

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

United States of America

v.

Aticha Jittaphol

No. 21-CR-10270-MLW

**AFFIDAVIT OF ATICHA JITTAPHOL IN SUPPORT OF MOTION FOR
RELEASE FROM CUSTODY, OR, IN THE ALTERNATIVE, FOR WAIVER OF
PRESENTENCE REPORT AND IMMEDIATE IMPOSITION OF SENTENCE**

I, Aticha Jittaphol, attest:

1. I am the defendant in the above-entitled action.
2. Circumstances have changed since my prior motion seeking release, and since the time that the Court ordered my confinement. I have entered a "C Plea" agreement, providing for a sentence of time-served and no supervised release. A Rule 11 hearing is scheduled for June 23rd.
3. As of June 23rd, I will have been in custody for two months. My attorney has advised me that my sentencing guideline range is 0-6 months.
4. I believe that supervised release after sentencing is unwarranted and that if I am released pending sentencing that drug testing should be discontinued, although my reasoning likely differs from the Court's. I have not used methamphetamine or any other illegal drug since entering a halfway house in December 2021. Despite this, I continued to inconsistently test positive in sweat patch testing when on release. Consequently, I feel that it is impossible for me to comply with the conditions of probation if those conditions include negative sweat patch testing. There is nothing I can do or stop doing that would change the

results of the tests, since I was testing positive despite my not using methamphetamine. I do not need testing or supervision to remain sober, as I am committed to never using methamphetamine again.

5. I am willing to waive preparation of a presentence report if the Court would accept the "C Plea" and immediately proceed to sentencing.

6. If released, I will live at the home of my cousin, Rugsima Weiberger, and her husband, David Weinberger, at 73 Bristow St., Saugus, MA.

Signed under the penalties of perjury this 20 day of June 2022.

Aticha Jittaphol

ATICHA JITTAPHOL
