

UNITED STATES DISTRICT COURT  
for the  
District of Alaska

Petition for Warrant for Person Under Supervised Release

**Name of Defendant:** Alexander Jay Netling **Case Number:** 3:18-CR-00028-001-TMB  
**U.S. Marshals Service No.:** 20258-006  
**Name of Judicial Officer:** Honorable Timothy M. Burgess, United States District Judge  
**Date of Original Sentence:** August 1, 2018  
**Original Offense:** Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2),  
a Class C felony  
**Original Sentence:** 60 months imprisonment followed by 3 years supervised release  
**Type of Supervision:** Supervised Release  
**Supervision Commenced:** October 23, 2023  
**Assistant U.S. Attorney:** William Taylor **Defense Attorney:** Steven M. Wells

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**PETITIONING THE COURT**

- To issue a warrant
- To issue a summons

The probation officer believes the defendant has violated the following condition(s) of Supervised Release:

<u>Violation Number</u>	<u>Nature of Non-compliance</u>
1	The defendant violated the Special Condition of Supervision " In addition to submitting to drug testing in accordance with the Violent Crime Control and Law Enforcement Act of 1994, at the direction of the probation officer the defendant shall obtain a substance abuse assessment and participate in any recommended treatment. The treatment program must be approved by the United States Probation Office and the program must include testing to determine whether the defendant has reverted to the use of drugs or alcohol. At the direction of the probation officer, the defendant may be required to pay for all or a portion of any treatment program. In addition to urinalysis testing that may be a part of a formal drug treatment program, the defendant shall submit up to 12 urinalysis tests per month," in that the defendant has failed to report for drug testing on January 16 and 25, 2024. This is a Grade C violation.
2	The defendant violated the Standard Condition of Supervision "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," in that

on January 30, 2024, the defendant's employer confirmed he has failed to report to work for the past two weeks, and the defendant failed to notify his probation officer. This is a Grade C violation.

#### **DECLARATION IN SUPPORT OF PETITION**

I, Benjamin Schmidt, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of Supervised Release for Alexander Jay Netling, and in that capacity declare as follows:

On December 21, 2023, a Report on Person Under Supervised Release was filed after the defendant admitted to ingesting methamphetamine. A treatment intervention was sought and approved as the recommendation from U.S. Probation by the Honorable Timothy M. Burgess, U.S. District Judge.

On January 11, 2024, the defendant failed to report for his scheduled substance abuse assessment.

The defendant failed to report for drug testing on January 16 and 25, 2024.

On January 30, 2024, U.S. Probation contacted the defendant's employer who stated the defendant had not shown up for work at all within the past two weeks.

#### **ADJUSTMENT TO SUPERVISION**

When the defendant commenced his supervised release term in late October 2023, he was making good progress, and he already had employment after obtaining it during his time at the halfway house. He then moved into a stable residence and was providing negative drug tests. In December 2023, the defendant admitted to using methamphetamine and agreed to pursue a substance abuse assessment, which was scheduled on January 11, 2024, that he failed to attend. It was at this time the defendant started to stop communicating regularly with his probation officer. After multiple attempts to contact the defendant both at his residence and over the phone, he has made no contact with U.S. Probation since his last phone call with this officer on January 8, 2024. His phone number appears to be shut off and no longer accepting calls. His state probation officer informed this officer he had missed a schedule office visit with them on January 18, 2024, and are also unable to make contact with the defendant. It appears the defendant has absconded from his requirements with supervised release and his whereabouts are currently unknown due to his lack of communication with this officer.

#### **RISK OF NONAPPEARANCE**

The defendant is a risk of nonappearance based on the following:

- Criminal Activity while under Supervision
- Substance Abuse History
- Supervised Release Status and Compliance
- Lack of Verifiable, Legitimate Employment
- History of Escape

#### **RISK OF DANGER**

The defendant is a risk of danger based on the following:

- Substance Abuse History

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- Supervised Release Status and Compliance
- Criminal Activity while under Supervision
- Pattern of Similar Criminal Activity History

**U.S. PROBATION OFFICER RECOMMENDATION:**

The term of Supervised Release should be:

- Revoked
- Extended for \_\_\_\_\_ year, for a total term of \_\_\_\_\_ years.
- The conditions of Supervised Release should be modified as follows:

The defendant’s criminal history category at the time of sentencing was V, and the aforementioned allegations are Grade C violations, which carry an advisory sentencing guideline range of 7 to 13 months. The defendant’s statutory maximum is two years.

Executed this 2nd day of February 2024 at Anchorage, Alaska, in conformance with the provisions of 28 U.S.C. § 1746.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

Respectfully submitted,



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Benjamin Schmidt  
U.S. Probation Officer  
February 2, 2024

Approved by:



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Chris Liedike  
Supervisory U.S. Probation Officer

UNITED STATES DISTRICT COURT  
for the  
District of Alaska

UNITED STATES OF AMERICA )

vs. )

ALEXANDER JAY NETLING )

Case Number: 3:18-CR-00028-001-TMB

ORDER

Based on the *Petition Warrant for Defendant Under Supervised Release* filed on February 2, 2024, regarding the above-named defendant, **IT IS HEREBY ORDERED that:**

A WARRANT FOR ARREST be issued and delivered to the U.S. Marshal's Service; and that the petition, probation officer's declaration, this order, and a copy of the warrant be sealed in the Clerk's file and disclosed only to the U.S. Attorney for their official use, until the arrest of the defendant.

The petition for Supervised Release revocation is referred to the Magistrate Judge for initial appearance/preliminary hearing(s). The evidentiary hearing, if any, will be before the Magistrate Judge only upon consent; otherwise the evidentiary hearing will be before the undersigned District Court Judge.

**OR**

The petition for Supervised Release revocation is referred to the Honorable United States District Judge Timothy M. Burgess (if available) for initial appearance/preliminary hearing(s), and evidentiary hearings. If the District Judge is unavailable, the matter is referred to the Magistrate Judge for initial appearance/preliminary hearing(s).

A summons be issued.

The petition for Supervised Release revocation is referred to the Magistrate Judge for initial appearance/preliminary hearing(s). The evidentiary hearing, if any, will be before the Magistrate Judge only upon consent; otherwise the evidentiary hearing will be before the undersigned District Court Judge.

**OR**

The petition for Supervised Release revocation is referred to the Honorable United States District Judge Timothy M. Burgess (if available) for initial appearance/preliminary hearing(s), and evidentiary hearings. If the District Judge is unavailable, the matter is referred to the Magistrate Judge for initial appearance/preliminary hearing(s).

Other:

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ORDER

Alexander Jay Netling 3:18-CR-00028-001-TMB

Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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Honorable Timothy M. Burgess  
United States District Judge