

SENTENCING MINUTES

Date: 07/27/2021

Judge: LIAM O'GRADY
Reporter: S. Wallace
Time: 9:57 a.m. – 10:01 a.m. (00:04)
10:26 a.m. – 11:18 a.m. (00:52)
11:25 a.m. – 12:27 p.m. (01:02)
(01:58)

Case Number: 1:19cr59

UNITED STATES OF AMERICA

Counsel/Govt: Gordon Kromberg, Heather Schmidt, Alexander Berrang, Laura Pino, FBI Special Agent

v.

DANIEL EVERETTE HALE

Counsel/Deft: Todd Richman, Cadence Mertz

Court adopts PSI () without exceptions () with exceptions: ()

Parties argue objections to the PSI – Court denies/overrules objections.

Standard Condition Supervision #13 to be amended/language added.

Request of defense counsel for Dr. Lynch report to be appended to PSI – GRANTED.

SENTENCING GUIDELINES:

Offense Level: 29

Criminal History: 1

Imprisonment Range: 87 to 108 months

Supervised Release Range: 1 to 3 years

Fine Range: \$30,000.00 to \$250,000.00

Restitution \$ None

Special Assessment \$100

Court departs from Guidelines pursuant to:

USSG 5H1.4

USSG 5K1.1

USSG 5K2.12

USSG 5C1.2

_____ Other: _____

Gov't argues for a substantial sentence.

Deft argues for a sentence of no more than 12 to 18 months and Supervised Release w/mental health counseling.

JUDGMENT OF THE COURT:

BOP for 45 months w/CTS.

Supervised Release for 3 Years, with special conditions: () Yes () No

No punitive fines/costs of incarceration imposed.

Special Assessment \$100

Defendant's oral Motion to Dismiss remaining counts with prejudice – GRANTED.

SPECIAL CONDITIONS:

1) The defendant shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the defendant has reverted to the use of drugs or alcohol, with partial cost to be paid by the defendant, all as directed by the probation officer.

2) The defendant shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the defendant as directed by the probation officer.

RECOMMENDATIONS to BOP:

Dft. To be designated to: FMC Butner first and then placed at a facility as close to the Northern Virginia area as possible.

_____ Dft. designated to facility to participate in ICC (Boot Camp) type program

_____ Dft. to participate in 500 hr Residential Drug Abuse Treatment Program (RDAP)

_____ Other: _____

Deft: () Remanded () Cont'd on Bond to Self-Surrender () Referred to USPO () Immediate Deportation