UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, 　　　　　Plaintiff, 　　v. McDONALD ROOFING AND CONSTRUCTION, INC., 　　　　　Defendant.	Case No. 1:12-CR-067-BLW **ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is a Report and Recommendation filed by the United States

Magistrate Judge. (Dkt. 14). On March 15, 2012, Defendant McDONALD ROOFING

AND CONSTRUCTION, INC. appeared before the Magistrate Judge to enter a change of

plea pursuant to a written plea agreement. The Magistrate Judge conducted the plea

hearing and concluded there is a factual basis for Defendant's plea of guilty to the

charges contained in Count One of the Information (Dkt. 1), and that it was entered

voluntarily and with full knowledge of the consequences. No objections to the Report

and Recommendation have been filed.

The Court now has reviewed the record, and finds that the requirements of Rule 11

have been met. *See United States v. Reyna-Tapia,* 328 F.3d 1114 (9th Cir. 2003).

Specifically, the Court finds that the Magistrate Judge adhered to the requirements of

Rule 11(b); that under Rule 11(b)(2), the Defendant's plea was voluntary and not the

result of force or threats or promises apart from the plea agreement; and that a factual

basis for the plea exists. *See id.* Accordingly,

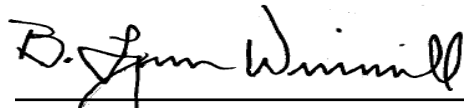**ORDER ADOPTING REPORT AND RECOMMENDATION - 1**

NOW THEREFORE IT IS HEREBY ORDERED that the Report and Recommendation (Dkt. 14) shall be, and the same is hereby, ADOPTED as the decision of the District Court and incorporated fully herein by reference.

IT IS FURTHER ORDERED that the Defendant's plea of guilty to the crimes charged in Count One of the Information (Dkt. 1), shall be, and the same is hereby, ACCEPTED by the Court as a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

IT IS FURTHER ORDERED that Defendant McDONALD ROOFING AND CONSTRUCTION, INC. is found to be GUILTY as to the applicable crimes charged in the Information. (Dkt. 1).

DATED: April 3, 2012

B. LYNN WINMILL
Chief U.S. District Court Judge