

'PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Scott Shields

Docket Number: 10-00147-001

PACTS Number: 48487

Name of Sentencing Judicial Officer: The Honorable Robert W. Sweet
Senior U.S. District Judge

Jurisdiction Transferred to: The Honorable Freda L. Wolfson
United States District Judge

Date of Original Sentence: 10/14/2008

Original Offense: Ct. 1 - Conspiracy to fraudulently obtain federal funds
Ct. 2 - Theft of Government Services
Ct. 3 - Mail Fraud

Original Sentence: 8 months imprisonment; 3 years supervised release, Financial Disclosure, No New Credit, Mental Health Treatment, and \$49,439.08 restitution.

Type of Supervision: Supervised Release

Date Supervision Commenced: 07/10/09

Assistant U.S. Attorney: To be assigned, 402 East State Street, Room 502 Trenton, New Jersey 08608 (609) 989-2190

Defense Attorney: To be assigned, 22 South Clinton Ave., Station Plaza #4, 4th Floor, Trenton, New Jersey 08609 (609) 989-2160

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the supervision condition which states '**You shall not leave the judicial district without the permission of the Court or Probation Officer.**'

Shields left the judicial district without permission from the Probation Officer or the Court. Specifically, on September 11, 2009 Shields went to New York. Shields advised the probation officer that he went to New York on his way to visit his mother in Connecticut. He stopped to borrow \$40 for gas from a friend.

RECEIVED
OCT 14
AT 8:30
WILLIAM T. WALSH
CLERK

The Probation Office learned that Shields was in New York on September 11, 2009 dressed in what appeared to be a fireman's uniform near the Fire Department of New York, Engine 10 with his dog, Theodore. When questioned why he was dressed in a firemen's uniform Shields reported that it was not a uniform but rather a rain suite.

2

The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

Shields is not working full-time at a lawful occupation. Shields is currently employed for his sister's company, Buttons and Bows. This business sells material and buttons at local flea markets. Shields is currently renting a table at the Columbus Market on Sundays. He rents a table there on Thursdays on a sporadic basis. Shields is reportedly paid \$300 per week from this job with checks he receives from his sister's business account. It should be noted that these checks were signed by his sister, Patricia Shields, prior to her incarceration. Shields is not working full-time and has not demonstrated that this is lawful occupation. He has not paid taxes on his earnings nor has the company paid taxes.

On June 10, 2010, Shields was observed at the Columbus Flea Market, Columbus, New Jersey where he was working with his sister, Patricia Shields. Shields was selling a book he wrote entitled, Bear: America's Most Decorated Dog. Shields represented that proceeds from the sale of this book will go the U.S. Army 82nd Airborne to help fund the maintenance of the boats that were used for Hurricane Katrina. Shields has not provide to the Probation Office any proof of income from the sale of these books nor has he paid taxes on the sale of these books. If the income is from this book is being used to support his non-profit, Bear Search and Rescue, he has not provided documentation in this regard either despite being asked for it.

3

The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Shields had contact with Monroe Township Police on July 31, 2009. According to reports, his dog jumped up on a vehicle and scratched the door. Shields was contacted by police in order to resolve a dispute over payment for the damages.

Shields had contact with Belmar Police on March 4, 2010 following an incident in which his dog bit a woman on the beach. Shields was charged with failing to leash his dog and appeared in Belmar Municipal Court on March 24, 2010 and was fined \$139.

He failed to tell the Probation Office about his contact with police on either occasion.

4

The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

Shields has not submitted a monthly supervision report since being placed on supervision in July of 2009.

- 5 The offender has violated the supervision condition which states **‘The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income.’**

Mr. Shields was sent a letter on July 21, 2009 instructing him to complete a personal financial statement including net worth and monthly cash flow statement. He was instructed to submit these documents no later than August 04, 2009. He failed to submit the financial statements. On August 5, 2009, a subsequent letter was sent to Shields with the same statements and instructions. He was instructed to submit these documents to the Probation Office no later than August 10, 2009. He failed to submit the financial statements.

On February 4, 2010, a letter was sent to Shields instructing him to complete a personal financial statement including net worth and monthly cash flow. He was also instructed to submit his personal tax return and tax returns for the non-profit, Bear Search and Rescue, with these documents no later than May 5, 2010. Shields failed to submit his tax returns and failed to submit his personal financial statement.

- 6 The offender has violated the supervision condition which states **‘You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.’**

Due to Mr. Shields failure to comply with his conditions of supervision, the Probation Office referred him to the Offender Success Group. Specifically, the Offender Development Group. The group began in September of 2009 and was designed to provide behavior modification/cognitive skills to offender’s who were having a difficult time adjusting to the conditions of supervision. Shields attended two of the six monthly sessions. He stopped attending the group in December of 2009.

- 7 The offender has violated the supervision condition which states **‘You shall pay monthly installments of 15% of gross monthly income over the period of supervision to commence 30 days after release from custody.’**

Shields was ordered to pay restitution in the amount of \$49,439.08 at the rate of 15% of his gross monthly income. Shields has advised the Probation Office he earns \$300 per week, although he has failed to provide proof of income. If this is in fact his income, he should have made restitution payments totaling \$1,800. To date he has made payments totaling \$310. He has failed to make any restitution payments since July of 2010.

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

By: Karen L. Merrigan *KLM*
KLM U.S. Probation Officer
Date: 10/4/10

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: 10-29-10 @ 10:00
☐ No Action
☐ Other

[Signature]

Signature of Judicial Officer

10 / 12 / 10

Date