

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia**

In the Matter of)
)
Derek Ray Miller)
)

Docket No.: 16-0004-R4

NOTICE OF PROHIBITION

WHEREAS on or about June 15, 2015, Derek Ray Miller (“Miller”) was sentenced on the charge of Theft, Kan. Stat. Ann. § 21-5801(a)(1) and (b)(3), a charge to which he had previously pleaded nolo contendere, in connection with his employment at Kansas State University Federal Credit Union, in the District Court of Riley County, Kansas;

WHEREAS a violation of Kan. Stat. Ann. § 21-5801(a)(1) and (b)(3) is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S. C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), Miller is prohibited from becoming an “institution affiliated party” of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;

2. Pursuant to 12 U.S. C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Miller to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The "Order for Probation" document, Case No. 14-CR-614, is made a part hereof and is incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date set forth below.

IT IS SO ORDERED this 9th day of February, 2016.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: C. Keith Morton

C. Keith Morton
Regional Director
NCUA Region IV

ReA

IN THE DISTRICT COURT OF RILEY COUNTY
TWENTY-FIRST JUDICIAL DISTRICT

Derek R. Miller, DEFENDANT

SENTENCING JUDGE: Hon. David L. Stutzman

CASE NUMBER: 14-CR-614

CONVICTION(S): Theft

SENTENCE(S): 7 Months KDOC

**ORDER FOR PROBATION/PAROLE WITH RILEY COUNTY
COURT SERVICES**

On 6/15/2015, the court granted you probation/parole from serving your sentence(s) outlined above in the Riley County Jail. The court ordered that your probation/parole be supervised by Riley County Court Services, for a period of 12 months.

These are the conditions of your probation:

Personal Accountability:

1. You will report to Court Services as directed and scheduled.
2. You will permit Court Services officers to meet with you inside your residence or elsewhere.
3. You will notify your probation officer within 24 hours of any change in your residence, telephone number, employment, and education or treatment program.
4. You will remain in the State of Kansas unless you get permission from your probation officer.
5. You will comply with any curfew conditions set by your probation officer.

Laws:

6. You will obey all federal and state laws, municipal or county ordinances, including the Kansas Offender Registration Act and the DNA Collection Act.
7. You will report any contact with law enforcement to your probation officer no later than 24 hours after it occurs.
8. You will abide by all federal, state, and local firearms laws.

Prohibited Drugs:

9. You will not possess, use, or traffic any controlled substances or any other drugs not prescribed for you by a licensed medical practitioner, or use or abuse any intoxicating vapors.
10. You will submit to any form of random drug testing at the request of any court services officer, community corrections officer, or law enforcement officer, at your expense.

Employment/Education:

11. You will obtain and maintain approved employment or attend a suitable educational or work training program as directed by your probation officer.

Treatment, Programs and Placement:

12. You will comply with reasonable requests made by your probation officer regarding assessment, referral and placement for treatment or programs.

Search:

13. Upon reasonable suspicion of criminal activity or violating probation conditions, you will submit to a search of your person, property, residence, vehicle, or personal effects, with or without a search warrant, by a court services officer, community corrections officer, or law enforcement officer. Searches by court services or community corrections may be conducted with the assistance of any law enforcement officer.

Intermediate Sanctions:

14. Upon violation(s) of your conditions of probation, and upon waiver of violation hearing, you are subject to the service of two (2) and/or three (3) day periods of incarceration as an intermediate sanction to be imposed by your supervision officer.

Financial Accountability:

15. You will provide accurate information about your income and debts. Based on that information, your probation officer will decide on a reasonable monthly amount to be paid on what you owe for court costs, restitution, fines, fees, or other amounts ordered by the court. The amounts owed in your case are:

Court Costs: \$171
Restitution: Pending

Attorney Fee Reimbursement: None
Fines: None

Other Fees:
\$22 (Judicial Branch Surcharge)
\$200 (KBI DNA Database Fee)

\$120 (Correctional Supervision Fee)

Total: \$513.00

Minimum Monthly Payment: \$52.00 Payments to be made payable to:

Riley County District Court
100 Courthouse Plaza
Manhattan, KS 66502

The following special conditions were ordered by the Court:

- At your expense, obtain a Drug and Alcohol assessment and follow all recommendations. You will schedule and participate in any recommended treatment as directed by your probation officer. If assessment has been completed prior to sentencing, follow all recommendations.
- You will not possess or consume alcohol (including over-the-counter medication and mouthwash containing alcohol) and will not enter a business such as a bar or tavern where alcohol is a primary source of income. You may enter a business, such as a restaurant, where alcohol may be sold but is not the primary focus of the business. You will submit to any form of random alcohol testing at the request of Court Services or any law enforcement officer.
- No contact with
- Serve up to 96 hours in the county jail to be served in two 48 hour periods if you admit and/or test positive for the use of illegal substances (or alcohol if applicable) or; refusing to submit a valid sample as requested, and/or failing to submit a valid sample as requested. Work release is authorized during this/these period(s) at the discretion of your supervising officer, and if allowed, you will be subject to established work release policies and procedures.
- Serve 60 days in the Riley County Jail; 30 Days in 48 hr. periods/weekends starting June 19, 2015; two 15 day periods beginning 2/1/2016 and 5/9/2016.
- Supervision may be transferred to Sedgwick County, if accepted.

Probation is an opportunity, not a right. The Court can revoke your probation or parole for proven violations and can modify these conditions, including the length of supervision. Prior to a hearing on a motion to revoke, the Court can issue a warrant for your arrest, or you may be arrested by a Court Services Officer without a warrant.

Waiver of Extradition Rights

As part of this assignment to probation with Court Services, I give up all my rights to contest extradition to the State of Kansas from any jurisdiction in or outside the United States where I may be found. I agree that I will not contest any effort by any jurisdiction to return me to the State of Kansas. If I request that my supervision be transferred to another judicial district or State, I agree to cooperate fully with any additional terms required by that jurisdiction.

I have read these conditions or had them read to me. I understand them and I understand they are imposed as an alternative to me serving my ordered sentence. I agree to comply with these conditions.

Date

Defendant

Court Services Officer

District Judge

Orig: Court Clerk
Copies: File, County Attorney, Defendant