

SENTENCING MINUTES

Date: 05/07/2021

Judge: T.S. ELLIS III

Reporter: T. Harris

Time: 09:34 a.m.- 10:32 a.m.
(00:58)

Case Number: 1:19-cr-00253-TSE-2

UNITED STATES OF AMERICA

Counsel/Govt: Matthew Lamberti, Alexander Berrang

v.

DARRYL JULIUS POLO

Counsel/Deft: Elizabeth Mullin

- Gov't argues for a sentence of 57 months.
- Defense objects to the PO assessment of the 2-level enhancement for Use of Special Skill and argues for a sentence of 36 months.
- Court overrules defense objection and adopts PSI with exceptions: Court rules parties agreement on the applicable g/1 is appropriate.

SENTENCING GUIDELINES:

Offense Level: 23

Criminal History: II

Imprisonment Range: 51 to 63 months

Supervised Release Range: 1 to 3 years: Ct. 1, 6, 16

Supervised Release Range: 1 year: Ct. 8, 11

Fine Range: \$20,000 to \$2,000,000

Restitution \$TBD

Special Assessment \$100 (on each of Cts. 1, 6, 16)

Special Assessment \$25 (on each of Cts. 8, 11)

JUDGMENT OF THE COURT:

- Total BOP for 57 months (57 months on ea. of Cts 1, 6, 16 and 12 months on ea. of Cts. 8 and 11 -Concurrent)
- Total Supervised Release for 3 Years (3 years on ea. of Cts. 1, 6 and 16 and 1 year on ea. of Cts. 8 and 11 - Concurrent), with special conditions: (X) Yes () No
- Restitution to be determined at the conclusion of the Jury Trial of the remaining six (6) defendants.
- Special Assessment \$100 (on each of Cts. 1, 6, 16)
- Special Assessment \$25 (on each of Cts. 8, 11)
- Consent Order of Forfeiture entered in open court.
- Order on the pending charges in Michigan is stayed until after the Jury Trial of the remaining defendants.
- Defendant advised of his right to appeal his sentence.

RECOMMENDATIONS to BOP:

X Dft. To be designated to: a facility in the Las Vegas area to be near his family.

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

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

_____ Other: _____

Deft: (X) Cont'd on Bond to Self-Surrender not before August 16, 2021.