promises set forth in this agreement and for no other reason.

**XV. PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING**

39. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE  
FOR THE DISTRICT OF NEVADA

JASON M. FRIERSON  
United States Attorney

*Afroza Geasmin*  
AFROZA GEASMIN  
Assistant United States Attorney

04/29/2024

Date

*Alexander Derringer*  
ALEXANDER SCOTT DERRINGER  
Defendant

4/29/24

Date

*Nisha Brooks-Whittington*  
NISHA BROOKS-WHITTINGTON  
Attorney for Defendant ALEXANDER SCOTT  
DERRINGER

4/29/24

Date

**EXHIBIT “D”**

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**EXHIBIT “D”**

## UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

Alexander Scott Derringer

## JUDGMENT IN A CRIMINAL CASE

Case Number: 2:23-cr-00039-JCM-NJK

USM Number: 47265-510

Nisha Brooks-Whittington, AFPD

Defendant's Attorney

## THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Indictment (ECF No. 1)☐ 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> |
|----------------------------|-----------------------------------|----------------------|--------------|
| 18 U.S.C. § 2252A(a)(2)    | Distribution of Child Pornography | 10/14/2021           | 1            |
| 18 U.S.C. § 2252A(b)(1)    |                                   |                      |              |

The defendant is sentenced as provided in pages 2 through 8 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) remaining ☒ 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.

12/6/2024

Date of Imposition of Judgment

Signature of Judge

James C. Mahan, U.S. District Judge

Name and Title of Judge

December 11, 2024

Date

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### IMPRISONMENT

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

☒ The court makes the following recommendations to the Bureau of Prisons:  
The court recommends that the Defendant be allowed to serve his term of incarceration at FCI Inglewood in Colorado.

☐ 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 12:00 ☐ a.m. ☒ p.m. on 2/7/2025

☐ 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: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SUPERVISED RELEASE**

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

20 years.

### **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, not to exceed 104 tests annually.
  - ☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

**U.S. Probation Office Use Only**

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

1. Substance Abuse Treatment – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
2. Drug Testing – You must submit to substance abuse testing to determine if you have used a prohibited substance. Testing shall not exceed 104 tests per year. You must not attempt to obstruct or tamper with the testing methods.
3. Mental Health Treatment – You must participate in an [Outpatient] mental health treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
4. Minor Prohibition – You must not have direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, inperson communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places.
5. Place Restriction – Children Under 18 – You must not go to, or remain at, any place primarily used by children under the age of 18, unless you have the express prior permission of your Probation Officer. Examples of such prohibited places include parks, schools, playgrounds, and childcare facilities.
6. Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.  
  
The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
7. No Pornography - You must not view or possess any "visual depiction" (as defined in 18 U.S.C. § 2256(5)), or any photograph, film, video, picture, or computer or computergenerated image or picture, whether made or produced by electronic, mechanical, or other means, of "sexually explicit conduct" (as defined by 18 U.S.C. § 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18 U.S.C. § 2257(h)(1)) involving adults. These restrictions do not apply to materials necessary to, and used for, any future appeals, or materials prepared or used for the purposes of sex-offender treatment.
8. Sex Offender Treatment – You must participate in a sex offense-specific [Outpatient] treatment program, and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
9. Polygraph Testing – You must submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure that you are in compliance with the requirements of your supervision or treatment program.
10. Computer Monitoring – To enable the Computer Search Condition, you must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to the installation of computer monitoring software by the probation officer.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

11. Computer Search – Monitoring Software – To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct periodic, unannounced searches of any computers (as defined in 18 U.S.C. § 1030 (e)(1)) subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition.

12. Computer Search – You must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to a search. A probation officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

**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> | \$ 100.00         | \$ 50,000.00       | \$ 0.00     | \$ 0.00                 | \$ 0.00                  |

☐ 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> |
|-------------------------------|----------------------|----------------------------|-------------------------------|
| See attached restitution list |                      |                            |                               |

|               |    |      |    |      |
|---------------|----|------|----|------|
| <b>TOTALS</b> | \$ | 0.00 | \$ | 0.00 |
|---------------|----|------|----|------|

☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 50,100.00 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:  
Any unpaid balance shall be paid at a monthly rate of not less than 10% of any income earned during incarceration and/or gross income while on supervision

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

Case Number  
Defendant and Co-Defendant Names  
(including defendant number)

Total Amount

Joint and Several  
Amount

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:  
Final Order of Forfeiture attached.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

|                                                  |                                    |
|--------------------------------------------------|------------------------------------|
| <input checked="checked" type="checkbox"/> FILED | <input type="checkbox"/> RECEIVED  |
| <input type="checkbox"/> ENTERED                 | <input type="checkbox"/> SERVED ON |
| COUNSEL PARTIES OF RECORD                        |                                    |
| SEP 30 2024                                      |                                    |
| CLEARINGHOUSE                                    | COURT                              |
| DISTRICT OF NEVADA                               |                                    |

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

2:23-CR-039-JCM-NJK

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. § 2253(a)(1) and 2253(a)(3) based upon the plea of guilty by Alexander Scott Derringer to the criminal offense, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which Alexander Scott Derringer pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 31; Plea Agreement, ECF No. 32; Preliminary Order of Forfeiture, ECF No. 33.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from June 7, 2024, through July 6, 2024, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits, ECF No. 35-1, p. 5.

This Court finds the United States notified known third parties by regular mail and certified mail return receipt requested of their right to petition the Court. Notice of Filing Service of Process – Mailing, ECF No. 34.

1 On July 1, 2024, the United States Attorney's Office served Kathryn Jane Sinksen  
2 with copies of the Preliminary Order of Forfeiture and the Notice through regular mail and  
3 certified mail return receipt requested. Notice of Filing Service of Process – Mailing, ECF  
4 No. 34-1, p. 3-14.

5 This Court finds no petition was filed herein by or on behalf of any person or entity  
6 and the time for filing such petitions and claims has expired.

7 This Court finds no petitions are pending regarding the property named herein and  
8 the time has expired for presenting such petitions.

9 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
10 all possessory rights, ownership rights, and all rights, titles, and interests in the property  
11 hereinafter described are condemned, forfeited, and vested in the United States under Fed.  
12 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 2253(a)(1)  
13 and 2253(a)(3); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

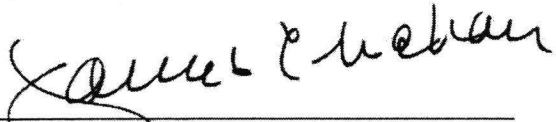
- 14 1. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
15 2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
16 (all of which constitutes property).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R.  
18 Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all  
19 rights, titles, and interests in the property are extinguished and are not recognized for  
20 Alexander Scott Derringer, Kathryn Jane Sinksen, and all third parties.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the property  
22 shall be disposed of according to law.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
24 copies of this Order to all counsel of record.

25 DATED Sept 30, 2024 2024.

26  
27   
28 JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE

**U.S. vs. Alexander Scott Derringer**  
**2:23-cr-00039-JCM-NJK**  
**Restitution List Amendment II – 10/2/2024**

**Note: Capped restitution at \$5,000 per victim in the plea agreement**

|                                                                                                                               |             |
|-------------------------------------------------------------------------------------------------------------------------------|-------------|
| Restore the Child in Trust for Chelsea<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406 | \$ 5,000.00 |
| Restore the Child in Trust for Angela<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406  | \$ 5,000.00 |
| Restore the Child in Trust for April<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406   | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maria<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maureen<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                          | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sarah<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sloane<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                           | \$ 5,000.00 |
| Carol L. Hepburn in trust for Lily                                                                                            | \$ 5,000.00 |

Carol L. Hepburn, P.S.  
PO Box 17718  
Seattle, WA 98127

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Jenny | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Jenny                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Raven | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Raven                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |



|                           |                     |
|---------------------------|---------------------|
| <b>TOTAL RESTITUTION:</b> | <b>\$ 50,000.00</b> |
|---------------------------|---------------------|

**EXHIBIT “1B”**

**EXHIBIT “1B”**

ALERT: IMPACTS FROM THE WORLD SOCCER TOURNAMENT HELD IN MAJOR CITIES THROU...

Tracking Number:

Remove X

7020064000076519067

Copy

Add to Informed Delivery

Latest Update

Your item was returned to the sender on April 7, 2025 at 2:15 pm in LAS VEGAS, NV 89119 because the forwarding order for this address is no longer valid.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

Forward Expired

LAS VEGAS, NV 89119  
April 7, 2025 2:15 PM

Arrived at Hub

LAS VEGAS, NV 89119  
April 6, 2025 9:39 AM

Arrived at USPS Facility

LAS VEGAS, NV 89119  
April 6, 2025 3:55 AM

Departed USPS Facility

LAS VEGAS NV DISTRIBUTION CENTER  
April 6, 2025 3:32 AM

Arrived at USPS Facility

LAS VEGAS NV DISTRIBUTION CENTER

Feedback

- April 5, 2025 4:54 AM
- Departed USPS Facility**  
RENO NV DISTRIBUTION CENTER  
April 4, 2025 8:03 PM
- Returned to Sender**  
RENO, NV 89510  
April 4, 2025 1:17 PM
- Arrived at Post Office**  
RENO, NV 89510  
April 2, 2025 8:04 AM
- Arrived at USPS Facility**  
RENO NV DISTRIBUTION CENTER  
April 1, 2025 5:34 PM
- Departed USPS Facility**  
LAS VEGAS NV DISTRIBUTION CENTER  
March 31, 2025 9:30 PM
- Arrived at USPS Facility**  
LAS VEGAS NV DISTRIBUTION CENTER  
March 31, 2025 2:58 PM
- Hide Tracking History**

What Do USPS Tracking Statuses Mean?

|                      |   |
|----------------------|---|
| Text & Email Updates | ▼ |
| USPS Tracking Plus®  | ▼ |
| Product Information  | ▼ |

See Less ^

Track Another Package



Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**

**EXHIBIT “1C”**

**EXHIBIT “1C”**

AARON D. FORD  
*Attorney General*

CRAIG A. NEWBY  
*First Assistant Attorney General*

CHRISTINE JONES BRADY  
*Second Assistant Attorney General*



STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

1 State of Nevada Way, Suite 100  
Las Vegas, Nevada 89119

March 10, 2026

TERESA  
BENITEZ-THOMPSON  
*Chief of Staff*

LESLIE NINO PIRO  
*General Counsel*

HEIDI PARRY STERN  
*Solicitor General*

Via U.S. Mail

Alexander Scott Derringer & 47265-510  
FCI Lompoc II  
FEDERAL CORRECTIONAL INSTITUTION  
3901 KLEIN BLVD  
LOMPOC, CA 93436

**Re: Notice of receipt of recommendation for suspension or revocation  
of license pursuant to NRS 391.322**

Dear Mr. Derringer:

The enclosed Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition") was originally sent on March 28, 2025 to the last address on file with the Nevada Department of Education ("Department"), as required by law. It was returned to sender on April 7, 2025 because the forwarding address was no longer valid. Therefore, as a courtesy, the Department is sending a copy of this Petition to the above address.

Sincerely,

/s/ Christena Georgas-Burns  
Christena Georgas-Burns, Esq.  
Deputy Attorney General  
702-486-9234  
cgeorgasburns@ag.nv.gov

BEFORE THE STATE BOARD OF EDUCATION

JHONE EBERT, SUPERINTENDENT OF  
PUBLIC INSTRUCTION, DEPARTMENT  
OF EDUCATION, STATE OF NEVADA,

Petitioner,

v.

ALEXANDER SCOTT DERRINGER,

Respondent.

CASE NO. 2025-03

**PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE AND  
NOTICE OF RIGHT TO HEARING**

Jhone Ebert, Superintendent of Public Instruction, Department of Education, State of Nevada ("Petitioner"), hereby petitions the State Board of Education for the revocation of the teacher license held by ALEXANDER SCOTT DERRINGER ("Respondent"), issued by the Nevada Department of Education. This Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Recommendation") is supported by NRS 391.320, NRS 391.330, and the following allegations:

**I. Jurisdiction**

Respondent was, at the relevant times mentioned in this Petition and Recommendation, the holder of License No. 107402 issued by the Superintendent of Public Instruction, Department of Education, State of Nevada, pursuant to the provisions of Chapter 391 of the Nevada Revised Statutes (the "License"). Such License is as follows: Standard – Elementary K-8 – All Elementary Subjects. The License expired on September 26, 2023. (A true and correct copy of the License is attached as Exhibit A).

1           Petitioner hereby files this Petition and Recommendation in her official capacity as  
2 Superintendent of Public Instruction, Department of Education, State of Nevada. See  
3 NRS 391.322. The State Board of Education may revoke or suspend Respondent's license,  
4 if recommended by the Superintendent of Public Instruction or the Board of Trustees of a  
5 School District, after notice and opportunity for hearing, based upon the NRS 391.330  
6 grounds for suspension and revocation. See also NRS 391.320; NRS 391.322; NRS  
7 391.330.  
8

## 9       **II.     Factual Allegations**

10           According to the Criminal Indictment filed in the United States District Court,  
11 District of Nevada, (a true and correct copy of which is attached as Exhibit B) beginning  
12 on or about April 9, 2021 and continuing to a date unknown, Respondent did commit the  
13 crime of Distribution of Child Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)). This  
14 crime was committed by Respondent who       knowingly distributed child pornography, as  
15 defined in Title 18, United States Code, Section 2256(8), and material containing child  
16 pornography, that had been mailed, shipped and transported in and affecting interstate  
17 and foreign commerce by a means that included by computer, and that had been shipped  
18 and transported using a means and facility of interstate and foreign commerce, in  
19 violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A (b)(1).  
20  
21  
22

23           On or about June 5, 2024, Respondent entered into a Guilty Plea Agreement (a true  
24 and correct copy of which is attached as Exhibit C) pleading guilty to the crimes of  
25 Distribution of Child Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)).  
26

27           On or about December 11, 2024, the United States District Court, District of  
28 Nevada, adjudged Respondent guilty of Distribution of Child Pornography (18 U.S.C. §§

1 2251A(a)(2), 2252A(b)(1)). (A true and correct copy of the Judgment in a Criminal Case is  
2 attached hereto as Exhibit D).

3 According to the Judgment in a Criminal Case, the Court sentenced Respondent to  
4 prison for one hundred and eight (108) months for the crime of Distribution of Child  
5 Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)).  
6

7 In addition, according to the Judgment in a Criminal Case, the Court ordered the  
8 Respondent to be on supervised release for a term of 20 years upon release from  
9 imprisonment.

10 Further, according to the Judgment in a Criminal Case, the Court ordered that the  
11 Respondent must comply with the following special conditions:  
12

- 13 1. You must not commit another federal, state or local crime.
- 14 2. You must not unlawfully possess a controlled substance.
- 15 3. You must refrain from any unlawful use of a controlled substance. You must  
16 submit to one drug test within 15 days of release from imprisonment and at least  
17 two periodic drug tests thereafter, as determined by the court, not to exceed 104  
18 tests annually.
- 19 4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any  
20 other statute authorizing a sentence of restitution.
- 21 5. You must cooperate in the collection of DNA as directed by the probation officer.
- 22 6. You must comply with the requirements of the Sex Offender Registration and  
23 Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the  
24 Bureau of Prisons, or any state sex offender registration agency in the location  
25 where you reside, work, are a student, or were convicted of a qualifying offense.  
26  
27  
28

- 1 7. You must report to the probation office in the federal judicial district where you are  
2 authorized to reside within 72 hours of your release from imprisonment, unless the  
3 probation officer instructs you to report to a different probation office or within a  
4 different time frame.
- 5 8. After initially reporting to the probation office, you will receive instructions from  
6 the court or the probation officer about how and when you must report to the  
7 probation officer, and you must report to the probation officer as instructed.
- 8 9. You must not knowingly leave the federal judicial district where you are authorized  
9 to reside without first getting permission from the court or the probation officer.
- 10 10. You must answer truthfully the questions asked by your probation officer.
- 11 11. You must live in a place approved by the probation officer. If you plan to change  
12 where you live or anything about your living arrangements (such as the people you  
13 live with), you must notify the probation officer at least 10 days before the change.  
14 If notifying the probation officer in advance is not possible due to unanticipated  
15 circumstances, you must notify the probation officer within 72 hours of becoming  
16 aware of a change or expected change.
- 17 12. You must allow the probation officer to visit you at any time at your home or  
18 elsewhere, and you must permit the probation officer to take any items prohibited  
19 by the conditions of your supervision that he or she observes in plain view.
- 20 13. You must work full time (at least 30 hours per week) at a lawful type of  
21 employment, unless the probation officer excuses you from doing so. If you do not  
22 have full-time employment you must try to find full-time employment, unless the  
23 probation officer excuses you from doing so. If you plan to change where you work  
24  
25  
26  
27  
28

1 or anything about your work (such as your position or your job responsibilities), you  
2 must notify the probation officer at least 10 days before the change. If notifying the  
3 probation officer at least 10 days in advance is not possible due to unanticipated  
4 circumstances, you must notify the probation officer within 72 hours of becoming  
5 aware of a change or expected change.  
6

7 14. You must not communicate or interact with someone you know is engaged in  
8 criminal activity. If you know someone has been convicted of a felony, you must not  
9 knowingly communicate or interact with that person without first getting the  
10 permission of the probation officer.  
11

12 15. If you are arrested or questioned by a law enforcement officer, you must notify the  
13 probation officer within 72 hours.  
14

15 16. You must not own, possess, or have access to a firearm, ammunition, destructive  
16 device, or dangerous weapon (i.e., anything that was designed, or was modified for,  
17 the specific purpose of causing bodily injury or death to another person such as  
18 nunchakus or tasers).  
19

20 17. You must not act or make any agreement with a law enforcement agency to act as a  
21 confidential human source or informant without first getting the permission of the  
22 court.  
23

24 18. If the probation officer determines that you pose a risk to another person (including  
25 an organization), the probation officer may require you to notify the person about  
26 the specific risks posed by your criminal record and you must comply with that  
27 instruction. The probation officer may contact the person and confirm that you  
28 have notified the person about the specific risks posed by your criminal record.

- 1 19. You must follow the instructions of the probation officer related to the conditions of  
2 supervision.
- 3 20. Substance Abuse Treatment - You must participate in an outpatient substance  
4 abuse treatment program and follow the rules and regulations of that program.  
5 The probation officer will supervise your participation in the program (provider,  
6 location, modality, duration, intensity, etc.).  
7
- 8 21. Drug Testing - You must submit to substance abuse testing to determine if you  
9 have used a prohibited substance. Testing shall not exceed 104 tests per year. You  
10 must not attempt to obstruct or tamper with the testing methods.  
11
- 12 22. Mental Health Treatment - You must participate in an [Outpatient] mental health  
13 treatment program and follow the rules and regulations of that program. The  
14 probation officer will supervise your participation in the program (provider,  
15 location, modality, duration, intensity, etc.).  
16
- 17 23. Minor Prohibition - You must not have direct contact with any child you know or  
18 reasonably should know to be under the age of 18, including your own children,  
19 without the permission of the probation officer. If you do have any direct contact  
20 with any child you know or reasonably should know to be under the age of 18,  
21 including your own children, without the permission of the probation officer, you  
22 must report this contact to the probation officer within 24 hours. Direct contact  
23 includes written communication, in person communication, or physical contact.  
24 Direct contact does not include incidental contact during ordinary daily activities in  
25 public places.  
26  
27  
28

1 24. Place Restriction - Children Under 18 - You must not go to, or remain at, any place  
2 primarily used by children under the age of 18, unless you have the express prior  
3 permission of your Probation Officer. Examples of such prohibited places include  
4 parks, schools, playgrounds, and childcare facilities.

5  
6 25. Search and Seizure - You must submit your person, property, house, residence,  
7 vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1 )), other electronic  
8 communications or data storage devices or media, or office, to a search conducted  
9 by a United States Probation Officer. Failure to submit to a search may be grounds  
10 for revocation of release. You must warn any other occupants that the premises  
11 may be subject to searches pursuant to this condition. The probation officer may  
12 conduct a search under this condition only when reasonable suspicion exists that  
13 you have violated a condition of supervision and that the areas to be searched  
14 contain evidence of this violation. Any search must be conducted at a reasonable  
15 time and in a reasonable manner.

16  
17  
18 26. No Pornography - You must not view or possess any "visual depiction" (as defined  
19 in 18 U.S.C. § 2256(5)), or any photograph, film, video, picture, or computer or  
20 computer generated image or picture, whether made or produced by electronic,  
21 mechanical, or other means, of "sexually explicit conduct" (as defined by 18 U.S.C. §  
22 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18  
23 U.S.C. § 2257(h)(1 )) involving adults. These restrictions do not apply to materials  
24 necessary to, and used for, any future appeals, or materials prepared or used for  
25 the purposes of sex-offender treatment.  
26  
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28

- 1 27. Sex Offender Treatment - You must participate in a sex offense-specific  
2 [Outpatient] treatment program and follow the rules and regulations of that  
3 program. The probation officer will supervise your participation in the program  
4 (provider, location, modality, duration, intensity, etc.).  
5
- 6 28. Polygraph Testing - You must submit to periodic polygraph testing at the discretion  
7 of the probation officer as a means to ensure that you are in compliance with the  
8 requirements of your supervision or treatment program.
- 9 29. Computer Monitoring - To enable the Computer Search Condition, you must  
10 submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic  
11 communications or data storage devices or media, to the installation of computer  
12 monitoring software by the probation officer.  
13
- 14 30. Computer Search - Monitoring Software - To ensure compliance with the computer  
15 monitoring condition, you must allow the probation officer to conduct periodic,  
16 unannounced searches of any computers (as defined in 18 U.S.C. § 1030 (e)(1))  
17 subject to computer monitoring. These searches shall be conducted for the purposes  
18 of determining whether the computer contains any prohibited data prior to  
19 installation of the monitoring software; to determine whether the monitoring  
20 software is functioning effectively after its installation; and to determine whether  
21 there have been attempts to circumvent the monitoring software after its  
22 installation. You must warn any other people who use these computers that the  
23 computers may be subject to searches pursuant to this condition.  
24
- 25 31. Computer Search - You must submit your computers (as defined in 18 U.S.C. §  
26 1030(e)(1 )) or other electronic communications or data storage devices or media, to  
27  
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1 a search. A probation officer may conduct a search pursuant to this condition only  
2 when reasonable suspicion exists that there is a violation of a condition of  
3 supervision and that the computer or device contains evidence of this violation. Any  
4 search must be conducted at a reasonable time and in a reasonable manner.

5  
6 **III. Legal Allegations**

7 NRS 391.330(1), states as follows in pertinent part:

8 (a) Unprofessional conduct.

9 . . .

10 (c) Evident unfitness for service.

11 . . .

12 (e) Conviction of a felony or crime involving moral turpitude

13  
14 By committing the acts that constituted the crime of Distribution of Child  
15 Pornography (18 U.S.C. §§ 2251A(a)(2), 2252A(b)(1)) and being convicted of said offense,  
16 Respondent has subjected Respondent's license to revocation or suspension by violation of  
17 the following:  
18

19 (a) NRS 391.330(l)(a) Unprofessional conduct;

20 (c) NRS 391.330(l)(c) evident unfitness for service; and

21 (e) NRS 391.330(l)(e) Conviction of a felony or a crime involving moral  
22 turpitude.  
23

24 **IV. Notice of Right to Hearing**

25 Respondent is hereby given notice of the recommendation by the Superintendent of  
26 Public Instruction for the revocation of Respondent's license. The protocol and procedure  
27 for the suspension or revocation of a license are set forth in NRS 391.320 to 391.361,  
28

1 inclusive. Respondent has the right to a hearing on this Petition and Recommendation  
2 before a hearing officer, who will be selected pursuant to NRS 391.322, to answer the  
3 allegations of the Petition and Recommendation and to present evidence and argument on  
4 all issues involved, either personally or through an attorney.

5       If Respondent desires a hearing before a hearing officer, Respondent must file a  
6 written request within **fifteen (15) days** from the receipt of this Petition and  
7 Recommendation as provided in NRS 391.322. Respondent's request should be addressed  
8 to the Superintendent of Public Instruction, Nevada Department of Education, 700 East  
9 5<sup>th</sup> Street, Carson City, Nevada, 89701-5096 or via email at marakawa@doe.nv.gov. If  
10 Respondent requests a hearing, a hearing officer will be selected pursuant to NRS  
11 391.322, and that hearing officer will notify Respondent, in writing, of the time and  
12 location of the hearing not less than ten (10) days before the hearing. If Respondent  
13 requests a hearing and a hearing officer is selected, the procedures for the suspension or  
14 revocation of licenses found in NAC 391.500 to 391.555, inclusive, will be followed as  
15 appropriate. Pursuant to NAC 391.507, "[n]ot later than ten (10) days after a hearing  
16 officer is selected pursuant to NRS 391.322, the holder of the license shall submit to the  
17 hearing officer an answer to the allegations set forth" in this Petition and  
18 Recommendation. If no request for a hearing is filed within the time specified, the State  
19 Board of Education may suspend or revoke Respondent's license or take no action on the  
20 recommendation.

21 ///

22 ///

23 ///

1 WHEREFORE, Petitioner prays that the State Board of Education issue its  
2 decision to revoke Respondent's license.

3 DATED: March 28, 2025

4 AARON D. FORD  
5 Attorney General

6  
7 By: David M. Gardner  
8 DAVID M. GARDNER  
9 Senior Deputy Attorney General  
10 1 State of Nevada Way, Suite 100  
11 Las Vegas, Nevada 89119  
12 (702) 486-3420  
13 dgardner@ag.nv.gov  
14 Attorneys for the State of Nevada,  
15 Department of Education  
16  
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 28<sup>th</sup> day of March 2025, I served the foregoing  
3 **PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE AND**  
4 **NOTICE OF RIGHT TO HEARING** by depositing a copy of the same in the United  
5 States mail, properly addressed, postage prepaid, CERTIFIED MAIL addressed as  
6 follows:

7 Alexander Scott Derringer  
8 149 Coventry Drive  
9 Reno, NV 89502

10 **Certified Mail No.:** 7020 0640 0000 7651 9067

11 /s/ Debra Turman  
12 An employee of the Office of the  
13 Nevada Attorney General  
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**EXHIBIT LIST**

| <b>Exhibit No.</b> | <b>Title</b>                | <b>Pages</b> |
|--------------------|-----------------------------|--------------|
| A                  | Respondent’s License        | 1            |
| B                  | Criminal Indictment         | 4            |
| C                  | Guilty Plea Agreement       | 22           |
| D                  | Judgment in a Criminal Case | 12           |

**EXHIBIT “A”**

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**EXHIBIT “A”**

**State of Nevada**  
**License for Educational Personnel**

License No. 107402

This License Certifies That

**Alexander S. Derringer**

Has complied with the prescribed rules and regulations of the Commission on Professional Standards in Education and that the Superintendent of Public Instruction has granted this license which authorizes the holder to provide service in the schools of the State of Nevada in the following areas :

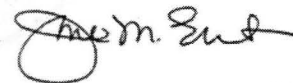
| License               | Grade Level | Original Endorsement Issue Date | Endorsements            | License Issue Date | Expiration Date |
|-----------------------|-------------|---------------------------------|-------------------------|--------------------|-----------------|
| Standard - Elementary | K-8         | 06/13/2018                      | All Elementary Subjects | 06/13/2018         | 09/26/2023      |

**Provisions to be satisfied**

| Provisions                          | Required Due Date |
|-------------------------------------|-------------------|
| All provisions have been satisfied. |                   |

**Renewal Requirements**

| Renewal Requirements                                                                                                                                                            | Required Due Date |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Must complete six (6) semester credits of college/university coursework, or the equivalent in professional development, which is related to the licensee's area of endorsement. | 09/26/2023        |



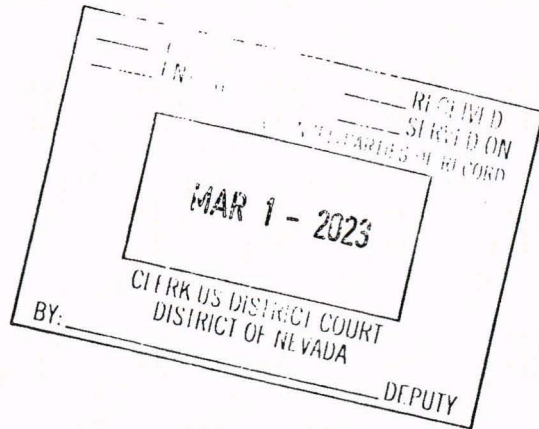
State Superintendent of Public Instruction

**EXHIBIT “B”**

**EXHIBIT “B”**

JASON M. FRIERSON  
United States Attorney  
Nevada Bar No. 7709  
SUPRIYA PRASAD  
Assistant United States Attorney  
501 Las Vegas Boulevard South  
Suite 1100  
Las Vegas, Nevada 89101  
Telephone: (702) 388-6336  
supriya.prasad@usdoj.gov

*Attorneys for the United States*



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

**CRIMINAL INDICTMENT**

2:23-CR-039-JCM-NJK

**VIOLATIONS:**

18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1)  
– Distribution of Child Pornography

18 U.S.C. §§ 2252A(a)(5)(B) and  
2252A(b)(2) – Possession of Child  
Pornography

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

Distribution of Child Pornography  
(18 U.S.C. §§ 2252A(a)(2), 2252A (b)(1))

Beginning on or about April 9, 2021, and continuing to a date unknown in the State  
and Federal District of Nevada,

ALEXANDER SCOTT DERRINGER,

defendant herein, knowingly distributed child pornography, as defined in Title 18, United  
States Code, Section 2256(8), and material containing child pornography, that had been

1 mailed, shipped and transported in and affecting interstate and foreign commerce by a  
2 means that included by computer, and that had been shipped and transported using a  
3 means and facility of interstate and foreign commerce, in violation of Title 18, United  
4 States Code, Sections 2252A(a)(2) and 2252A (b)(1).

5 **COUNT TWO**

Possession of Child Pornography  
6 (18 U.S.C. §§ 2252A(a)(5)(B), 2252A(b)(2))

7 Beginning on a date unknown and continuing to on or about October 14, 2021, within  
8 the State and Federal District of Nevada,

9 **ALEXANDER SCOTT DERRINGER,**

10 defendant herein, knowingly possessed a book, magazine, periodical, film, videotape,  
11 computer disk, and other material, namely a Samsung Galaxy S9 with IMEI  
12 359943090337104 and a Samsung Galaxy S9 with IMEI 355028090729106 that contained  
13 an image of child pornography, as defined in Title 18, United States Code, Section 2256(8),  
14 including but not limited to visual depictions of real minors, prepubescent minors and  
15 minors who had not attained twelve years of age, engaged in sexually explicit conduct, and  
16 that had been mailed, shipped and transported using a means and facility of interstate and  
17 foreign commerce and in and affecting interstate and foreign commerce by a means that  
18 included by computer, and that was produced using materials that had been mailed, and  
19 shipped and transported in and affecting interstate and foreign commerce by a means that  
20 included by computer, all in violation of Title 18, United States Code, Sections  
21 2252A(a)(5)(B) and 2252A(b)(2).

**FORFEITURE ALLEGATION**

**Distribution of Child Pornography and Possession of Child Pornography**

1. The allegations contained in Counts One and Two of this Criminal Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

2. Upon conviction of any of the felony offenses charged in Counts One and Two of this Criminal Indictment,

**ALEXANDER SCOTT DERRINGER,**

defendant herein, shall forfeit to the United States of America, any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B):

defendant herein, shall forfeit to the United States of America, any property, real or personal, used or intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B) or any property traceable to such property:

1. a Black Samsung S9 cell phone IMEI: 359943090337104; and
2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106.

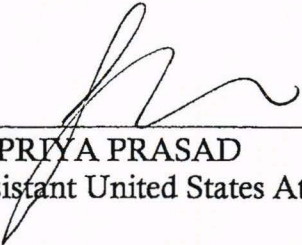
1 All under 18 U.S.C. §§ 2252A(a)(2), 2252A(a)(5)(B), 2253(a)(1), and 2253(a)(3).

2  
3 **DATED:** this 1<sup>st</sup> day of March, 2023.

4 **A TRUE BILL:**

5 /S/  
6 FOREPERSON OF THE GRAND JURY

7  
8 JASON M. FRIERSON  
9 United States Attorney

10   
11 SUPRIYA PRASAD  
12 Assistant United States Attorney  
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**EXHIBIT “C”**

**EXHIBIT “C”**

1 JASON M. FRIERSON  
United States Attorney  
2 District of Nevada  
Nevada Bar Number 7709  
3 AFROZA YEASMIN  
Assistant United States Attorney  
4 501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
5 (702) 388-6336  
Afroza.Yeasmin@usdoj.gov  
6 *Attorneys for the United States*

|                                               |           |
|-----------------------------------------------|-----------|
| FILED                                         | RECEIVED  |
| ENTERED                                       | SERVED ON |
| COUNSEL/PARTIES OF RECORD                     |           |
| JUN 05 2024                                   |           |
| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA |           |
| BY:                                           | DEPUTY    |

7  
8 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ALEXANDER SCOTT DERRINGER,

13 Defendant.

No. 2:23-cr-00039-JCM-NJK

**Plea Agreement for Defendant  
Alexander Scott Derringer Pursuant to Fed. R.  
Crim. P. 11(c)(1)(A) and (B)**

14 This plea agreement between Alexander Scott Derringer (“defendant”) and the United  
15 States Attorney’s Office for the District of Nevada (the “USAO”) sets forth the parties’  
16 agreement regarding the criminal charges referenced herein and the applicable sentences, fines,  
17 restitution, and forfeiture in the above-captioned case. This agreement binds only defendant and  
18 the USAO and does not bind the district court, the U.S. Probation Office, or any other federal,  
19 state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities. This  
20 agreement does not prohibit the USAO or any agency or third party from seeking any other civil  
21 or administrative remedies, including administrative forfeiture or civil forfeiture *in rem* actions,  
22 directly or indirectly against defendant or defendant’s property.

23 This agreement becomes effective upon signature by defendant, defendant’s counsel, and  
24 an Assistant United States Attorney.

**I. DEFENDANT'S OBLIGATIONS**

1. Defendant agrees to:

- a. At the earliest opportunity requested by the USAO and provided by the district court, appear and plead guilty to Count One of the indictment in this case, which charges defendant with Distribution of Child Pornography in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(b)(1);
- b. Stipulate to the facts agreed to in this agreement;
- c. Abide by all agreements regarding sentencing contained in this agreement;
- d. Not seek to withdraw defendant's guilty plea once it is entered;
- e. Appear for all court appearances, surrender as ordered for service of sentence, obey all conditions of any bond, and obey any other ongoing court order in this matter;
- f. Not commit any federal, state, or local crime;
- g. Be truthful at all times with the U.S. Probation and Pretrial Services Offices and the Court;
- h. Before and after sentencing, upon request by the Court, the USAO, or the Probation Office, provide accurate and complete financial information, submit sworn statements, and/or give depositions under oath concerning defendant's assets and defendant's ability to pay. As part of the required disclosure, defendant agrees to provide any and all financial information and authorizations requested by the Probation Office for preparation of the Presentence Report. Defendant further agrees that, upon filing of this agreement, the USAO is authorized to obtain defendant's credit report. Defendant will also complete a financial form provided by the USAO, to include all supporting documentation, and return it to the USAO within ten (10) days from entry of the plea. Defendant agrees that the district court may enter any order necessary to effectuate or facilitate disclosure of defendant's financial information.

1           i.       To facilitate payment of any fine, restitution, or assessment, surrender  
2 assets defendant obtained directly or indirectly as a result of defendant's crimes. Defendant  
3 agrees to voluntarily release funds and property under defendant's control or in which defendant  
4 has any property interest, before and after sentencing, to pay any fine or restitution identified in  
5 this agreement, agreed to by the parties, or ordered by the Court.

6           j.       Defendant agrees that restitution shall be ordered due and payable in full  
7 immediately after the judgment is entered, and that the full amount of any restitution ordered is  
8 subject to immediate enforcement and collection by the USAO or defendant's victims, or both.  
9 Defendant agrees that any schedule of payments entered by the district court is a schedule of the  
10 minimum payment due and does not prohibit or limit the methods by which the USAO may  
11 immediately enforce and collect the judgment in full. Defendant acknowledges that restitution  
12 may not be discharged, in whole or in part, in any present or future bankruptcy proceeding.

13           k.       The forfeiture of the property and the imposition of the forfeiture of the  
14 property as set forth in this plea agreement and the Forfeiture Allegation of the Criminal  
15 Indictment.

16           l.       The USAO and defendant stipulate and agree that the child pornography  
17 images received, distributed, or possessed by defendant depicted images of victims being sexually  
18 abused and further agree that a victim's knowledge that images of his or her abuse is being  
19 disseminated and possessed by others caused certain victims to be re-victimized and has resulted  
20 in harm that is distinct from that suffered from the actual contact physical sexual abuse, thus  
21 such victims are harmed by the actions of defendant. In consequence of these factors, if the  
22 USAO meets its burden under 18 U.S.C. § 2259 and pursuant to *Paroline v. United States*, 134 S.  
23 Ct. 1710 (2014), defendant agrees to pay restitution in the amount of \$5,000 per victim, for any  
24 victim who may be identified through the Child Victim Identification Program (CVIP) or Child

1 Recognition Identification System (CRIS) and who requests restitution prior to sentencing.  
2 Defendant agrees to pay this amount without requiring the USAO to disaggregate the loss  
3 attributed to the original sexual abuse or to other persons who disseminated, received, or  
4 possessed the child pornography images, from defendant's actions in this case.

## 5 II. THE USAO'S OBLIGATIONS

6 2. The USAO agrees to:

7 a. Stipulate to facts agreed to in this agreement;

8 b. Abide by all agreements regarding sentencing contained in this agreement;

9 c. At sentencing, provided that defendant demonstrates an acceptance of  
10 responsibility for the offenses up to and including the time of sentencing, recommend a two-level  
11 reduction in the applicable sentencing guidelines offense level, pursuant to USSG § 3E1.1, and  
12 move for an additional one-level reduction if available under that section;

13 d. At sentencing, move to dismiss the remaining counts of the indictment as  
14 against defendant. Defendant agrees, however, the district court may consider any dismissed  
15 charges in determining the applicable sentencing guidelines range, the propriety and extent of  
16 any departure from that range, and the sentence to be imposed; and

17 e. Not bring any additional charges against defendant arising out of the  
18 investigation in the District of Nevada which culminated in this agreement and based on  
19 conduct known to the USAO. However, the USAO reserves the right to prosecute defendant for  
20 (a) any crime of violence as defined by 18 U.S.C. § 16; and (b) any criminal tax violations  
21 (including conspiracy to commit such violations chargeable under 18 U.S.C. § 371). Defendant  
22 agrees that the district court at sentencing may consider any uncharged conduct in determining  
23 the applicable sentencing guidelines range, the propriety and extent of any departure from that  
24

1 range, and the sentence to be imposed after consideration of the sentencing guidelines and all  
2 other relevant factors under 18 U.S.C. § 3553(a).

### 3 III. ELEMENTS OF THE OFFENSE

4 3. Count One: The elements of Distribution of Child Pornography under 18 U.S.C.  
5 §§ 2252A(a)(2) and (b)(1) are as follows:

6 First: The defendant knowingly distributed material that contained one or more  
7 images of child pornography as defined in 18 U.S.C. § 2256(8);

8 Second: The defendant knew that the material contained child pornography as  
9 defined in 18 U.S.C. § 2256(8) ; and

10 Third: The child pornography had been shipped or transported in or affecting  
11 interstate or foreign commerce by any means, including by computer.

12 See 18 U.S.C. § 2252A(a)(2).

### 13 IV. CONSEQUENCES OF CONVICTION

14 4. Maximum and Minimum Statutory Penalties:

15 a. Defendant understands that the statutory maximum sentence the district  
16 court can impose for a violation of Distribution of Child Pornography as charged in Count One,  
17 is: 20 years imprisonment; a lifetime term of supervised release; a fine of \$250,000 or twice the  
18 gross gain or gross loss resulting from the offense, whichever is greatest; and a mandatory special  
19 assessment of \$100. Defendant further understands that a violation of 18 U.S.C § 2252A(a)(2)  
20 carries a statutory minimum sentence of five (5) years, and a mandatory special assessment of  
21 \$100.

22 b. Defendant understands that, pursuant to the Justice for Victims of  
23 Trafficking Act of 2015, the Court shall impose an additional \$5,000 special assessment per  
24

1 count if the Court concludes that defendant is a non-indigent person, to be paid after defendant's  
2 other financial obligations have been satisfied.

3 c. Defendant understands and agrees that under the Sex Offender  
4 Registration and Notification Act ("SORNA"), 34 U.S.C. § 20901 et. seq., defendant must  
5 register as a sex offender and keep the registration current in each of the following jurisdictions:  
6 (1) where defendant resides; (2) where defendant is an employee; and (3) where defendant is a  
7 student. Defendant understands that he must comply with all the registration requirements  
8 contained in SORNA. 34 U.S.C. § 20901 et. seq. Defendant further understands that the  
9 requirements for registration include, but are not limited to, providing defendant's name,  
10 residence address, and the names and addresses of any places where defendant is or will be an  
11 employee or a student. Defendant further understands that the requirement to keep the  
12 registration current includes, but is not limited to, informing at least one jurisdiction in which  
13 defendant resides, is an employee, or is a student no later than three business days after any  
14 change of defendant's name, residence, employment, or student status. Defendant has been  
15 advised, and understands, that failure to comply with these obligations subjects defendant to an  
16 additional prosecution for failure to register as a sex offender under 18 U.S.C. § 2250(a).

17 5. Criminal Forfeiture: Defendant understands that the district court will impose the  
18 forfeiture of the property.

19 6. Parole Abolished: Defendant acknowledges that defendant's prison sentence  
20 cannot be shortened by early release on parole because parole has been abolished.

21 7. Supervised Release: Defendant understands that supervised release is a period of  
22 time following imprisonment during which defendant will be subject to various restrictions and  
23 requirements. Defendant understands that if defendant violates one or more of the conditions of  
24 any supervised release imposed, defendant may be returned to prison for all or part of the term of

1 supervised release authorized by statute for the offense that resulted in the term of supervised  
2 release.

3 8. Factors under 18 U.S.C. § 3553: Defendant understands that the district court  
4 must consider the factors set forth in 18 U.S.C. § 3553(a) in determining defendant's sentence.  
5 However, the statutory maximum sentence and any statutory minimum sentence limit the  
6 district court's discretion in determining defendant's sentence.

7 9. Potential Collateral Consequences of Conviction: Defendant understands that, by  
8 pleading guilty, defendant may be giving up valuable government benefits and valuable civic  
9 rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the  
10 right to serve on a jury. Defendant understands that once the district court accepts defendant's  
11 guilty plea, it will be a federal felony for defendant to possess a firearm or ammunition.  
12 Defendant understands that the conviction in this case may also subject defendant to various  
13 other collateral consequences, including but not limited to revocation of probation, parole, or  
14 supervised release in another case and suspension or revocation of a professional license.  
15 Defendant understands that unanticipated collateral consequences will not serve as grounds to  
16 withdraw defendant's guilty plea.

17 10. Potential Removal/Deportation Consequences of Conviction: Defendant  
18 understands that, if defendant is not a United States citizen, the felony conviction in this case  
19 may subject defendant to removal, also known as deportation, which may, under some  
20 circumstances, be mandatory; denial of citizenship; and denial of admission to the United States  
21 in the future. The district court cannot advise defendant fully regarding the immigration  
22 consequences of the felony conviction in this case, but defendant's attorney has advised him  
23 about the deportation risks of his guilty plea. Defendant understands that unexpected  
24 immigration consequences will not serve as grounds to withdraw defendant's guilty plea[s].

**V. FACTUAL BASIS**

11. Defendant admits that defendant is, in fact, guilty of the offense to which defendant is agreeing to plead guilty. Defendant acknowledges that if defendant elected to go to trial instead of pleading guilty, the USAO could prove defendant's guilt beyond a reasonable doubt and establish its right to forfeit the specified property by preponderance of the evidence. Defendant further acknowledges that defendant's admissions and declarations of fact set forth below satisfy every element of the charged offense. Defendant waives any potential future claim that the facts defendant admitted below are insufficient to satisfy the elements of the charged offense. Defendant admits and declares under penalty of perjury that the facts set forth below are true and correct:

Between on or about April 11, 2021 and on or about August 23, 2021, in the State and District of Nevada, defendant knowingly distributed child pornography through the mobile application Kik messenger on his black Samsung S9 cell phone. Defendant distributed approximately 70 files of child pornography via Kik account "joebidong," and approximately 62 files of child pornography via Kik account "dudewhat875." The following is a description of two files that defendant distributed via Kik:

1. File Name: 4aa448c2-ce36-4bc4-809d-9b1554761c9b.mp4

MD5: 3E4A146017CCA460F04B0415E8AFE724

Description: This video file is approximately 25 seconds in

length. The video depicts a female juvenile, approximately 2-4

years of age, apparently standing in front of a nude male adult

displaying an erect penis. Both subjects appear to be completely

nude. For the duration of the video the male adult is observed

violently forcing his penis into the juvenile female's mouth, using

1 both hands to pull her head to his penis, as she visibly struggles  
2 and cries. The video ends shortly thereafter.

3 2. Filename: 7528c372-1008-44bf-a4a7-9df4cb487922.mp4

4 MD5: 8e4fde5a8433b243c83acd73189c4d6c

5 Description: This 47 second video depicts 2 pre-pubescent  
6 female children approximately 8-11 years of age. The female  
7 children initially appear clothed and are kissing. The video cuts  
8 to another segment when one child is licking the breast area of  
9 the other female while her shirt is lifted. The video cuts to a third  
10 segment where both children now have their pants lowered and  
11 you can see the bare buttocks of one female child straddled over  
12 the abdomen of the other child while moving her vaginal area in  
13 an up and down fashion.

14 Of the approximately 130 files of child pornography shared via two Kik accounts,  
15 approximately 59 of those exact files of child pornography were recovered from two cellphones,  
16 both owned by defendant. These specific 59 files of child pornography were among the  
17 approximately 2,584 images and 269 videos of child pornography found in the aggregate of both  
18 devices.

19 Defendant admits that the files of child pornography the defendant distributed traveled in  
20 interstate commerce. The foregoing occurred in the State and District of Nevada.

## 21 VI. SENTENCING FACTORS

22 12. Discretionary Nature of Sentencing Guidelines: Defendant understands that in  
23 determining defendant's sentence, the district court is required to calculate the applicable  
24 sentencing guidelines range and to consider that range, possible departures under the sentencing

guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the sentencing guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated sentencing guidelines range, and that after considering the sentencing guidelines and the other § 3553(a) factors, the district court will be free to exercise its discretion to impose any sentence it finds appropriate between the mandatory minimum and up to the maximum set by statute for the crime of conviction.

13. Offense Level Calculations: The parties jointly agree and stipulate that, in calculating defendant's advisory guidelines sentencing range, the Court should use the following base offense level and adjustments; acknowledge that these stipulations do not bind the district court; and agree that they will not seek to apply or advocate for the use of any other base offense level(s) or any other specific offense characteristics, enhancements, or reductions in calculating the advisory guidelines range:

|                                                       |           |
|-------------------------------------------------------|-----------|
| Base Offense Level [USSG § 2G2.2(a)(2)]:              | 22        |
| Prepubescent Minors [USSG § 2G2.2(b)(2)]:             | +2        |
| Knowing Distribution [USSG § 2G2.2(b)(3)(F)]:         | +2        |
| Abuse of Infant or Toddler / S&M [USSG § 2G2.2(b)(4)] | +4        |
| Use of a Computer [USSG § 2G2.2(b)(6)]                | +2        |
| <u>More than 600 Images [USSG § 2G2.2(b)(7)(D)]:</u>  | <u>+5</u> |
| Adjusted Offense Level:                               | 37        |

14. Reduction for Acceptance of Responsibility: Under USSG § 3E1.1(a), the USAO will recommend that defendant receive a two-level downward adjustment for acceptance of responsibility unless defendant (a) fails to truthfully admit facts establishing a factual basis for the guilty plea when defendant enters the plea; (b) fails to truthfully admit facts establishing the amount of restitution owed when defendant enters the guilty plea; (c) fails to truthfully admit

1 facts establishing the forfeiture allegations when defendant enters the guilty plea; (d) provides  
2 false or misleading information to the USAO, the Court, Pretrial Services, or the Probation  
3 Office; (e) denies involvement in the offense or provides conflicting statements regarding  
4 defendant's involvement or falsely denies or frivolously contests conduct relevant to the offense;  
5 (f) attempts to withdraw defendant's guilty plea; (g) commits or attempts to commit any crime;  
6 (h) fails to appear in court; or (i) violates the conditions of pretrial release.

7 Under USSG § 3E1.1(b), if the district court determines that defendant's total offense  
8 level before operation of § 3E1.1(a) is 16 or higher, and if the USAO recommends a two-level  
9 downward adjustment pursuant to the preceding paragraph, the USAO will move for an  
10 additional one-level downward adjustment for acceptance of responsibility before sentencing  
11 because defendant communicated defendant's decision to plead guilty in a timely manner that  
12 enabled the USAO to avoid preparing for trial and to efficiently allocate its resources.

13 15. Criminal History Category: Defendant acknowledges that the district court may  
14 base defendant's sentence in part on defendant's criminal record or criminal history. The district  
15 court will determine defendant's criminal history category under the sentencing guidelines.

16 16. Additional Sentencing Information: The stipulated sentencing guidelines  
17 calculations are based on information now known to the parties. Defendant understands that  
18 both defendant and the USAO are free to (a) supplement the facts in this agreement by supplying  
19 relevant information to the U.S. Probation and Pretrial Services Offices and the district court  
20 regarding the nature, scope, and extent of defendant's criminal conduct and any aggravating or  
21 mitigating facts or circumstances; and (b) correct any and all factual misstatements relating to the  
22 district court's sentencing guidelines calculations and determination of sentence. While this  
23 paragraph permits both the USAO and defendant to submit full and complete factual  
24 information to the U.S. Probation and Pretrial Services Offices and the district court, even if that

1 factual information may be viewed as inconsistent with the facts agreed to in this agreement, this  
2 paragraph does not affect defendant's and the USAO's obligations not to contest the facts agreed  
3 to in this agreement. Good faith efforts to provide truthful information or to correct factual  
4 misstatements shall not be grounds for defendant to withdraw defendant's guilty plea[s].

5 Defendant acknowledges that the U.S. Probation Office may calculate the sentencing  
6 guidelines differently and may rely on additional information it obtains through its investigation.  
7 Defendant also acknowledges that the district court may rely on this and other additional  
8 information as it calculates the sentencing guidelines range and makes other sentencing  
9 determinations, and the district court's reliance on such information shall not be grounds for  
10 defendant to withdraw defendant's guilty plea[s].

## 11 **VII. POSITIONS REGARDING SENTENCING**

12 17. The USAO will recommend that after applying a three-level downward variance,  
13 the district court impose a sentence at the low end of the advisory guideline range as determined  
14 by the district court. Defendant may argue for a downward variance pursuant to 18 U.S.C. §  
15 3553 but will not, either explicitly or implicitly, argue for a sentence of less than 60 months of  
16 imprisonment.

17 18. Defendant acknowledges that the district court does not have to follow the  
18 recommendation of either party.

19 19. Notwithstanding its agreement to recommend a sentence as described above, the  
20 USAO reserves its right to defend any lawfully imposed sentence on appeal or in any post-  
21 conviction litigation.

22 20. If defendant commits any act that results in the Court finding that defendant is  
23 not entitled to a downward adjustment for acceptance of responsibility, the USAO is entitled to  
24 argue for any sentence it deems appropriate under 18 U.S.C. § 3553(a). In any such event,

1 defendant remains bound by the provisions of this agreement and shall not have the right to  
2 withdraw defendant's guilty plea.

3 **VIII. WAIVER OF CONSTITUTIONAL RIGHTS**

4 21. Defendant understands that by pleading guilty, defendant gives up the following  
5 rights:

- 6 a. The right to persist in a plea of not guilty;
- 7 b. The right to a speedy and public trial by jury;
- 8 c. The right to be represented by counsel—and if necessary have the court  
9 appoint counsel—at trial. Defendant understands, however, that, defendant retains the right to  
10 be represented by counsel—and if necessary have the court appoint counsel—at every other stage  
11 of the proceeding;
- 12 d. The right to be presumed innocent and to have the burden of proof placed  
13 on the USAO to prove defendant guilty beyond a reasonable doubt;
- 14 e. The right to confront and cross-examine witnesses against defendant;
- 15 f. The right to testify and to present evidence in opposition to the charges,  
16 including the right to compel the attendance of witnesses to testify;
- 17 g. The right not to be compelled to testify, and, if defendant chose not to  
18 testify or present evidence, to have that choice not be used against defendant; and
- 19 h. The right to pursue any affirmative defenses; Fourth Amendment or Fifth  
20 Amendment claims; any other pretrial motions that have been or could have been filed; and  
21 challenges to any adverse pre-trial rulings.

22 **IX. WAIVER OF APPELLATE RIGHTS**

23 22. Waiver of Appellate Rights: Defendant knowingly and expressly waives the right  
24 to appeal: (a) any sentence imposed within or below the applicable Sentencing Guideline range

1 as determined by the district court; (b) the manner in which the district court determined that  
2 sentence on the grounds set forth in 18 U.S.C. § 3742; (c) any other aspect of the conviction,  
3 including but not limited to the constitutionality of the statutes of conviction; and (d) any other  
4 aspect of the sentence, including but not limited to the constitutionality of any mandatory or  
5 standard conditions of supervised release; the denial of any motion for early termination of  
6 supervised release; and any order of restitution or forfeiture.

7 23. Defendant reserves only the right to appeal any portion of the sentence that is an  
8 upward departure or variance from the applicable Sentencing Guideline range as determined by  
9 the district court.

10 24. Waiver of Post-Conviction Rights: Defendant also knowingly and expressly  
11 waives all collateral challenges, including any claims under 28 U.S.C. § 2255, to defendant's  
12 conviction, sentence, and the procedure by which the district court adjudicated guilt and  
13 imposed sentence, except non-waivable claims of ineffective assistance of counsel.

14 25. Preservation of Evidence: Defendant acknowledges that the USAO and the  
15 agencies investigating this case are not obligated or required to preserve any evidence obtained in  
16 the investigation of this case.

## 17 X. FORFEITURE

18 26. Defendant knowingly and voluntarily:

19 a. Agrees to the district court imposing the civil judicial forfeiture and the  
20 criminal forfeiture of:

- 21 i. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
22 ii. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
23 (all of which constitutes property);

1           b.     Agrees to the civil judicial forfeiture and the criminal forfeiture of the  
2 property;

3           c.     Forfeits the property to the United States;

4           d.     Relinquishes all possessory rights, ownership rights, and all rights, titles,  
5 and interests in the property;

6           e.     Waives defendant's right to any civil judicial forfeiture proceedings and any  
7 criminal forfeiture proceedings of the property (proceedings);

8           f.     Waives service of process of any and all documents filed in this action and  
9 any proceedings concerning the forfeiture of the property arising from the facts and  
10 circumstances of this case;

11          g.     Waives any further notice to defendant, defendant's agents, and  
12 defendant's attorney regarding the forfeiture and disposition of the property;

13          h.     Agrees not to file any claim, answer, petition, and other documents in any  
14 proceedings concerning the property; agrees not to contest, and agrees not to assist any other  
15 person and entity to contest, the forfeiture; and agrees to withdraw immediately any claim,  
16 answer, petition, and other documents in any proceedings;

17          i.     Waives the statute of limitations, the CAFRA requirements, Fed. R. Crim.  
18 P. 7, 11, 32.2, and 43(a), including, but not limited to, forfeiture notice in the charging  
19 document, the court advising defendant of the forfeiture at the change of plea, the court having a  
20 forfeiture hearing, the court making factual findings regarding the forfeiture, the court  
21 announcing the forfeiture at the change of plea and sentencing, the court attaching the forfeiture  
22 order to the Judgment in a Criminal Case, and any and all constitutional, statutory, legal,  
23 equitable rights, defenses, and claims regarding the property in any proceedings, including, but  
24

1 not limited to, double jeopardy and due process under the Fifth Amendment to the United States  
2 Constitution;

3 j. Waives all constitutional, statutory, legal, equitable rights, defenses, and  
4 claims regarding the property in any proceedings, including, but not limited to, a jury trial under  
5 the Sixth Amendment to the United States Constitution;

6 k. Waives any and all constitutional, statutory, legal, equitable rights,  
7 defenses, and claims regarding the property in any proceedings, including, but not limited to,  
8 excessive fines clause and cruel and unusual punishments clause under the Eighth Amendment  
9 to the United States Constitution;

10 l. Waives any and all constitutional, statutory, legal, equitable rights,  
11 defenses, and claims to the property in any proceedings under *Honeycutt v. United States*, 581 U.S.  
12 443 (2017); *United States v. Thompson*, 990 F.3d 680 (9th Cir. 2021); and *United States v. Prasad*, 18  
13 F.4th 313 (9th Cir. 2021);

14 m. Agrees to the entry of an Order of Forfeiture of the property to the United  
15 States;

16 n. Waives the right to appeal any Order of Forfeiture;

17 o. Agrees the property is forfeited to the United States and can be taken into  
18 custody immediately by the USAO;

19 p. Agrees and understands the civil administrative forfeiture, the civil judicial  
20 forfeiture, and the criminal forfeiture of the property shall not be treated as satisfaction of any  
21 assessment, fine, restitution, cost of imprisonment, and any other penalty the Court may impose  
22 upon defendant in addition to the forfeiture;

23 q. Agrees and understands that on the government's motion, the court may at  
24 any time enter an order of forfeiture or amend an existing order of forfeiture to include

1 subsequently located property or substitute property under Fed. R. Crim. P. 32.2(b)(2)(A) and  
2 (C) and 32.2(e);

3 r. Acknowledges the amount of the forfeiture may differ from, and may be  
4 significantly greater than or less than, the amount of restitution;

5 s. Agrees to take all steps as requested by the USAO to pass clear title of any  
6 forfeitable assets to the United States and to testify truthfully in any judicial forfeiture  
7 proceedings. Defendant understands and agrees that the property represents facilitating property  
8 of illegal conduct and is forfeitable; and

9 t. Admits the property is any visual depiction described in 18 U.S.C.  
10 § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any  
11 such visual depiction, which was produced, transported, mailed, shipped or received in violation  
12 of 18 U.S.C. § 2252A(a)(2) and any property, real or personal, used or intended to be used to  
13 commit or to promote the commission of 18 U.S.C. § 2252A(a)(2) or any property traceable to  
14 such property and is subject to forfeiture under 18 U.S.C. § 2253(a)(1) and 2253(a)(3).

15 **XI. RESULT OF WITHDRAWAL OF GUILTY PLEA**  
16 **OR VACATUR/REVERSAL/SET-ASIDE OF CONVICTION**

17 27. Consequence of Withdrawal of Guilty Plea: Defendant agrees that if, after  
18 entering a guilty plea pursuant to this agreement, defendant seeks to withdraw and succeeds in  
19 withdrawing defendant's guilty plea on any basis other than a claim and finding that entry into  
20 this agreement was involuntary, then (a) the USAO will be relieved of all of its obligations under  
21 this agreement and (b) should the USAO choose to pursue any charge that was either dismissed  
22 or not filed as a result of this agreement, or that the government agreed to move to dismiss at  
23 sentencing as part of this agreement, or that the government agreed to move to dismiss at  
24 sentencing as part of this agreement, then (i) any applicable statute of limitations will be tolled  
between the date of defendant's signing of this agreement and the filing commencing any such

1 action; and (ii) defendant waives and gives up all defenses based on the statute of limitations,  
2 any claim of pre-indictment delay, or any speedy trial claim with respect to any such action,  
3 except to the extent that such defenses existed as of the date of defendant's signing this  
4 agreement.

5 28. Consequence of Vacatur, Reversal, or Set-aside: Defendant agrees that if  
6 defendant's conviction is vacated, reversed, or set aside, both the USAO and defendant will be  
7 released from all their obligations under this agreement, except that, should the USAO choose to  
8 pursue any charge that was either dismissed or not filed as a result of this agreement, then (i) any  
9 applicable statute of limitations will be tolled between the date of defendant's signing of this  
10 agreement and the filing commencing any such action; and (ii) defendant waives and gives up all  
11 defenses based on the statute of limitations, any claim of pre-indictment delay, or any speedy  
12 trial claim with respect to any such action, except to the extent that such defenses existed as of  
13 the date of defendant's signing this agreement.

## 14 XII. BREACH OF AGREEMENT

15 29. Defendant agrees that if, at any time after this agreement becomes effective,  
16 defendant knowingly violates or fails to perform any of defendant's obligations under this  
17 agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's  
18 obligations are material, a single breach of this agreement is sufficient for the USAO to declare a  
19 breach, and defendant shall not be deemed to have cured a breach without the express agreement  
20 of the USAO in writing. If the USAO declares this agreement breached, and the district court  
21 finds such a breach to have occurred, then: (a) if defendant has previously entered [a] guilty  
22 plea[s] pursuant to this agreement, defendant will remain bound by the provisions of this  
23 agreement and will not be able to withdraw the guilty plea[s]; and (b) the USAO will be relieved  
24 of all its obligations under this agreement.

1           30.     Following the Court's finding of a knowing breach of this agreement by defendant,  
2 should the USAO choose to pursue any charge that was either dismissed or not filed as a result  
3 of this agreement, or that the government agreed to move to dismiss at sentencing as part of this  
4 agreement, then:

5               a.     Defendant agrees that any applicable statute of limitations is tolled between  
6 the date of defendant's signing of this agreement and the filing commencing any such action.

7               b.     Defendant waives and gives up all defenses based on the statute of  
8 limitations, any claim of pre-indictment delay, or any speedy trial claim with respect to any such  
9 action, except to the extent that such defenses existed as of the date of defendant's signing this  
10 agreement.

11              c.     Defendant agrees that: (i) any statements made by defendant, under oath,  
12 at the guilty plea hearing (if such a hearing occurred prior to the breach); (ii) the agreed to factual  
13 basis statement in this agreement; and (iii) any evidence derived from such statements, shall be  
14 admissible against defendant in any such action against defendant, and defendant waives and  
15 gives up any claim under the United States Constitution, any statute, Federal Rule of Evidence  
16 410, Federal Rule of Criminal Procedure 11(f), or any other federal rule, that the statements or  
17 any evidence derived from the statements should be suppressed or are inadmissible.

18                               **XIII. COURT AND UNITED STATES PROBATION**  
19                               **AND PRETRIAL SERVICES OFFICE NOT PARTIES**

20           31.     Defendant understands that the Court and the U.S. Probation and Pretrial  
21 Services Office are not parties to this agreement and need not accept any of the USAO's  
22 sentencing recommendations or the parties' agreements to facts or sentencing factors.  
23  
24

1           32. Defendant understands that both defendant and the USAO are free to argue on  
2 appeal and collateral review that the district court's sentencing guidelines calculations and the  
3 sentence it chooses to impose are not error.

4           33. Defendant understands that even if the district court ignores any sentencing  
5 recommendation, finds facts or reaches conclusions different from those agreed to by the parties,  
6 or imposes any sentence up to the maximum established by statute, defendant cannot, for that  
7 reason, withdraw defendant's guilty plea, and defendant will remain bound to fulfill all  
8 defendant's obligations under this agreement. Defendant understands that no one—not the  
9 prosecutor, defendant's attorney, or the Court—can make a binding prediction or promise  
10 regarding the sentence defendant will receive, except that it will be within the statutory  
11 maximum.

#### 12                                   XIV. ADDITIONAL ACKNOWLEDGMENTS

13           34. Defendant acknowledges that:

14                   a. Defendant read this agreement, and defendant understands its terms and  
15 conditions.

16                   b. Defendant had adequate time to discuss this case, the evidence, and this  
17 agreement with defendant's attorney.

18                   c. Defendant carefully and thoroughly discussed all terms of this agreement  
19 with defendant's attorney.

20                   d. Defendant understands the terms of this agreement and voluntarily agrees  
21 to those terms.

22                   e. Defendant has discussed with defendant's attorney the following: the  
23 evidence; defendant's rights; possible pretrial motions that might be filed; possible defenses that  
24

1 might be asserted either prior to or at trial; the sentencing factors set forth in 18 U.S.C. § 3553(a);  
2 the relevant sentencing guidelines provisions; and consequences of entering into this agreement.

3 f. The representations contained in this agreement are true and correct,  
4 including the factual basis for defendant's offense[s] set forth in this agreement.

5 g. Defendant was not under the influence of any alcohol, drug, or medicine  
6 that would impair defendant's ability to understand the agreement when defendant considered  
7 signing this agreement and when defendant signed it.

8 35. Defendant understands that defendant alone decides whether to plead guilty or go  
9 to trial, and acknowledges that defendant has decided to enter defendant's guilty plea[s] knowing  
10 of the charges brought against defendant, defendant's possible defenses, and the benefits and  
11 possible detriments of proceeding to trial.

12 36. Defendant understands that no promises, understandings, or agreements other  
13 than those set forth in this agreement have been made or implied by defendant, defendant's  
14 attorney, or the USAO, and no additional promises, agreements, or conditions shall have any  
15 force or effect unless set forth in writing and signed by all parties or confirmed on the record  
16 before the district court.

17 37. Defendant acknowledges that defendant decided to plead guilty voluntarily and  
18 that no one threatened, coerced, or forced defendant to enter into this agreement.

19 38. Defendant is satisfied with the representation of defendant's attorney, and  
20 defendant is pleading guilty because defendant is guilty of the charges and chooses to take  
21 advantage of the promises set forth in this agreement and for no other reason.  
22  
23  
24

1                   **XV. PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING**

2           39.     The parties agree that this agreement will be considered part of the record of  
3 defendant's guilty plea hearing as if the entire agreement had been read into the record of the  
4 proceeding.

5     **AGREED AND ACCEPTED**

6     **UNITED STATES ATTORNEY'S OFFICE**  
7     **FOR THE DISTRICT OF NEVADA**

8     **JASON M. FRIERSON**  
9     United States Attorney

10    *Afroza Geasmin*  
11    AFROZA GEASMIN  
12    Assistant United States Attorney

04/29/2024

Date

13    *Alexander Derringer*  
14    ALEXANDER SCOTT DERRINGER  
15    Defendant

4/29/24

Date

16    *Nisha Brooks-Whittington*  
17    NISHA BROOKS-WHITTINGTON  
18    Attorney for Defendant ALEXANDER SCOTT  
19    DERRINGER

4/29/24

Date

**EXHIBIT “D”**

**EXHIBIT “D”**

## UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

Alexander Scott Derringer

## JUDGMENT IN A CRIMINAL CASE

Case Number: 2:23-cr-00039-JCM-NJK

USM Number: 47265-510

Nisha Brooks-Whittington, AFPD

Defendant's Attorney

## THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Indictment (ECF No. 1)☐ 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> |
|----------------------------|-----------------------------------|----------------------|--------------|
| 18 U.S.C. § 2252A(a)(2)    | Distribution of Child Pornography | 10/14/2021           | 1            |
| 18 U.S.C. § 2252A(b)(1)    |                                   |                      |              |

The defendant is sentenced as provided in pages 2 through 8 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) remaining ☒ 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.

12/6/2024

Date of Imposition of Judgment

Signature of Judge

James C. Mahan, U.S. District Judge

Name and Title of Judge

December 11, 2024

Date

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### IMPRISONMENT

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

☒ The court makes the following recommendations to the Bureau of Prisons:  
The court recommends that the Defendant be allowed to serve his term of incarceration at FCI Inglewood in Colorado.

☐ 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 12:00 ☐ a.m. ☒ p.m. on 2/7/2025

☐ 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: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SUPERVISED RELEASE**

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

20 years.

### **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, not to exceed 104 tests annually.
  - ☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

**U.S. Probation Office Use Only**

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

1. Substance Abuse Treatment – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
2. Drug Testing – You must submit to substance abuse testing to determine if you have used a prohibited substance. Testing shall not exceed 104 tests per year. You must not attempt to obstruct or tamper with the testing methods.
3. Mental Health Treatment – You must participate in an [Outpatient] mental health treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
4. Minor Prohibition – You must not have direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer. If you do have any direct contact with any child you know or reasonably should know to be under the age of 18, including your own children, without the permission of the probation officer, you must report this contact to the probation officer within 24 hours. Direct contact includes written communication, inperson communication, or physical contact. Direct contact does not include incidental contact during ordinary daily activities in public places.
5. Place Restriction – Children Under 18 – You must not go to, or remain at, any place primarily used by children under the age of 18, unless you have the express prior permission of your Probation Officer. Examples of such prohibited places include parks, schools, playgrounds, and childcare facilities.
6. Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.  
  
The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
7. No Pornography - You must not view or possess any "visual depiction" (as defined in 18 U.S.C. § 2256(5)), or any photograph, film, video, picture, or computer or computergenerated image or picture, whether made or produced by electronic, mechanical, or other means, of "sexually explicit conduct" (as defined by 18 U.S.C. § 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18 U.S.C. § 2257(h)(1)) involving adults. These restrictions do not apply to materials necessary to, and used for, any future appeals, or materials prepared or used for the purposes of sex-offender treatment.
8. Sex Offender Treatment – You must participate in a sex offense-specific [Outpatient] treatment program, and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
9. Polygraph Testing – You must submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure that you are in compliance with the requirements of your supervision or treatment program.
10. Computer Monitoring – To enable the Computer Search Condition, you must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to the installation of computer monitoring software by the probation officer.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### **SPECIAL CONDITIONS OF SUPERVISION**

11. Computer Search – Monitoring Software – To ensure compliance with the computer monitoring condition, you must allow the probation officer to conduct periodic, unannounced searches of any computers (as defined in 18 U.S.C. § 1030 (e)(1)) subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent the monitoring software after its installation. You must warn any other people who use these computers that the computers may be subject to searches pursuant to this condition.

12. Computer Search – You must submit your computers (as defined in 18 U.S.C. § 1030(e)(1)) or other electronic communications or data storage devices or media, to a search. A probation officer may conduct a search pursuant to this condition only when reasonable suspicion exists that there is a violation of a condition of supervision and that the computer or device contains evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### 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> |
|--------|-------------------|--------------------|-------------|-------------------------|--------------------------|
| TOTALS | \$ 100.00         | \$ 50,000.00       | \$ 0.00     | \$ 0.00                 | \$ 0.00                  |

☐ 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> |
|-------------------------------|----------------------|----------------------------|-------------------------------|
| See attached restitution list |                      |                            |                               |

|        |    |      |    |      |
|--------|----|------|----|------|
| TOTALS | \$ | 0.00 | \$ | 0.00 |
|--------|----|------|----|------|

☐ 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.

DEFENDANT: Alexander Scott Derringer  
CASE NUMBER: 2:23-cr-00039-JCM-NJK

### SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 50,100.00 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:  
Any unpaid balance shall be paid at a monthly rate of not less than 10% of any income earned during incarceration and/or gross income while on supervision

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

Case Number  
Defendant and Co-Defendant Names  
(including defendant number)

Total Amount

Joint and Several  
Amount

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:  
Final Order of Forfeiture attached.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

|                                                  |                                    |
|--------------------------------------------------|------------------------------------|
| <input checked="checked" type="checkbox"/> FILED | <input type="checkbox"/> RECEIVED  |
| <input type="checkbox"/> ENTERED                 | <input type="checkbox"/> SERVED ON |
| COUNSEL PARTIES OF RECORD                        |                                    |
| SEP 30 2024                                      |                                    |
| CLEARINGHOUSE                                    | COURT                              |
| DISTRICT OF NEVADA                               |                                    |

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SCOTT DERRINGER,

Defendant.

2:23-CR-039-JCM-NJK

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. § 2253(a)(1) and 2253(a)(3) based upon the plea of guilty by Alexander Scott Derringer to the criminal offense, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which Alexander Scott Derringer pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 31; Plea Agreement, ECF No. 32; Preliminary Order of Forfeiture, ECF No. 33.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from June 7, 2024, through July 6, 2024, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits, ECF No. 35-1, p. 5.

This Court finds the United States notified known third parties by regular mail and certified mail return receipt requested of their right to petition the Court. Notice of Filing Service of Process – Mailing, ECF No. 34.

1 On July 1, 2024, the United States Attorney's Office served Kathryn Jane Sinksen  
2 with copies of the Preliminary Order of Forfeiture and the Notice through regular mail and  
3 certified mail return receipt requested. Notice of Filing Service of Process – Mailing, ECF  
4 No. 34-1, p. 3-14.

5 This Court finds no petition was filed herein by or on behalf of any person or entity  
6 and the time for filing such petitions and claims has expired.

7 This Court finds no petitions are pending regarding the property named herein and  
8 the time has expired for presenting such petitions.

9 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
10 all possessory rights, ownership rights, and all rights, titles, and interests in the property  
11 hereinafter described are condemned, forfeited, and vested in the United States under Fed.  
12 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 2253(a)(1)  
13 and 2253(a)(3); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

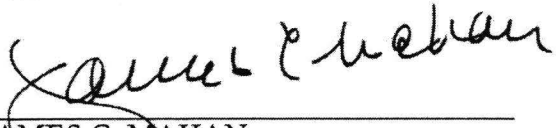
- 14 1. a Black Samsung S9 cell phone IMEI: 359943090337104; and  
15 2. a blue Samsung Galaxy S9 cell phone IMEI: 355028090729106  
16 (all of which constitutes property).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R.  
18 Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all  
19 rights, titles, and interests in the property are extinguished and are not recognized for  
20 Alexander Scott Derringer, Kathryn Jane Sinksen, and all third parties.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the property  
22 shall be disposed of according to law.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
24 copies of this Order to all counsel of record.

25 DATED Sept 30, 2024 2024.

26  
27   
28 JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE

**U.S. vs. Alexander Scott Derringer**  
**2:23-cr-00039-JCM-NJK**  
**Restitution List Amendment II – 10/2/2024**

**Note: Capped restitution at \$5,000 per victim in the plea agreement**

|                                                                                                                               |             |
|-------------------------------------------------------------------------------------------------------------------------------|-------------|
| Restore the Child in Trust for Chelsea<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406 | \$ 5,000.00 |
| Restore the Child in Trust for Angela<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406  | \$ 5,000.00 |
| Restore the Child in Trust for April<br>Restore the Child, PLL,<br>2522 N. Proctor St, Ste 85,<br>Tacoma, Washington, 98406   | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maria<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Maureen<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                          | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sarah<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                            | \$ 5,000.00 |
| Carol L. Hepburn in trust for Sloane<br>Carol L. Hepburn, P.S.<br>PO Box 17718<br>Seattle, WA 98127                           | \$ 5,000.00 |
| Carol L. Hepburn in trust for Lily                                                                                            | \$ 5,000.00 |

Carol L. Hepburn, P.S.  
PO Box 17718  
Seattle, WA 98127

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Jenny | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Jenny                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |

|                                        |             |
|----------------------------------------|-------------|
| Marsh Law Firm PLLC in trust for Raven | \$ 5,000.00 |
| Marsh Law Firm PLLC                    |             |
| ATTN: Raven                            |             |
| PO Box 4668 #65135                     |             |
| New York, NY 10163-4668                |             |



|                           |                     |
|---------------------------|---------------------|
| <b>TOTAL RESTITUTION:</b> | <b>\$ 50,000.00</b> |
|---------------------------|---------------------|

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By Certified Mail No. 7016 3010 0000 0086 2361

Alexander Scott Derringer & 47265-510  
FCI Lompoc II  
Federal Correctional Institution  
3901 Klein Blvd  
Lompoc, CA 93436

  
M. Garcia, an employee of the  
Office of the Nevada Attorney General

**EXHIBIT “1D”**

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**EXHIBIT “1D”**

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL®**



7016 3010 0000 0086 2361  
7016 3010 0000 0086 2361

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

1030

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$  
☐ Return Receipt (electronic) \$  
☐ Certified Mail Restricted Delivery \$  
☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$

Postmark  
Here

Postage \$  
Total Postage and Fees \$

Sent To Alexander Scott Derringer & 47265-510  
FCI Lompoc II  
Street and Apt. No., or PO Box Federal Correctional Institution  
3901 Klein Blvd  
City, State, ZIP+4® Lompoc, CA 93436

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Alexander Scott Derringer & 47265-510  
FCI Lompoc II  
Federal Correctional Institution  
3901 Klein Blvd  
Lompoc, CA 93436



9590 9402 9120 4225 4029 33

**2. Article Number (Transfer from service label)**

7016 3010 0000 0086 2361

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

**X**

- ☐ Agent  
☐ Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

- D. Is delivery address different from item 1?** ☐ Yes  
If YES, enter delivery address below: ☐ No

**3. Service Type**

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**USPS TRACKING #**



9590 9402 9120 4225 4029 33

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

Budget Account No. 1030  
**OFFICE OF THE NEVADA ATTORNEY GENERAL**  
Christena Georgas-Burns, Deputy Attorney General  
Office of the Attorney General  
100 N. Carson Street  
Carson City, NV 89701-4717

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Alexander Scott Derringer & 47265-510  
I Lompoc II  
Federal Correctional Institution  
3901 Klein Blvd  
Lompoc, CA 93436



9590 9402 9120 4225 4029 33

**2. Article Number (Transfer from service label)**

7016 3010 0000 0086 2361

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X

☒ Agent  
☐ Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

3-19-26

**D. Is delivery address different from item 1? ☐ Yes**  
If YES, enter delivery address below: ☐ No

**RECEIVED**

MAR 31 2026

**3. Service Type**

- |                                                                        |                                                                     |
|------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       |                                                                     |
| <input type="checkbox"/> Insured Mail                                  |                                                                     |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |                                                                     |

**EXHIBIT “1E”**

**EXHIBIT “1E”**

**NOTICE OF INTENT TO CONSIDER CHARACTER, MISCONDUCT,  
COMPETENCE OR HEALTH OF A PERSON. NRS 241.033**

---

**STATE BOARD OF EDUCATION**

700 E. Fifth Street  
Carson City, NV 89701  
Phone: (775) 687-9115

May 20, 2026

**Via Certified Mail**

Alexander Derringer, 47265-510  
FCI Lompoc II  
FEDERAL CORRECTIONAL INSTITUTION  
3901 KLEIN BLVD  
LOMPOC, CA 93436

**Re: Notice of meeting of the State Board of Education to consider  
your character, alleged misconduct, competence, or health.**

Dear Mr. Derringer:

In connection with your teacher license, a Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Notice") was filed with the State Board of Education ("Board") and mailed to you via certified mail. The Petition and Notice informed you of your right to request a hearing before a hearing officer by filing a written request within fifteen days from receipt of the Petition and Notice. Enclosed for your convenience is a copy of the Petition and Notice.

As you have failed to request such a hearing, the Board will be requested to move forward with revocation of your license and may consider your character, alleged misconduct, competence, or health at its meeting on **July 29, 2026**. **The meeting will begin at 9:00 a.m. at 700 E. Fifth Street in Carson City, Nevada and 2080 E. Flamingo Rd, Suite 210, Las Vegas, Nevada.** The meeting is a public meeting, and you and/or your legal counsel are welcome to attend at either location. The Board may go into closed session or remain in an open meeting to consider the following general topics: your teacher license; the Petition and Notice; the Judgment of Conviction; and matters properly related thereto. You are welcome to attend the closed session and/or open meeting, have an attorney or other representative of your choosing present during the closed session and/or open meeting and present written evidence, provide testimony, and present witnesses relating to your character, alleged

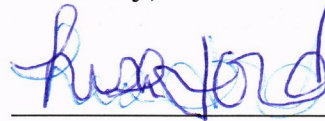
Alexander Derringer  
May 20, 2026  
Page 2

misconduct, professional competence, or physical or mental health.

If the Board determines it necessary, after considering your character, alleged misconduct, professional competence, or physical or mental health, whether in a closed meeting or open meeting, it may, without further notice, also take administrative action against you at this meeting, which could include suspending or revoking your teacher license. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.0333.

This notice is provided to you under NRS 241.033 and NRS 241.0333.

Sincerely,



---

Lisa Ford  
Chief Strategy Officer

**EXHIBIT “1F”**

**EXHIBIT “1F”**

|                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SENDER: COMPLETE THIS SECTION</b></p> <p>1. Article Addressed to:</p> <p style="text-align: center;">Alexander Derringer, 47265-510<br/>FCI Lompoc II<br/>FEDERAL CORRECTIONAL INSTITUTION<br/>3901 Klein Blvd.<br/>Lompoc, CA 93436</p> | <p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature</p> <p><b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>If YES, enter delivery address below: <b>40</b> No</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>2. Article Number (<i>Transfer from service label</i>)</p> <p style="font-size: 1.2em;">7022 0410 0002 6805 0315</p>                                                                                                                        | <p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Adult Signature<br/> <input type="checkbox"/> Adult Signature Restricted Delivery<br/> <input checked="" type="checkbox"/> Certified Mail®<br/> <input type="checkbox"/> Certified Mail Restricted Delivery<br/> <input type="checkbox"/> Collect on Delivery<br/> <input type="checkbox"/> Collect on Delivery Restricted Delivery<br/> <input type="checkbox"/> Insured Mail<br/> <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)         </div> <div> <input type="checkbox"/> Priority Mail Express®<br/> <input type="checkbox"/> Registered Mail™<br/> <input type="checkbox"/> Registered Mail Restricted Delivery<br/> <input type="checkbox"/> Signature Confirmation™<br/> <input type="checkbox"/> Signature Restricted Delivery         </div> </div> |