

MAR 21 2013

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IN THE DISTRICT COURT FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF)
SECURITIES, ex. Rel. Irving L. Faught,)
Administrator,)

Plaintiff,)

vs.)

GLOBAL WEST FUNDING, LTD., CO.,)
An Oklahoma limited liability company,)
et al.,)

Defendants.)

Case No. CJ-2009-2773

UNOPPOSED MOTION TO MODIFY JUDGMENT AND SENTENCE

Pursuant to 22 O.S. § 982a, Joe Don Johnson respectfully submits this Motion to Modify Judgment and Sentence for the reasons set forth below:

1. On July 18, 2011, the Court entered a judgment and sentence of six months detention and a \$500 fine against Joe Don Johnson for indirect criminal contempt.

2. This motion is made within two years of the entry of the judgment and sentence.

3. Joe Don Johnson has been in federal custody since April 19, 2012.

4. On March 25, 2013, Joe Don Johnson will be sentenced to a significant period of federal incarceration. The sentence to be imposed may be as high as 120 months. He has requested a sentence of 72 months.

5. As the instant sentence was imposed prior to the federal detention and sentence, it does not indicate that it will run concurrent to the federal sentence. Moreover, as Joe Don Johnson is in federal custody, he would have to be writted into state custody for processing before the instant sentence would run, resulting in the unnecessary expenditure of time and money by the county and federal governments. Additionally, a six month period of incarceration

following the completion of Joe DonJohnson's federal sentence would require a significant expense to the county, many years after the actions giving rise to the instant judgment and sentence.

6. As this sentence was imposed for indirect criminal contempt of court (an offense against the Court itself), there are no victims to be notified.

7. As evidenced by the signature on the proposed Modification of Judgment and Sentence, the Oklahoma Department of Securities has been consulted with regard to this modification and approves this modification.

8. A proposed order is attached hereto.

Respectfully submitted,



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ATTORNEY FOR DEFENDANT
JOE DON JOHNSON

CERTIFICATE OF SERVICE

This is to certify that on the 21st day of March, 2013 a true and correct copy of the above and foregoing instrument was mailed via U.S. Mail, postage prepaid, to the following:

Patricia A. Labarthe
Jennifer Shaw
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73102



MATTHEW C. KANE