

Date: 09/29/09 SENTENCING  
Time: 11:28 To 12:00

Judge: LIAM O'GRADY  
Reporter: N. Linnell  
Interpreter: \_\_\_\_\_  
Language: \_\_\_\_\_

UNITED STATES of AMERICA

Case Number: 1:09CR00437-001

v.

PRESTON PINKETT

Counsel/Govt: Timothy Belevetz Counsel/Def: Jeremy Kamens  
Court adopts PSI () without exceptions () with exceptions: The court grants the Govt's under seal motion. The court imposed a sentence below the guideline range for the reasons stated in open court.

**SENTENCING GUIDELINES :**

Offense Level: 30 Court departs from Guidelines pursuant to:  
Criminal History: I \_\_\_\_\_ USSG 5H1.4  
Imprisonment Range: 99 to 121 months \_\_\_\_\_ USSG 5K1.1  
Supervised Release Range: 2 to 3 years \_\_\_\_\_ USSG 5K2.12  
Fine Range: \$ 15,000 to \$ 80,400,000 \_\_\_\_\_ USSG 5C1.2  
Restitution \$ 18,774,989.21 Other: \_\_\_\_\_  
Special Assessment \$ 100 ( ) Satisfied ( ) Unsatisfied, due immediately

**JUDGMENT OF THE COURT:**

BOP for 36 months with credit for time served  
Supervised Release for 3 Years, with special conditions: () Yes ( ) No  
Supervised Probation for \_\_\_\_\_ Years, with special conditions: ( ) Yes ( ) No  
Fine Imposed of \$ \_\_\_\_\_ due immediately/ monthly installments of \$ \_\_\_\_\_ to begin w/in \_\_\_\_\_ days of release from custody/imposition of sentence  
Restitution of \$ 18,774,989.21 due immediately/ monthly installments of \$ to be determined by P.O. to begin w/in 60 days of release from custody/imposition of sentence  
() Fine/costs of incarceration waived

**SPECIAL CONDITIONS:**

Dft. shall be supervised by Probation Services until designation by BOP  
 Dft. to remain drug free, submit to In/Out patient testing as directed.  
 Dft. must participate in \_\_\_\_\_ counseling as directed.  
 No new credit  
 Access to all financial records.  
 No purchases over \$ \_\_\_\_\_ without prior approval from the probation officer.  
 Pay restitution of \$ 18,774,989.21 in monthly installments of \$ to be determined by P.O. to begin within 60 days from release from custody/imposition of sentence.  
 Drug testing waived  
 Home Detention with electronic monitoring for the first \_\_\_\_\_ months of supervised release as directed by the probation officer.  
 Dft. must fully cooperate w/BICE in any deportation proceedings and, if deported, may not re-enter United States w/o permission.  
 Other: apply monies rec'd from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.

**RECOMMENDATIONS to BOP:**

Dft. to be designated to: FCI Cumberland Maryland, to be near his Family  
 Dft. to participate in 500 hrs Intensive Drug Treatment Program  
 Other: that the dft be evaluated for designation to a medical facility

Defendant: ( ) Remanded () Cont'd on Bond to Self-Surrender ( ) Referred to USPO ( ) Immediate Deportation  
pending designation by BOP as dir by P.O.