



**U.S. Department of Justice**

*Karin J. Immergut*

*United States Attorney*

*District of Oregon*

*1000 SW Third Avenue, Suite 600 (503) 727-1000*

*Portland, OR 97204-2902 Fax: (503) 727-1117*

---

November 27, 2006

The Honorable Anna J. Brown  
United States District Court  
United States Courthouse  
1000 SW Third Avenue  
Portland, OR 97204-2902

RE: ***United States v. David Bacon***  
CR05-333

Dear Judge Brown:

In response to Mr. Minetto's email of November 22, 2006, I am enclosing a copy of Government's Exhibit 13 as it was admitted into evidence and went to the jury. I believe Mr. Minetto's email may be in error, referring to an earlier exhibit list. I also enclose the Government's Revised Exhibit, which was filed on October 16, 2006, the day of the pre-trial conference. Government's Exhibit 13 is properly described as "July 24, 2005, ATF 4473 (Steven Merriel Bacon) Q461E-3."

Thank you for your attention to this matter.

Very respectfully,

KARIN J. IMMERGUT  
United States Attorney

A handwritten signature in black ink, appearing to read "Thomas H. Edmonds". The signature is stylized and cursive.

THOMAS H. EDMONDS  
Assistant United States Attorney

Enclosure

cc: James E. Leuenberger

**Edmonds, Tom (USAOR)**

---

**From:** Steven\_Minetto@ord.uscourts.gov  
**Sent:** Wednesday, November 22, 2006 3:30 PM  
**To:** Edmonds, Tom (USAOR)  
**Subject:** US v. Bacon, CR 05-333 BR

Tom~

Please provide Judge Brown with a copy of Exhibit 13 which, according to your list, is the A&D book entry for proper designation of Thurman weapon, at your earliest convenience.

Thanks

Steve Minetto

**DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER**

Transferor's Transaction Serial Number 053v  
05106 098P

**WARNING: You may not receive a firearm if prohibited by Federal or State Law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm.**

Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on this form.

**Section A - Must Be Completed Personally By Transferee (Buyer)**

1. Transferee's Full Name (Last, First, Middle) <u>Bacon, Steven Merriel</u>	2. Residence Address (No., Street, City, County, State, ZIP Code; cannot be a post office box) <u>30839 SE Riverside Way #2 Eagle Creek, Clackamas Oregon 97022</u>
---	--

3. Place of Birth (City, State or foreign country) <u>Portland, Oregon</u>	4. Height <u>5'9"</u> Weight <u>180</u>	5. <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	6. Birth Date Month <u>06</u> Day <u>01</u> Year <u>1971</u>	7. Social Security Number (Optional, but will help prevent misidentification.)
---	--	--	---	--

8. Race (Ethnicity) (Check one or more boxes)

<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Black or African American	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander
<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> Asian	<input checked="" type="checkbox"/> White

9. What is your State of residence (if any)? Oregon (See Definition 5. If you are not a citizen of the United States, you have a State of residence only if you have resided in a State for at least 90 days prior to the date of this sale.)

10. What is your country of citizenship? (List more than one, if applicable.) USA

11. If you are not a citizen of the United States, what is your INS-issued alien number or admission number?



**Certification Of Transferee**

12. Answer questions 12a through 12l by writing "yes" or "no" in the boxes to the right of the questions.

a. Are you the actual buyer of the firearm(s) listed on this form? <b>Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. (See Important Notice 1 for actual buyer definition and examples.)</b>	<u>YES</u>
b. Are you under indictment or information in any court for a <b>felony</b> , or any other crime, for which the judge could imprison you for more than one year? (An information is a formal accusation of a crime by a prosecutor. See Definition 3.)	<u>NO</u>
c. Have you been convicted in any court of a <b>felony</b> , or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Important Notice 6, Exception 1.)	<u>NO</u>
d. Are you a fugitive from justice?	<u>NO</u>
e. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	<u>NO</u>
f. Have you ever been adjudicated mentally defective (which includes having been adjudicated incompetent to manage your own affairs) or have you ever been committed to a mental institution?	<u>NO</u>
g. Have you been discharged from the Armed Forces under <b>dishonorable</b> conditions?	<u>NO</u>
h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Important Notice 7.)	<u>NO</u>
i. Have you been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 6, Exception 1 and Definition 4.)	<u>NO</u>
j. Have you ever renounced your United States citizenship?	<u>NO</u>
k. Are you an alien <b>illegally</b> in the United States?	<u>NO</u>
l. Are you a nonimmigrant alien? (See Definition 6.)	<u>NO</u>

13. If you are a nonimmigrant alien, do you fall within any of the exceptions set forth in Important Notice 6, Exception 2?  
Yes  No  Not applicable  (If "yes," the licensee must complete question 18c.)

I certify that the above answers are true and correct. I understand that answering "yes" to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony. I understand that a person who answers "yes" to any of the questions 12b through 12k is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 12l is prohibited from purchasing or receiving a firearm, unless the person also answers "yes" to question 13. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law. (See Important Notice 8.)

14. Transferee's Signature <u>[Signature]</u>	15. Date <u>July 24, 2005</u>
--	----------------------------------