

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PRESENTENCE REPORT

NAME (Last, First, Middle) JOHNS, Kimberly Allen					DICTATION DATE 3-1-85
ADDRESS 735 S.E. Malden Portland, OR			LEGAL RESIDENCE 1569 S.E. Nehalem Portland, OR		SCHEDULED SENT. DATE 3-11-85
					DOCKET NO. CR 84-161/52
					CITIZENSHIP United States
AGE 29	RACE Caucasian	DATE OF BIRTH 6-23-55	PLACE OF BIRTH Portland, OR	SEX Male	EDUCATION 15 Years
MARITAL STATUS Single			DEPENDENTS None		SOC. SEC. NO. 543-74-3561
FBI NO. 271 223 DA5			U.S. MARSHAL NO. 54100-065		OTHER IDENTIFYING NO.

OFFENSE

Possession of Unregistered Machine Gun
26:USC 5861(i) and 5871
(One Count)

PENALTY

10 yrs. and/or \$10,000 fine

CUSTODIAL STATUS

Posted \$1,000 cash bond on 9-28-84

DATE OF ARREST

9-27-84

PLEA

Not guilty

VERDICT

Guilty Count VIII in stipulated facts trial, 1-31-85, Judge Burns

DETAINERS OR CHARGES PENDING

The U.S. Attorney will recommend that Counts I through VII be dismissed at the time of sentencing.

OTHER DEFENDANTS

Stephen Paul Satterlund - sentenced 2-25-85 to CAG 5 yrs., and on condition serve 6 months in jail-type setting, balance suspended, 5 years probation

ASSISTANT U.S. ATTORNEY

Frank Noonan
PH: 221-2101

DEFENSE COUNSEL

Roscoe Nelson (R)
First National Bank Tower
1300 S.W. 5th

Agent

Joe Fore
AT&F
PH: 221-2171

DISPOSITION

Portland, OR
PH: 222-1081

SENTENCING JUDGE

James M. Burns

DATE

3-11-85

PROBATION OFFICER

Vernon C. Brooks

RE: JOHNS, Kimberly A.

OFFENSE:

On October 24, 1984, the United States Grand Jury for the District of Oregon returned an eight count Indictment against the defendants, Kimberly Allen Johns, Stephen Paul Satterlund and Maureen Louise Gadotti. Specifically, the Indictment alleges as follows:

Count I: The defendants, Kimberly Allen Johns, Stephen Paul Satterlund and Maureen Louise Gadotti, from a time prior to June 11, 1984 and continuing to the time of the Indictment, did knowingly conspire with other unnamed individuals to manufacture, possess and transfer machine guns and silencers; in violation of Title 26, United States Code, Sections 861(d) and 5871, and Title 18, United States Code, Section 371. In support of this conspiracy, nine overt acts were listed, which indicated that on various dates in Portland, telephone conversations and meetings were held between the conspirators and others with the intent to transfer illegal firearms.

Count II: On September 27, 1984, Johns and Satterlund possessed a machine gun which had not been registered with the National Firearms Registration and Transfer Record; in violation of Title 26, United States Code, Sections 5861(d) and 5871.

Count III: On September 27, 1984, Johns and Satterlund possessed a silencer which had not been registered with the National Firearms Registration and Transfer Record; in violation of Title 26, United States Code, Sections 5861(d) and 5871.

Count IV: On September 27, 1984, Johns and Satterlund transferred a machine gun; in violation of Title 26, United States Code, Sections 5861(e) and 5871.

Count V: Johns and Satterlund on September 27, 1984, transferred a silencer without authorization of the Secretary of Treasury; in violation of Title 26, United States Code, Sections 5861(e) and 5871.

Count VI: On or about September 27, 1984, Johns and Satterlund made a machine gun without filing a written application with the Secretary of Treasury; in violation of Title 26, United States Code, Sections 5861(f) and 5871.

Count VII: On September 27, 1984, Johns and Satterlund made a silencer without first obtaining permission of the Secretary of the Treasury; in violation of Title 26, United States Code, Sections 5861(f) and 5871.

Count VIII: On September 27, 1984, Satterlund and Johns possessed a machine gun which did not have a serial number as required; in violation of Title 26, United States Code, Sections 5861(i) and 5871.

Johns had previously been arrested on September 27, 1984, and was released on September 28, 1984, after posting a cash bond of \$1,000.

He was arraigned on October 29, 1984, on the charges contained in the Indictment and entered a plea of not guilty to all counts.

After waiving his rights to a trial by jury, on January 31, 1985, Kimberly Allen Johns was found guilty of Count VIII in a stipulated facts trial before the Honorable James M. Burns. The U.S. Attorney will recommend that Counts I through VII be dismissed at the time of sentencing.

RE: JOHNS, Kimberly A.

OFFENSE: (Cont'd)

Prosecution Version

Government sources reveal that during April of 1984, information was received that codefendant Satterlund had been involved in illegally modifying weapons and had been constructing silencers for some of those weapons. It was further learned that Satterlund met Kimberly Johns at USIA Weapons Sales, Inc., a firearms store owned and managed by Johns, located in Southeast Portland. This business, which specialized in survivalist weapons, was near Satterlund's place of employment. It was learned that through this association, Satterlund had become interested in semi-automatic weapons, and coupled with his ability as a tool and die maker, he learned how to modify or build sears which would permit semi-automatic weapons to function as fully automatic rifles or machine guns.

Satterlund, through his association with Johns and his interest in weapons, also obtained drawings of silencers and reportedly was successful in manufacturing both silencers and sears for a variety of weapons. These devices were reportedly sold to friends, whom Satterlund had met through his frequent visits to USIA Weapons Sales. The materials that he acquired to make these devices were easily obtainable at his place of employment or on the open market. The machining of the metal to build these devices was accomplished in a small metals shop which Satterlund had in the basement of his home.

During May of 1984, one of the individuals who had purchased automatic sears from Satterlund informed Satterlund that he was selling the sears and/or automatic weapons to an individual from the Southwestern United States, and that this individual was interested in purchasing additional weapons. During June, arrangements were made for Satterlund to meet two undercover agents in a local hotel to discuss the purchase of weapons. The undercover agents posed as drug dealers from Houston, Texas, and it was reported that during that initial meeting, Satterlund stated that he could sell machine guns and up to 15 silencers for those weapons. The discussion also centered around the possibility of exchanging illegal drugs for machine guns and silencers.

Following that meeting, there were several telephone conversations between codefendant Gadotti, Satterlund and the undercover agents regarding the transfer of weapons. On July 5, 1984, Satterlund met with the undercover agents in a hotel in Portland, and at that time transferred one Uzi 9 millimeter machine gun and silencer and one MAC II .380 caliber machine gun and silencer for \$1,250. Following this transfer, there was additional discussion concerning future transactions, and again the possibility was mentioned that illegal weapons could be traded for cocaine and/or cocaine and cash.

On September 2, 1984, the government agent and Satterlund met in a hotel in Portland at which time they again discussed the sale of illegal weapons. At that time Satterlund indicated that there had been some difficulty obtaining semi-automatic weapons which could be modified to machine guns because these weapons were monitored fairly closely by government agents. At that time it was mentioned that they had discussed the possibility of a fake burglary at Johns' gun store, and they also attempted to devise a system to manipulate the records to show that weapons had been sold to individuals who were in fact dead. At that time it was agreed that at

RE: JOHNS, Kimberly A.

OFFENSE: (Cont'd)

a later time, the agents would purchase two Uzi machine guns and silencers for \$900 each, and that the agent would be introduced to Satterlund's associate, "Kim."

On September 13, 1984, Satterlund and Johns met with the undercover agents, and Johns was introduced to the agents. Discussions at that time again revolved around the difficulty Johns and Satterlund had in obtaining semi-automatic weapons and, again, the possibility of trading weapons for cocaine was discussed. Investigative reports reflect that the discussion of cocaine was not just an arbitrary commodity that came up. There was information that Johns was directly or indirectly involved in the sale and/or distribution of cocaine and therefore chose it as the commodity for exchange.

On September 20, 1984, a telephone conversation took place between Satterlund and the agents, at which time Satterlund advised the agents that he had seven machine guns available and that most of those weapons would have silencers.

On September 25, 1984, agents placed a phone call to Satterlund's residence, and the phone was answered by Johns. He informed the agents that he and Satterlund had been working extremely hard and would have the desired weapons and silencers available for transfer on September 27th or 28th.

On September 27, 1984, Satterlund was telephoned by the agents and it was learned that several machine guns and silencers were ready for delivery. A short time later, Johns telephoned the undercover agents and indicated that he was interested in trading cocaine for the weapons, silencers and \$1300 in cash. Arrangements were made to meet at a hotel in Portland so the cocaine could be tested and the weapons observed.

Approximately one and one-half hours later, Satterlund and Johns went to the hotel room which had been rented by the agents, and after a short conversation, Satterlund accompanied one agent to the parking lot, where he displayed 11 machine guns and six silencers which were in the back compartment of his pickup. At the same time, the undercover agent who remained in the hotel room with Johns provided Johns with 2.2 pounds of alleged cocaine and received \$1,300. After the transaction was completed, other agents were summoned and Johns and Satterlund were arrested.

DEFENDANT'S VERSION OF OFFENSE:

Mr. Johns provided the following written statement, which is quoted in its entirety:

"One weekend in July or August, while on a diving trip with Satterlund, he asked me what I thought of trading machine guns for cocaine. I told him it was out of the question and I would not have any part of it. Nothing was said of it again until late August or the first part of September 1984, at which time Satterlund approached me a second time. This time he told me he had been dealing machine guns and silencers to some people who he thought were pretty dangerous. He told me he thought he had gotten in over his head, his back was against the wall, and if he didn't keep supplying these guys with weapons that his family might be in danger. I agreed to meet his 'friend' the next time he came to

RE: JOHNS, Kimberly A.

DEFENDANT'S VERSION: (Cont'd)

"town and see what kinda of trouble he might have gotten himself into.

On September 13, 1984, I went to the Viscount Hotel with Satterlund to meet 'Julio.' I decided to 'bug' the conversation with equipment I had obtained through the USI Corp. a few years ago. At the conclusion of our meeting we left the room and were in the lobby when I discovered I left my keys upstairs in the room. I called Julio and told him I would come up to get them. He insisted that I wait and he would bring them down. When he got to the lobby he told me: 'Remember... I don't want no trouble...and I don't want no bullshit or heads are going to roll...family heads..do you understand what I'm saying?.' I replied: 'Don't worry..you can trust me.' Satterlund was waiting by the door and I don't think he heard this conversation.

I put the tape recording with other documented evidence I had complied against the government, including the one I recorded some time in June. These tapes were never returned.

During the next week, Satterlund and I talked of the dangers involving the transactions we talked to Julio about. We were both extremely frightened. Satterlund assured me not to worry about the guns, that he would take care of that end. He just wanted to do the deal and not upset Julio because as long as he cooperated everything seemed to be alright.

We felt committed, although frieghtened, to complete our agreement, full well knowing it was wrong. My house payment had became 3 months behind, and the Veterans home loan I had gotten was in jepordy because I couldn't afford to pay it. My automobile loan was delinquent. My desperate financial condition was catching me fast, this situation definately made the deal 'Julio' wanted me to engage in suddenly take on new light. Even though I believed his threats and knew there was danger, I believed if I had cooperated like Satterlund everything would be ok. I unfortunately made the wrong decision."

Throughout the presentence investigation, Johns has offered several motives or explanations for his behavior. Initially, defendant maintained his innocence and stated he was entrapped by agents of the Bureau of Alcohol, Tobacco & Firearms. In later conversations, he related he never would have become involved in the instant offense if the safety of his good friend and codefendant Satterlund and Satterlund's family was not at stake. Finally, Johns admitted his primary motivation was based on profit, but stated all of the reasons played a part.

PRIOR RECORD:

10-17-75	Oregon State Police Salem, OR	Criminal Activity in Drugs	1 yr. probation - \$500 fine
----------	----------------------------------	-------------------------------	---------------------------------

On the above stated date, defendant was stopped by the Oregon State Police and was found to be in possession of a marijuana plant. He

RE: JOHNS, Kimberly A.

PRIOR RECORD: (Cont'd)

received 1 year probation and a \$500 fine. On December 18, 1978, in Marion County Circuit Court, this conviction was expunged, thus there is no information regarding actual conviction date or further information. Defendant stated he was represented by legal counsel.

FAMILY HISTORY:

Born June 23, 1955 in Portland, Oregon, Kimberly Allen Johns is the youngest of seven children born to the compatible union of Jerry and Agnes Johns. There is a ten year age difference between the defendant and the last sibling prior to Johns' birth. During the defendant's formative years, he appears to have been raised in a close-knit, Catholic, Lebanese family in which the parents strived to provide emotionally and materially for their children in an environment which stressed work ethic and appropriate social values. However, in 1962 at the age of 53, Johns' father died as a result of a stroke. The defendant was seven years old at this time. Defendant's mother and brother indicate that after the death of the father, Johns' brother attempted to assume the role of father for him. However, from all indications, there developed considerable friction between Johns and his brother, which resulted in Johns becoming quite rebellious. Again, defendant's mother and brother acknowledge that Johns had difficulty accepting direction from his older brother. However, after a number of years have passed, this relationship appears to have grown much closer and all family members report that the defendant and his siblings all get along quite well and they continue to be a very close-knit family.

After completing grammar school, defendant entered Central Catholic High School as a freshman in September, 1969, where he attended one year achieving average grades. In his sophomore year, Johns transferred to Cleveland High School, where he also remained one year. While attending Cleveland High School, the defendant achieved primarily grades of D's and F's and was absent 66 days that year.

After continued conflict between the defendant and his brother, in his teenage years Johns left home and went to live with his married sister who resided in Minnesota. For his junior year (1971-72), defendant attended Richfield High School in Richfield, Minnesota, where he achieved average grades. After completion of his junior year, Johns returned to Portland. Desiring to enter the military, defendant obtained his GED through Portland State University.

Other Family Members

Mother: Agnes Johns, age 74, is retired on Social Security and resides in Southeast Portland.

Sister: Geri Wardinski, age 51, is the head nurse at Woodland Park Hospital and resides in Milwaukie.

Sister: Barbara Lindstrom, age 48, is a housewife and lives in Bremerton, Washington.

Brother: Joe Johns, age 43, works at the family's deli and resides with the defendant and their mother in Southeast Portland.

RE: JOHNS, Kimberly A.

FAMILY HISTORY: (Cont'd)

Sister: Sharon Langon, age 43, works at the family deli and resides in Portland.

Sister: Jackie Johns, age 40, is a ranch manager and resides in Mitchell, Oregon.

Sister: Lana Johns, age 39, is a marketing manager and resides in Los Angeles, California.

MARITAL HISTORY:

Defendant states he has never been married nor fathered any children.

HOME AND NEIGHBORHOOD:

Defendant presently resides at his mother's residence in Southeast Portland, the family home where all the siblings grew up. Prior to the instant offense, the defendant resided at his own home which is located approximately four blocks from his mother's residence. Defendant states that for financial reasons, he rented out his home and relocated to his mother's residence.

EDUCATION:

After discharge from the military in 1973, defendant states he entered the University of Minnesota and attended through the 1973-74 school year. The Records Office of this institution checked the records of day, evening and extension classes but were unable to locate any records of Johns' attendance.

In the summer of 1974, Johns attended Portland Community College achieving average grades and then transferred to Oregon State University in September, 1974. Johns remained at Oregon State through the spring of 1975, achieving average grades. The defendant then attended Portland Community College for one term in the winter of 1976. He returned to Portland Community College again in the winter term of 1977 through the summer term of 1977, and received an AA degree in criminal justice.

From September, 1977 through May, 1978, the defendant attended Western Oregon State College achieving average grades. Again, defendant returned to Portland Community College in the winter of 1979 and attended again in the winter of 1981.

INTERESTS AND LEISURE TIME ACTIVITIES:

Defendant has had a long-time interest in football and was a very accomplished field goal kicker in high school. He played one year at Oregon State University and eventually one year with the Vanport Thunderbirds semi-professional football team. Johns eventually, with the aid of his brother, started the Oregon City Steelheaders, a semi-professional football team. Defendant also practices his hobby of falconry and enjoys hunting and scuba diving.

HEALTH:

Physical

The defendant is an adult male who stands 5 feet 6½ inches tall, weighs 173 pounds

RE: JOHNS, Kimberly A.

HEALTH: (Cont'd)

with dark brown hair and blue eyes. Johns indicates his health at present is good, but experienced surgery on his nose in 1975 and had a cyst removed from his chest in 1981. Defendant related that he experienced ulcers during his adolescent years when there was conflict between he and his brother. Military records substantiate that Johns suffered from duodenal ulcers.

In discussing alcohol, Johns stated he very seldom consumes alcohol and then only socially. Regarding drugs, the defendant related that he experimented with several substances including marijuana and speed during his high school years, but states he discontinued and uses no drugs or narcotics at present.

Mental and Emotional

Basically, the defendant was cooperative in providing information requested by the probation officer in the preparation of this report. Johns is a personable and outgoing individual and was candid in his responses to most questions and chose to elaborate on information. However, in some questions Johns was very guarded and would contact his attorney prior to providing an answer. Conversations and written material suggest the defendant is of average to above-average intelligence and ability.

From all indications, the defendant was reared in a large, close-knit family as the youngest child or "baby of the family" and was seemingly over-indulged. After the death of his father, his brother fourteen years his senior, having his brother's best interests at heart, attempted to fulfill his father's role regarding guidance and discipline. However, there developed considerable conflict between the two brothers and eventually Johns became rebellious, experimented with drugs and eventually chose to leave home.

Defendant appears to have continued immature behavior throughout high school and into the military. In a psychological evaluation by the United States Air Force in 1973, it was indicated that the defendant evidenced a character and behavior disorder classified as passive aggressive, immature and schizoid. There is also indication the defendant became increasingly anxious and tense when around noise from aircraft. The evaluation also stated, "The noise of the aircraft seems to aggravate some of the aggressive urges which are part of the personality of Mr. Johns." The report concluded by indicating, "The apparent history of underlying hostile feelings and low frustration tolerance will cause Mr. Johns to have continued difficulty in adequately coping and functioning in the United States Air Force."

In conversations with the probation officer, Johns related that after approximately seven months in the Air Force, he realized it was not for him and did his utmost to be discharged. Johns related he purposefully acted out and eventually stated to his commanding officer that, "I entered the military to go to war and I either want to be sent to Vietnam to engage in battle or be discharged." Shortly thereafter, Johns was released.

During the course of this investigation, Johns omitted certain facts regarding pertinent information. For example, defendant adamantly stated that he was involved in no illegal activity related to his gun store prior to his involvement in the

RE: JOHNS, Kimberly A.

HEALTH: (Cont'd)

instant offense. However, information was obtained by the probation officer that Johns had personally sold small quantities of cocaine to undercover officers on at least two occasions in his gun store. Initially, the defendant denied this. The probation officer later obtained a statement from one undercover Portland police officer who bought cocaine from Johns personally and another police report in which Johns sold cocaine to another undercover officer on November 10, 1983. At one point Johns indicated he did not recall the incidents, but later admitted he has "helped friends obtain small amounts of cocaine for their personal use."

It should be noted that investigative reports of AT&F tend to imply that the defendant was involved in the instant offense from the very beginning when codefendant Satterlund began talking to undercover agents regarding a deal. However, the prosecuting attorney has indicated there is no evidence to substantiate that Johns became involved prior to September. In addition, the probation officer has listened to numerous taped conversations which also tend to substantiate this.

It is the probation officer's opinion that Johns is a very intelligent and enterprising individual who has continued to perpetuate various business opportunities including his gun store and security business. It appears that after codefendant Satterlund had already been contacted by and negotiated with undercover agents for a possible deal in which cocaine could be traded for illegal weapons, Johns saw an opportunity to gain considerable profit. It is not known to what extent defendant was involved with cocaine prior to his involvement in the instant offense. However, after realizing the profit potential in a kilo of cocaine, it appears Johns entered into negotiations with codefendant Satterlund.

EMPLOYMENT:

In 1976 while still in college, the defendant formed and operated U.S. Investigation Agency, a security company that specialized in collections and process service in Portland and Salem. After leaving Western Oregon State College in 1978, the defendant returned to Portland where he worked with various family members in their "Penny Saver Market & Deli" that was started in 1977 in Southeast Portland near the family home. Defendant continued to generally work days at the market and nights with his security firm.

In 1979, the defendant formed USIA Weapons Sales, the gun store in question regarding the instant offense. This business was operated in a store above the family market. In addition, in 1982 the defendant formed USIA Underwater Equipment Sales which specialized in scuba diving equipment.

Also, sometime prior to the instant offense, the defendant formed USIA Weapons Manufacturing Corporation and Satter-Johns Weapons Systems Corporation (in conjunction with codefendant Satterlund). These two companies were going to be used to manufacture weapons and equipment, but never really got going.

In May, 1974, the defendant was employed as a warehouseman with the White Farm Equipment Company in Hopkins, Minnesota, earning \$3.85 per hour. Personnel

RE: JOHNS, Kimberly A.

EMPLOYMENT: (Cont'd)

records indicate the defendant was only employed with this company for approximately one week. Defendant states he got this job when he started attending the University of Minnesota. They were unable to provide any further information or whether he would be considered for re-employment.

From September 10, 1973 to March 15, 1974, the defendant was employed as a shop productions worker with Freightliner Corporation in Portland. He earned \$4.29 per hour and was termed by the payroll manager as a good employee with above-average attendance, ability and reliability. Defendant left this job to further his education. There was no indication as to whether he would be considered for re-employment.

MILITARY SERVICE:

On November 27, 1972, the defendant voluntarily entered the United States Air Force, where he eventually became stationed at Mt. Home Air Base in Idaho. During his tour of duty, the defendant was given a psychiatric evaluation from June 1st through June 4, 1973. As indicated previously, the Air Force doctor felt the defendant had a character disorder involving a passive aggressive personality. The evaluation indicated Johns became anxious and tense when around aircraft engine noise. On July 30, 1973, the defendant received an honorable discharge.

FINANCIAL CONDITION:

The defendant owns a home in Southeast Portland valued at \$65,000 with a present balance of \$58,000 and a monthly payment of \$487. Presently, he rents this house out for \$500. Johns also owns a 1971 Chevrolet worth approximately \$2,000. He states he owes approximately \$10,000 to \$15,000 in attorney fees and owes an additional \$6,000 on miscellaneous bills and credit cards for which he pays approximately \$150 per month. Presently, the defendant receives approximately \$200 per week for his work at the family market and deli and an additional \$175 per week from his U.S. Investigation Agency security company.

RE: JOHNS, Kimberly A.

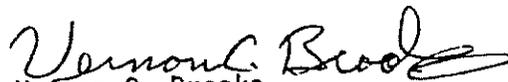
EVALUATION:

Before the Court for sentencing is this 29 year old single male who was found guilty of one count in a stipulated facts trial of Possession of an Unregistered Machine Gun. Johns, through his ownership of a weapons store, was able to acquire the necessary weapons and codefendant Satterlund, with talents as a machinist, was able to modify semi-automatic weapons so they could function as machine guns. In addition, silencers for those weapons were built. These weapons and silencers were to be exchanged for one kilo of cocaine with drug dealers who turned out to be AT&F undercover agents. Johns has only one previous arrest in 1975 for possession of two marijuana plants.

Defendant was reared in a large, close-knit family as the youngest child. However, when Johns was 7 years of age, his father died and his older brother attempted to assume the paternal role. As the baby of the family, defendant appears to have been spoiled and apparently considerable conflict developed between Johns and his brother. The defendant became rebellious and eventually left home. Johns experienced adjustment problems in the military, but did receive an honorable discharge and continued his education in several colleges. While in college in 1976, having an interest in law enforcement, Johns started a security company and eventually opened a gun store. He is obviously very enterprising and started several other businesses involving weapons and scuba diving equipment.

There is evidence and self-admission that defendant sold small amounts of cocaine on at least two occasions to undercover officers prior to his arrest for the instant offense. From all indications, codefendant Satterlund eventually began making "sears" to convert semi-automatic weapons to fully automatic. He entered into negotiations with undercover agents, whom he assumed to be drug dealers, to exchange these weapons for cocaine. After three or four months of negotiations with agents, Johns decided to become involved. Defendant admits various motives, but states profit was a primary influence. It is the probation officer's opinion that Johns, who had at least already "dabbled" in cocaine, saw the potential profit from a kilo of cocaine and became involved. Johns appears to have the intellectual ability to effect a positive change in his behavior. However, it is difficult to accurately pre-determine his motivation to do so. Sentencing deliberations are expected to address issues of deterrence and the potential seriousness of the offense.

Respectfully submitted this 1st day of March, 1985.


Vernon C. Brooks
U.S. Probation Officer

No average sentence data available.

PAROLE ESTIMATE

"Salient Factor" Score/Degree of Risk - 9/VERY GOOD
Classification of Offense - Category 6

Parole likely after serving 40 to 52 months.
If parole is not granted, release would occur after serving approximately two-thirds of the sentence imposed.