



FEDERAL RESERVE BANK *of* KANSAS CITY

October 8, 2008

Ms. Patsy Jean Massey

[REDACTED]

Kansas City, Missouri 64152

Re: Criminal Conviction – Prohibition from Banking Industry

Dear Ms. Massey:

The Federal Reserve Bank of Kansas City has become aware that you were convicted upon a plea of guilty of attempted felony theft in connection with your employment by Premier Bank, Lenexa, Kansas. A copy of your judgment of conviction is attached. Because you have been convicted of a crime involving dishonesty or breach of trust, you are automatically subject to the prohibitions set forth in Section 19 of the Federal Deposit Insurance Act, as amended (“Section 19”)(12 U.S.C. § 1829) for banking organizations, and in Section 205 of the National Credit Union Act, as amended (“Section 205(d)”) (12 U.S.C. § 1785(d)) for insured credit unions.

Section 19 and Section 205(d) prohibit you from becoming or continuing as an institution-affiliated party with respect to any of the banking organizations or credit unions described below. This means that you may not, among other things, act as an employee, officer, director, or agent of these banking organizations or credit unions. Nor may you otherwise participate, directly or indirectly, in the conduct of the affairs of any of these organizations. You are also prohibited from directly or indirectly owning or controlling any insured depository institution or holding company. These statutes do not prohibit you from being a normal, arms-length customer of a banking organization or credit union, such as having a loan, checking or savings account.

The prohibitions of Section 19 and Section 205(d) cover all insured depository institutions, including, but not limited to, any bank, savings association or credit union, and their holding companies, as well as Edge corporations and Agreement corporations. The Federal Deposit Insurance Corporation may grant written consent for you to engage in otherwise prohibited conduct with respect to insured depository institutions, and the Federal Reserve may grant written consent with respect to bank holding companies and Edge and Agreement corporations. The Office of Thrift Supervision may grant consent with respect to savings and loan association holding companies. The National Credit Union Administration Board may grant consent for insured credit unions. The automatic prohibition does not cover non-bank subsidiaries of bank holding companies or uninsured branches or agencies of foreign banks, unless the appropriate federal banking agency takes further action against you.



Ms. Massey

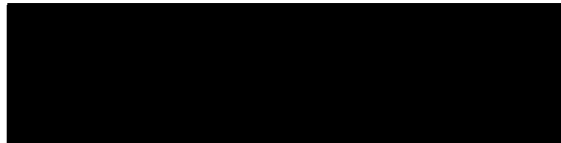
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October 8, 2008

Should you engage in prohibited conduct without obtaining the required consent from the appropriate agency, you could be subject to daily criminal fines of up to \$1,000,000 or up to five years imprisonment.

This letter will be posted on the website of the Board of Governors of the Federal Reserve System. If you believe that the prohibitions of Section 19 and Section 205(d) do not apply to you, because, for example, your conviction has been reversed on appeal, or for any other reason, please contact Ms. Haley Gibson, Enforcement Examiner, in writing at this Reserve Bank.

Sincerely,



Susan E. Zubradt
Vice President

cc: Ms. Stacy Lett, Esquire
7211 NW 83rd Street
Kansas City, Missouri 64152

Mr. Stephen H. Meyer
Assistant General Counsel
Legal Division
Board of Governors of the
Federal Reserve System

Mr. Richard Gross
Case Manager, Special Activities
Federal Deposit Insurance Corporation

Mr. J. Thomas Thull
Commissioner
Office of the State Bank Commissioner

For Court Use Only (Seal)

Court Case Number

08CR1159

2007 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT

| | | | |
|---|--|--|--|
| SECTION I: CASE IDENTIFYING INFORMATION | | 1. Transaction No. | |
| 2. STATE v. <i>Foley Jean Massey</i> | | <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female | 3. Court O.R.I. Number KS046015J |
| 5. County JOHNSON | | 7. Sentencing Judge <i>Hon. Ruddick</i> | |
| | | 8. Sentencing Date <i>9.11.08</i> | |
| 9. Defense Counsel <input checked="" type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing Counsel Name (please print) <i>Left</i> | | | |
| 10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial (includes a plea on stipulated facts) <input type="checkbox"/> Jury Trial <input checked="" type="checkbox"/> Guilty Plea <input type="checkbox"/> Nolo contendere Plea | | | |
| 11. Date of Conviction: <i>7/18/08</i> | | | |
| 12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release | | | |
| SECTION II: CRIMINAL HISTORY CLASSIFICATION | | | |
| 1. Offender's Overall Criminal History Classification as Found by the Court: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I | | | |
| 2. Objection to Criminal History? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, By: <input type="checkbox"/> Defendant or <input type="checkbox"/> State Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended | | | |
| SECTION III: CURRENT CONVICTION INFORMATION | | | |
| 1. Name of PRIMARY Offense of Conviction: <i>Attempted Felony Theft</i> Count No.: <i>I</i> Date of Offense: <i>6/23/06 - 3/5/08</i> | | | |
| 2. K.S.A. Title, Section, Subsection(s): <i>21-3701, 21-3301</i> | | | |
| <input checked="" type="checkbox"/> Attempt (K.S.A. 2006 Supp. 21-3301.) <input type="checkbox"/> Conspiracy (K.S.A. 2006 Supp. 21-3302.) <input type="checkbox"/> Solicitation (K.S.A. 2006 Supp. 21-3303.) | | | |
| 3. Grade of Offense: (Check one in each row.) <input checked="" type="checkbox"/> Felony, Severity Level <i>10</i> <input type="checkbox"/> Misdemeanor, Class _____ <input type="checkbox"/> Person <input checked="" type="checkbox"/> Nonperson | | | |
| 4. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Off-grid <input type="checkbox"/> Nongrid | | | |
| 5. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated <i>7</i> Standard <i>6</i> Mitigated <i>5</i> Check applicable box(es). <input type="checkbox"/> Presumptive Prison <input checked="" type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729. <input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach.) | | | |
| THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 22-3426(c) and (d). PLEASE ATTACH SUPPLEMENTAL PAGE FOR ADDITIONAL OFFENSES OF CONVICTION. | | | |

FILED ON THE 30 DAY OF SEP 2008 AND
RECORDED IN THIS COURT, 10th JUDICIAL DISTRICT, JOHNSON
COUNTY, KANSAS

CLERK OF DISTRICT COURT
JOHNSON COUNTY

Rev. 07/2007

DATED THIS 30 DAY OF SEP 2008
BY [Signature] CLERK OF THE DISTRICT COURT
DEPUTY

2008 SEP 11 PM 3:30

6. SPECIAL RULE APPLICABLE: ☐ Yes ☒ No If Yes, enter the number(s) and brief description(s) corresponding to the applicable special rule (Complete Special Rules Supplemental Page and Attach): Number(s)

Description(s)

7. Was the crime *SEXUALLY MOTIVATED* pursuant to the KS Offender Registration Act, K.S.A. 2006 Supp. 22-4902 (c)(14)? ☐ Yes ☒ No
IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

8. Was offender determined by the Court to be an *AGGRAVATED HABITUAL SEX OFFENDER*? (K.S.A. 2006 Supp. 21-4642.) ☐ Yes ☒ No
IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

9. Is offender being sentenced pursuant to K.S.A. 2006 Supp. 21-4643 where offender is 18 years of age or older and the victim is less than 14 years of age?
☐ Yes ☒ No IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

10. Did offender, as determined by the court, commit the current crime with a deadly weapon? ☐ Yes ☒ No
IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

11. Was offender convicted of a violation of K.S.A. 65-4159 (manufacture or attempted manufacture), K.S.A. 65-7006 (possession of precursors with intent to manufacture), or K.S.A. 65-4161 (sale, possession w/ intent to sell)? ☐ Yes ☒ No IF YES, was there a finding by the Court that such manufacture or possession was for personal use? ☐ Yes ☒ No IF NO, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

SENTENCE IMPOSED:

1. Guideline Range Imposed: ☐ Aggravated ☐ Standard ☒ Mitigated ☐ Departure – COMPLETE SECTION IV

2. Prison Term: KDOC 5 months
(Enter months above then check one of the following.) ☐ Prison sentence imposed or, ☒ Underlying with probation granted.
☐ Off-grid Crime:
☐ Life - Minimum 15 yrs. ☐ Life - Minimum 20 yrs. ☐ Hard 10 ☐ Hard 25 ☐ Hard 40
☐ Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater. ☐ Life Imprisonment without Parole ☐ Death Penalty

3. Postrelease Supervision Term: ☒ 12 months ☐ 24 months ☐ 36 months ☐ 60 months (sex offense) - COMPLETE SECTION IV
☐ No Postrelease ☐ Lifetime

4. County Jail: (For misdemeanor or nongrid felony.) _____ months _____ days
(Enter county jail term above then check one of the following) ☒ Jail sentence imposed or, ☐ Underlying with probation granted.
☐ 3rd D.U.I. ☐ 4th or Subsequent D.U.I. (w/12 month postrelease) ☐ 3rd or Subs. Domestic Battery (w/in 5 yrs.) ☐ Animal Cruelty
☐ Probation granted after serving term of _____ months _____ days

5. Probation Term (If Granted): ☒ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months
☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729.
☐ Other:

Probation Supervision to: ☒ Court Services ☐ Community Corrections ☐ Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: _____ days

Assignment to Correctional Conservation Camp: ☐ Yes ☐ No

Comments:

SCN DATE 2008/09/18 07:11

SECTION IV. DEPARTURE INFORMATION

(PAGE 3)

1. Type of Departure: (Check all that apply.)

- ☐ Downward Durational ☐ Upward Durational ☐ Downward Dispositional ☐ Upward Dispositional
☐ Postrelease Supervision (up to 60 months for sexually motivated sex offense) – K.S.A. 2006 Supp. 22-3717(d)(1)(D)(i)
 [“Sexually motivated” defined in K.S.A. 2006 Supp. 22-3717(d)(2).]

2. Reasons Cited as Basis for Departure:

SECTION V. OTHER CONDITIONS

1. General/Special Conditions of Probation (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY)

2. Costs Ordered:

| | | | |
|---|------------------------|---|-------------------|
| Total Restitution (Please complete #3 below.) | \$ <u>Already Paid</u> | Probation Fee | \$ <u>Ordered</u> |
| Total Court Costs | \$ <u>Ordered</u> | BIDS Attorney Fee | \$ <u>—</u> |
| Total Fines | \$ <u>—</u> | BIDS Administrative Fee | \$ <u>—</u> |
| DNA Database Fee | \$ <u>—</u> | Community Corrections Fee (offenses after 1/4/07) | \$ <u>—</u> |
| (K.S.A. 2006 Supp. 21-2511 & 75-724.) | | Booking/Fingerprint Fee | \$ <u>48-</u> |
| Extradition Costs | \$ <u>—</u> | Reward Reimbursement | \$ <u>—</u> |
| Domestic Violence Special Program Fee | \$ <u>—</u> | Children's Advocacy Center Assessment Fee | \$ <u>—</u> |
| Apprehension Fee (Escape/Agg. Escape) | \$ <u>—</u> | Medical Costs/Expenses Reimbursement | \$ <u>—</u> |
| Alcohol and/or Drug Evaluation Fee | \$ <u>—</u> | Court-Appointed Attorney Fee | \$ <u>—</u> |
| Witness Fee | \$ <u>—</u> | Other _____ | \$ <u>—</u> |
| KBI Lab Fee | \$ <u>—</u> | Other _____ | \$ <u>—</u> |
| Other Lab Fee | \$ <u>—</u> | Other _____ | \$ <u>—</u> |

Total Costs \$ Ordered

3. Restitution to be paid as follows:

| Amount | Name and Address |
|----------|------------------|
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |
| \$ _____ | _____ |

OCT 2007 2007/09/16 07:11

SECTION VI RECAP OF SENTENCE

1. Sentence Imposed:

Total Prison Term (if sentence imposed is to prison): _____

Total County Jail Term: _____ ☐ Consecutive to Prison Term

Total Underlying Jail Term (if sentence imposed is probation): _____

Total Underlying Prison Term (if sentence imposed is probation): 5 months2. Postrelease Supervision Term: ☒ 12 months ☐ 24 months ☐ 36 months ☐ 60 months ☐ No Postrelease ☐ Lifetime3. Probation Term Imposed (select one): ☒ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729.☐ Correctional Conservation Camp☐ Other: _____

4. Jail Credit Enter dates, and days, of potential jail credit for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

*Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N*Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ NN *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N☐ N *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N *Location _____ From: _____ To: _____ = _____ Days ☐ A ☐ N☐ N *Enter appropriate letters to indicate the type of location where credit may have been earned:

J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked).

Sentencing Date: 4/14/08 - Total Number of Days of Jail Credit Actually Awarded 0 = Sentence Begins Date: _____

5. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:

Case No. _____ County _____ Sentence _____ Concurrent ☐ or Consecutive ☐Case No. _____ County _____ Sentence _____ Concurrent ☐ or Consecutive ☐Case No. _____ County _____ Sentence _____ Concurrent ☐ or Consecutive ☐Case No. _____ County _____ Sentence _____ Concurrent ☐ or Consecutive ☐

Others: _____

6. Miscellaneous Provisions:

☒ Defendant informed of right to appeal within 10 days of this date. K.S.A. 22-3608. (Required by case law.)☒ Defendant informed of potential rights of expungement under K.S.A. 2006 Supp. 21-4619. K.S.A. 2006 Supp. 21-4619(g).☐ Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 22-4901 et seq. (Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.) K.S.A. 2006 Supp. 22-4905(b)(2).☒ Defendant must submit specimens of blood or an oral or other biological sample pursuant to K.S.A. 2006 Supp. 21-2511, if not previously submitted. K.S.A. 2006 Supp. 21-2511(c).☐ Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 2006 Supp. 22-3717(d)(1)(D)(iv).☐ Defendant has been processed, fingerprinted and palmprinted. K.S.A. 2007 Supp. 21-2501(b).☐ Court remands Defendant to custody of Sheriff to begin serving sentence.☐ Court remands Defendant to custody of Sheriff to await transportation to the custody of the Secretary of Corrections.☐ Defendant to report to County Jail on the _____ day of _____, 20____, at _____ O'clock ☐ a.m. ☐ p.m. to start serving sentence.☐ House arrest is authorized for remaining _____ days after Defendant completes mandatory _____ hours in the County Jail.☐ Work release recommended (if accepted, defendant is to abide by recommendations of the program).☐ Other Comments: _____

SECTION VI - RECAP OF SENTENCE CONTINUED

(PAGE 5)

7. Border Box Findings K.S.A. 2006 Supp. 21-4704(f):

(Check if appropriate)

- ☐ An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- ☐ the recommended treatment program is available and the offender can be admitted to the program within a reasonable period of time; or
- ☐ the non-prison sanction will serve community safety interests by promoting offender reformation

8. If made, Motion for New Trial: ☐ Granted ☐ Denied9. If made, Motion for Judgment of Acquittal: ☐ Granted ☐ Denied10. If made, Motion for Arrest of Judgment: ☐ Granted ☐ Denied

11. Additional Comments:

SECTION VII - SIGNATURES

1. Judge's Signature:

Signed: _____

Printed: _____

2. Date:

9.11.08

3. Name of Prosecuting Attorney:

Signed: _____

Printed: _____

Supreme Court Number: 20251Date: 9/11/08Address: Johnson County District Attorney's OfficeP.O. Box 728Olathe, KS 66051Phone No: 913-715-3000

4. Name of Defense Attorney:

Signed: _____

Printed: _____

Supreme Court Number: 21420Date: 9/11/08Address: 7211 NW 43rd St, Ste 330KCMO 64157Phone No: 816-741-006811:10 01/09/2008 11:10
2008/09/10 07:14
SCAN DATE