

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

RALPH SHANNON,

Defendant.

ORDER

06-cr-179-bbc-l

On May 14, 2015, a hearing was scheduled on defendant Ralph Shannon's motion for an evidentiary hearing to address his conditions of supervised release and on the probation office's petition for judicial review of defendant's supervised release. The government appeared by Assistant U.S. Attorney Laura Przybylinski-Finn. Defendant was present in person and by counsel, Anthony Delyea. Also present was Senior U.S. Probation Officer Kristin E. Kiel.

The parties agreed that it would be beneficial to postpone the evidentiary hearing and judicial review until such time as defendant has had a complete psychosexual evaluation to assess the level of risk that he presents to the community. Under 18 U.S.C. § 3553(a)(2), the court is required to give full consideration to protection of the community and defendant's need for correctional treatment. Without a current psychosexual evaluation, the court cannot meet this obligation.

Defendant objected to having a court-appointed evaluator and asked for an opportunity to find an evaluator at his own expense. He may have until noon on Wednesday, May 22, 2015 to find an evaluator licensed in the State of Wisconsin with a practice that includes sex offender treatment/psychosexual evaluations. If he cannot find such an evaluator by then, the court will appoint an evaluator under contract to the United States Probation Office.

A telephone status conference will be held on June 11, 2015 at 1:00 p.m. to discuss the status and timing of the completion of the report. The government is to initiate the conference call to chambers at (608) 264-5447.

ORDER

IT IS ORDERED that defendant is to continue on supervised release as previously ordered. In addition, he is to submit to a psychosexual evaluation. Upon completion of the evaluation, defendant is to return to the court at a time to be set by further court order, for a more comprehensive review of his conditions of supervised release as requested in his motion. The matter of revocation will be addressed at that time.

In all other respects, the conditions of defendant's supervised release remain as entered on July 17, 2007.

Entered this 14th day of May, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge