

Prob 12  
(Rev. 3/88)

**UNITED STATES DISTRICT COURT**  
**For The**  
**WESTERN DISTRICT OF PENNSYLVANIA**

**U.S.A. vs. Scott R. McClausland**

**Docket No. 06-00040-001 Erie**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Scott R. McClausland, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 19th day of December 2006, who fixed the period of supervision at two years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- The defendant shall be placed on home detention for a period of 5 months, to commence at the direction of the Probation Office.
- The defendant shall consent to the United States Probation Office conducting periodic unannounced examinations of his/her computer system(s), which may include retrieval and copying of all memory from hardware/software and/or removal of such system(s) for the purpose of conducting a more thorough inspection and will consent to having installed on his/her computer(s), at his/her expense, any hardware/software to monitor computer use or prevent access to particular materials. The defendant shall consent to periodic inspection of any such installed hardware/software to insure it is functioning properly.
- The defendant shall provide the United States Probation Office with accurate information about his/her entire computer system (hardware/software); all passwords used by the defendant and his/her Internet Service Provider(s); and will abide by all rules of the Computer Restriction and Monitoring Program.
- The defendant shall submit his person, residence, place of business, computer, and/or vehicle, to a warrantless search conducted and controlled by the United States Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall inform any other residents that the premises and computer(s) may be subject to a search pursuant to this condition.

12-19-06: Conspiracy to Commit Copyright Infringement; 5 months' incarceration, 2 years' supervised release.

07-13-07: Released to supervision; Currently supervised by United States Probation Officer Matthew L. Rea.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

Your Petitioner reports the following violations:

**The defendant shall provide the United States Probation Office with accurate information about his entire computer system (hardware/software); all passwords used by the defendant and his/her Internet Service Provider(s); and will abide by all rules of the Computer Restriction and Monitoring Program.**

On August 21 and 28, 2007, Mr. McClausland was informed that his present computer operating system does not permit monitoring, and he will need to change to the one approved by the United States Probation Office as specified in the general provisions of the Computer Restriction and Monitoring Program Participant Agreement. As of this date, he has refused to install the approved operating system.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom C, Second Floor, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on Oct 4, 2007 at 2 pm, to show cause why supervision should not be revoked.

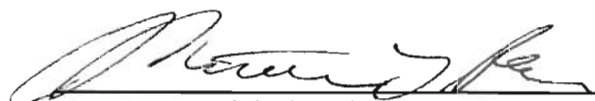
I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 7, 2007

**ORDER OF COURT**

Considered and ordered this 10<sup>th</sup> day of September, 20 07 and ordered filed and made a part of the records in the above case.

\_\_\_\_\_  
U.S. District Judge



Matthew L. Rea  
U.S. Probation Officer



Gerald R. Buban  
Supervising U.S. Probation Officer

Place: Erie, PA