

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ROSE SVOBODA,

Defendant.

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ORDER

11-cr-100-bbc

Defendant Rose Svoboda was convicted in this court of converting to her own use more than \$1,000 belonging to the Social Security Administration and ordered to make restitution in the amount of \$33,828.71. Since she was sentenced on May 30, 2012, she has learned that the Social Security Administration is withholding the Social Security monthly benefits that it had been paying to her and applying those funds toward restitution. In light of this development, defendant has asked the court to suspend the monthly payments she is required to make toward her restitution obligation.

The government objects to any suspension of the monthly payments and has filed a copy of the financial disclosure statement submitted by defendant to the Social Security Administration. According to the statement, defendant owns three residences, two of which are without any mortgage debt (one appears to be co-owned with a Harold Anderson), and one of which is rented out for \$500 a month. In addition, the statements shows that

defendant has a bank account that had a balance of \$6000.00 as of August 1, 2012. Besides the rent payments, the only other source of income shown on the disclosure statement is defendant's Social Security benefit, which has since been withheld for restitution purposes.

Although will not be easy for defendant to satisfy her restitution obligation, she has not shown that it would be so difficult as to justify a suspension of the court-ordered \$500 monthly payments. In fact, it appears that she could pay off her entire restitution obligation at one time, if she were to take out a mortgage on one or both of her unencumbered residences or even sell one of them. Accordingly, I will deny her request.

#### ORDER

IT IS ORDERED that defendant Rose Svoboda's request to suspend her court-ordered monthly payments on her restitution obligation is DENIED.

Entered this 28th day of November, 2012.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge