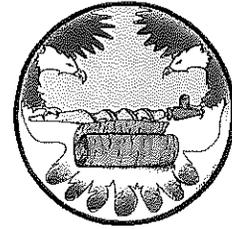


LITTLE TRAVERSE BAY BANDS OF  
ODAWA INDIANS

**Tribal Court  
Criminal Division**



Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Phone: 231-242-1462

Case No: **CR-107-0616**

The People of the Little Traverse Bay Bands of Odawa Indians

v.

Nathaniel J. Gibson

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**ORDER OF SENTENCING**

A Sentencing Hearing was held on September 15, 2016, in which LTBB Prosecutor Catherine Castagne and Defendant Nathaniel J. Gibson were present.

The parties came to a resolution, in which the Defendant entered a plea of guilty to the charge of Count 1, Forgery WOTC 9.107 (G)(1)(a) in exchange for a dismissal of Counts 2 and 3, also Forgery under WOTC 9.107 (G)(1)(a). If convicted of all three counts, the Defendant faced up to 540 days in jail, \$15,000 in fines, Court costs, restitution and all other remedies available by law. The Court accepted the plea agreement and the plea. Therefore, the maximum penalty the Defendant now faces is 180 days in jail, \$5,000 fine, Court costs, restitution and all other remedies available by law.

The Court received the following documentation prior to sentencing: A pre-sentence report from LTBB Probation Department, a victim impact statement, and a recommendation from the Prosecutor. The Court considered all of the documents submitted. The Court also looked to the remorse of the Defendant in crafting an appropriate sentence. Reports show that Mr. Gibson has not taken this process seriously and has shown little remorse. In determining sentencing, the Court looked at how this young man can become a productive member of the LTBB community. He has two young children, but hardly seems to be a good role model for them. The Defendant has a substantial criminal record that evidences a long-term abuse of mind-altering substances. He lives with his parents and despite being able-bodied, does not have permanent employment. When given an extraordinary opportunity by the Tribe to get an education that could have improved his life, he responded by stealing from the Tribe. Based on the records provided to the Court, the Court believes, that it is almost certain that without substantial intervention Mr. Gibson will be before this Court or another Court again for a continuation of his long criminal record. However, anyone can change, and Mr. Gibson is a young man with the ability to change if he is so motivated. Unfortunately, his failure to

comply with the reasonable requests of Probation prior to sentencing have made two things clear to this Court: 1) Mr. Gibson is not yet committed to change and 2) Mr. Gibson is not taking this interaction with the legal system seriously. The Court is sentencing Mr. Gibson accordingly.

The Defendant is hereby sentenced as follows:

1. 180 days in jail, to be held in abeyance pending successful completion of probation with zero tolerance for failure follow the terms of this order and the standard terms of probation;
2. A \$5,000 fine, \$4,000 of which will be held in abeyance pending successful completion of probation with zero tolerance for failure to follow the terms of this order in the standard terms of probation. The remaining \$1,000 fine shall be paid no later than December 1, 2016 unless a payment plan is approved by the Court Administrator;
3. Mr. Gibson shall pay restitution in the amount of \$200.62 by December 1, 2016;
4. Mr. Gibson shall complete 180 hours of community service, half of which must be at WOCTEP unless the WOCTEP declines;
5. 540 days of reporting probation;
6. Mr. Gibson shall comply with the standard terms as set forth by probation;
7. Mr. Gibson must either attend school full time with no unapproved absences and verification acceptable to Probation or work no less than 30 hours per week at a place Probation deems an appropriate place of employment with verification acceptable to Probation;
8. Mr. Gibson must write the victim a letter of apology satisfactory to Probation no later than October 1, 2016;
9. Mr. Gibson must remain drug and alcohol free and shall submit to random Preliminary Breath Tests (PBTs) as deemed appropriate by the Probation. PBT refusals or missed appointments for PBT tests are considered a positive result;
10. Mr. Gibson must call in daily to the Interactive Voice Response (IVR) as assigned by Probation to determine if screening is required that day;
11. Mr. Gibson must submit to random screening as directed by the IVR system, LTBB Probation, Tribal Court official, or a law enforcement officer; and
12. Mr. Gibson must report to LTBB Probation one time each week as scheduled for the first six months of probation. After six months, Probation has the discretion to reduce the reporting schedule to fit the monitoring requirements needed to ensure compliance by the Defendant for the remaining probation term.

Dated: September 15, 2016

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Hon. Allie Greenleaf Maldonado  
Chief Judge  
Little Traverse Bay Bands of Odawa Indians