

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	
V.	)	CRIMINAL ACTION
	)	NO. 1:21-CR-178-JPB-1
CHARMAINE REDDING	)	
_____	)	

DEFENDANT’S SENTENCING MEMORANDUM

COMES NOW the Defendant, CHARMAINE REDDING, by and through undersigned counsel and hereby files this sentencing memorandum in support of a reasonable sentence. Ms. Redding submits this memorandum to assist the Court in determining the most appropriate sentence.

I. BACKGROUND

Prior to this case, Ms. Redding had never been arrested or charged with a crime. At the time of the offense, Ms. Redding was in a long-term relationship with an individual by the name of Ricky Dixon, who was later indicted for his role in the offense. She sincerely trusted Mr. Dixon and did not believe that he would lead her astray. Mr. Dixon introduced Ms. Redding to Darrell Thomas and Teldrin Foster. Darrell Thomas presented Ms. Redding an opportunity to apply for a loan in which he would complete all of the paperwork. When the loan was approved and the funds for the loan were deposited into her account, she immediately

contacted Darrell Thomas for an explanation. He instructed her to follow his instructions so that the loan would be forgiven. Ms. Redding complied with Darrell Thomas' instructions and transferred funds to different accounts. She was also informed that she could spend some of the money on bills and groceries. Ms. Redding accepts responsibility for her actions and understands there are consequences for her actions.

II. ARGUMENT AND CITATION OF AUTHORITY

The presentence investigation report ("PSR") calculates Ms. Redding's Offense Level as 18 and a Criminal History Category of I. The guideline sentencing range for Ms. Redding is 27 to 33 months.

A. Downward Variance Pursuant to 18 U.S.C. § 3553(a)

18 U.S.C. § 3553(a) directs district courts to "impose a sentence sufficient, but not greater than necessary, to" accomplish the purposes stated in 18 U.S.C. §3553(a)(2). District courts must consider the following factors prior to imposing a criminal sentence:

- (1) The nature and circumstances of the offense and the history and characteristics of the defendant.

- (2) The need for the sentence imposed to reflect the seriousness of the offense and provide just punishment, to afford adequate deterrence to criminal conduct, to protect the public from further crimes of the defendant, and provide the defendant with needed educational or vocational training or medical care in the most effective manner.
- (3) The kinds of sentences available.
- (4) The kinds of sentence and the sentencing range established under the guidelines.
- (5) Any pertinent policy statement issued by the Sentencing Commission.
- (6) The need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.
- (7) The need to provide restitution to any victims of the offense.

In this sentencing memorandum, Defendant will address the grounds for a downward variance pursuant to the 18 U.S.C. § 3353(a) factors.

1. Ms. Redding's history, circumstances of the offense, characteristics.

Defendant, Charmaine Redding, is twenty-seven years old. She was born and raised in Detroit, Michigan. She is the daughter of Niko Mathis and Lamaine Redding and has five siblings. Ms. Redding helps her mother take care of her younger siblings. She grew up in her mother's household and her grandmother

helped raise her. During her childhood Ms. Redding's relationship with her father was estranged from ages 8 to 17 due to the fact that he remarried.

Ms. Redding suffers from anemia and blood clots and is prescribed Eliquis for treatment. In May of 2021, she was diagnosed with COVID and shortly after she was hospitalized due to blood clots found in her lungs. According to Ms. Redding, she also suffers from depression and attends therapy once a week with Shannon Martin, a therapist in Troy, Michigan.

Ms. Redding truly believed that Mr. Dixon had her best interests at heart. Ms. Redding accepts responsibility for her decisions and conduct, but now recognizes that trusting Mr. Dixon was a grave mistake. By accepting responsibility, Ms. Redding has saved the government time and resources.

Ms. Redding's family, friends and members of the community have submitted letters of support on her behalf. *See Letters Submitted on Ms. Redding's Behalf* (attached as **Exhibits 1 through 8**). First, these letters speak to Ms. Redding's character. Dr. Ethman Schell, the Executive Director at Dunamis Community Organization, states that, "Charmaine's character has been upright in this community." Exhibit 2. Ms. Redding's co-worker, Geneva McCray, describes Ms. Redding as "an excellent co-worker, very hardworking and always motivating others to push harder." Exhibit 4. Ms. Redding's friend, Bianca Edwards, describes

Ms. Redding as “[an] honest person”, Exhibit 5. Ms. Redding’s cousin, Brandi Rigsby, describes Ms. Redding as “a woman of good moral character, responsible, trustworthy, and most importantly God fearing.” Exhibit 8. These letters are evidence that Ms. Redding is not the person perceived to be throughout this case. Ms. Redding is a kindhearted, loving, and honest person that made a mistake.

In addition, these letters speak to her love for her family, Ms. Redding’s mother, Neko Matthis, writes that “[Charmaine] has always and still is a major help to her younger siblings [and is] a mom to them while I’m at work.” Exhibit 1. Ms. Matthis also describes Ms. Redding’s commit to caring for her family, “[Charmaine] took care of her granny [and] grandfather while they were in their last days.” Id. Ms. Redding’s father, Lamaine Redding, states that, “[Charmaine] has a passion for ...taking care of her family.” Exhibit 3. Ms. Redding’s friend, Talaisha Lee, writes that “[Charmaine] spent every waking hour making sure her grandmother had everything she needed and wanted during her last waking days.” Exhibit 7. Ms. Rigsby writes that, “[Charmaine] has always been our family’s go to person to help with giving advice, cooking family meals, babysitting children, and even being a personal stylist.” Exhibit 8. Not only are these letters evidence that Ms. Redding has her family’s support, but they are also evidence that Ms. Redding greatly supports her family.

Further, nearly every letter submitted on Ms. Redding's behalf speaks to her commitment to her community. Dr. Schell describes Ms. Redding as having "a huge heart for God as well as, for others. Her peers respect her [,] and young people are drawn to her ... for a comfort and reassurance that they sometimes cannot get in their own homes." Exhibit 2. Mr. Redding, states that, "[Charmaine] has a passion for giving back." Exhibit 3. Ms. McCray, writes that her and Ms. Redding have "volunteered at the women's and children's shelter several times ... and donate[d] clothes...[Charmaine] would literally give the shirt off her back if needed." Exhibit 4. Ms. Edwards describes Ms. Redding's contributions to her community: "[Charmaine] also gives back to the community. She volunteers at women's shelters often. She takes multiple garbage bags filled with clothes, shoes, [and] sanitary items ... to the shelters." Exhibit 5. Ms. Redding's friend, Britney Hayes, states that, "Charmaine is very active in the church as being an advocate for the youth." Exhibit 6. Ms. Lee, writes that, "[Charmaine] has serviced the elderly, donate[d] to the less fortunate regularly, and is a supportive member of her church." Exhibit 7. Ms. Redding's cousin, Brandi Rigsby, states that, "Charmaine displayed acts of being charitable [at a young age]." Exhibit 8. These letters demonstrate Ms. Redding's commitment to her community. For the reasons stated above, a variance is appropriate because of the circumstances of the offense, Ms. Redding's medical and mental conditions, and her characteristics.

2. The need for just punishment, deterrence, protection of the public, and rehabilitation of the defendant.

A sentence that varies downward from imprisonment can still provide a just punishment for Ms. Redding. In *Gall v. United States*, 552 U.S. 38 (2007), the Supreme court recognizes that a sentence of imprisonment is not the only form of punishment that can substantially deprive a Defendant of their freedom. Probation deprives a defendant of their freedom by having strict requirements such as, notifying their probation officer any time they want to “leave the judicial district, move, or change jobs ... [and reporting] regularly to their probation officer.” *Gall v. United States*, 552 U.S. 38 (2007).

Ms. Redding has never been in any legal trouble. She is a gainfully employed and has supportive family and friends. While on pretrial supervised released, Ms. Redding has had no violations. Ms. Redding’s criminal history category indicates that a downward variation from imprisonment would adequately deter the defendant. In addition, her criminal history category indicates that she is not a risk to the public and that she is less likely to commit another crime. The United States Sentencing Commission (“USSC”) conducted a study on criminal history and recidivism. The USSC found that individuals in criminal history category 1 are less likely to recidivate. United States Sentencing Commission, *The Past Predicts the Future: Criminal History and Recidivism of Federal Offenders*, March 2017, <https://www.ussc.gov/sites/default/files/pdf/research-and->

publications/research-publications/2017/20170309_Recidivism-CH.pdf#page=12
(last visited 10/12/2021).

Ms. Redding graduated from high school and attended Baker College in Clinton Township, Michigan. While attending college classes she obtained a certified nursing assistant certification in 2012. Currently, Ms. Redding works at Quicken Loans as a client specialist.

3. The need for restitution

AF Holdings is a business started by Ricky Dixon, and Ms. Redding was the registered agent for the business and Ricky Dixon's business partner. Ms. Redding believe that this business was for a care facility and that she would be using her CNA certification to help with the business. However, Ricky Dixon was using AF Holdings' bank account to launder proceeds of fraudulent auto loans and PPP loans. Although Ms. Redding was not aware that he was using the business bank account for these purposes and she did not participate in the transactions, she has still agreed to pay the restitution associated with All Star Room and Board and AF Holdings.

Currently, Ms. Redding is gainfully employed with the ability to start making payments towards the restitution she must pay. It is highly unlikely that similar employment opportunities will be available to Ms. Redding if she is

sentenced to the guideline's custody range. A prison sentence will significantly hinder Ms. Redding's ability to pay restitution.

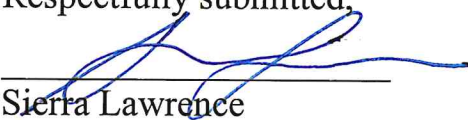
In addition, Ms. Redding has already demonstrated her commitment to paying her restitution. She understands that she must decrease her expenses and increase income. Recently, Ms. Redding accepted a conditional job offer with Stellantis | FCA US LLC. She is scheduled to start that position at the end of October. This position will be in addition to her current employment at Quicken Loans. Furthermore, Ms. Redding is taking the necessary steps to decrease her expenses. She sold her leased BMW and is working to sell her leased GMC. Ms. Redding's mother has agreed to move into her house in December to contribute to the mortgage, utilities, and groceries. All of Ms. Redding's actions show that she understands the importance of paying restitution in this case.

III. CONCLUSION

For the reasons set forth above, Ms. Redding respectfully requests that this Court impose a sentence that varies downward from imprisonment. Ms. Redding accepts responsibility for her conduct and is committed to paying restitution to the victims in this case. If given a non-custodial sentence, Ms. Redding will continue to support her family, friends, and community, and begin paying restitution.

Dated: This 13th day of October, 2021.

Respectfully submitted,



Sierra Lawrence

Georgia Bar No. 612519

Attorney for Defendant Charmaine Redding

2024 Beaver Ruin Road
Norcross, Georgia 30071
(770) 209-7999 (office)
(770) 209-0033 (fax)
Email: attorneysnl@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served opposing counsel, with a copy of the foregoing pleading, DEFENDANT'S SENTENCING MEMORANDUM, using the electronic filing system.

Dated: This 13th day of October 2021.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sierra Lawrence', is written over a horizontal line.

Sierra Lawrence

Georgia Bar No. 612519

Attorney for Defendant Charmaine Redding

2024 Beaver Ruin Road
Norcross, Georgia 30071
(770) 209-7999 (office)
(770) 209-0033 (fax)
Email: attorneysnl@gmail.com

Exhibit 1

Neko Mathis
19231 Williamson
Clinton Twp, MI
48035

To: The honorable Judge handling my daughters
case.

Dear Judge / Court System

I am writing you from a place of a very
scared, fearful, dissapointed but yet hopeful
mother. Never would I have imagined that
I would be in a position of not being able to
see my daughter on a daily basis. I noticed a
decline in her emotions last year I thought maybe
she's just upset/saddened by everything and everyone she
has lost in the past year due to Covid. This was
the case but she also was hiding from me
that she was even going through a case of being charged
with a dissapointing crime. My daughter was never
the type of kid to get in trouble, get bad grades
or be disrespectful. I'm a single mother and she
has always and still is a major help to her younger
siblings. Being a mom to them while I'm at work.
I raised her to do right by others, be kind,
be giving and love. I feel like I missed a
step on teaching her on how not to be so trusting
in others. I am speaking on woman who
took care of her granny & grandfather while they
both were in their last days. She stepped up when
no one else would and I couldn't because I
had to work.

Exhibit

is not who she may have been perceived to be. She understands who and what she has done wrong and who she hurt in the process. She is remorseful, and she is beating herself up on a daily. But also still trying to make things right however she can. She will never ever go down a road like this again and I can assure you this. Judge I pray you show my kid some leniency when making your decision as it will effect her whole family. We thank you for giving us a chance to reach you and give you some insight from people who really know her.

- Thank you Judge

X Pro Mathis

God
BLESS

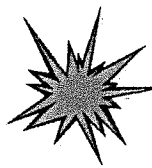


Exhibit 2

DUNAMIS COMMUNITY ORGANIZATION

Community Site:

6666 West Fort Street

Detroit, Michigan 48209

Telephone: (313) 216-9288 ~ Facsimile: (313) 216-9289

Date: July 7, 2021

Re: Letter to the Judge in connection with Charmaine Redding's sentencing

To: The Honorable Judge:

It is with absolute confidence and a great respect that I submit this letter of recommendation for Charmaine Redding.

Charmaine started as a student in the Modern Dance Program at Dunamis Community Organization. Dunamis starting serving the community in 1997: we promote, provide, carry out activities, facilities and projects for the benefit of the community.

Charmaine volunteered for Dunamis' summer camp monitor, and her character stood out as she displayed leadership abilities, she was moved into the role of a teen leader. Now, as an adult Charmaine volunteers as a small group leader, activities coordinator, and in the social media department. As you can see, I have known and watched Charmaine blossom into being an adult. She is, slow to anger and kindhearted.

Charmaine is very organized, detail oriented, and hard working. She has a huge heart for God, as well as, for others. Her peers respect her and young people are drawn not only to her ability to laugh and have fun with them, but for a comfort and reassurance that they sometimes cannot get in their own homes.

Charmaine's character has been upright in this community. She works hard and carries herself in a polite, respectable manner.

I understand the seriousness of this matter, and so does Charmaine. She sincerely regrets her actions and vows never to repeat them. I believe her because I know her well and humbly request a lenient sentence, she made a mistake.

It is my sincere hope the court takes this letter into consideration at the time of sentencing. I hope for mercy from the court. I truly believe Charmaine will emerge as a better person, a wiser person, making better decisions in her future.

Please do not hesitate to contact me if you should require any further information. My direct line is: 313-289-8550.

Sincerely,

Dr. Ethman Schell,

Executive Director

Dunamis Community Organization

Exhibit 3

Lamaine D Redding
15505 Carlisle
Detroit , Michigan

To the Honorable Judge

As a father I am hurt and pained by the news I received regarding my baby girls case. Charmaine is my 1st born , My mother and Fathers 1st grandchild , and also has my namesake . We had her when we were in high school. She has been my 1st love since the day she came into this world I am not for sure if you have little girl but if you do you know the feeling and the different type of love they give to a man . Charmaine has always been bright in school and at home . She has a passion for giving back and taking care of her family . My daughter is loved by many she is always the one in charge of family gatherings , she cooks for her whole family every Sunday . There was some years that I wasn't the best father to her and I am grateful that we are now back on track and making up for lost time . My kid is not the person that you reading in this case . I have spoken to her about everything that's been going on a daily basis . I can tell you she is scared (as she should be) remorseful , apologetic but also has been taking the right steps to get her life back on track the right way . She is ready to prove to the world the person we already know and love her to be . Charmaine made a very bad decision that has already cost her so much . She knows right from wrong and I can guarantee you she will never go down this path again in life . She will not let her mistakes define her . Judge when deciding my daughters fait I beg , plead and pray that you find it upon your heart to show leniency for our baby girl . She has a whole family that loves and needs her . Judge thank you so much for taking the time hear me out .

Exhibit 4

Dear Your Honor,

I have known Charmaine for 6 years. When I first met her we instantly became friends. She is one of the sweetest people that I have ever met. Charmaine is an excellent co-worker, very hardworking and always motivating others to push harder. From day one she always crushed any goals at work, goes above and beyond in all tasks and is an overall joy to work and be friends with. During our time working together, we've volunteered at the women's and children's shelter several times throughout the year and donate clothes often as well. She would literally give the shirt off of her back if needed.

Charmaine has always been one to follow the rules and I hope that this situation doesn't deter her from moving on and learning from this misconduct. I hope that this letter is taken into consideration and that Charmaine is able to continue her life and right her wrongs without having to be away from her family and many friends who love and adore her.

Respectfully,
Geneva McCray

Sent from my iPhone

Exhibit 5

Bianca Edwards
20895 Rockhill Dr
Macomb, Mi 48044

Dear honorable Judge,

I have known Charmaine Redding for atleast 10 years & during our friendship she has always been an upstanding citizen. I was very surprised to hear about her upcoming case because she has always been a honest person. It is for this reason I am happy to be writing this letter for Ms Redding regarding this matter. I understand the seriousness of this matter but I truly hope the court shows some leniency in her favor.

Charmaine has always been upright citizen in the community & also within our friendship. When I've had personal struggles she has always been someone I could rely on. She made it a point to be there for me & show tremendous support. Whether it was opening her home up to me or allowing me to utilize her vehicle until I was on feet, she always was there.

In addition to her being a great friend, she also gives back to the community. She volunteers at women's shelters often. She takes multiple garbage bags filled with clothes, shoes, & sanitary items just to name a few things down to the shelters. While I am extremely surprised to hear about this misconduct, I'm not shocked that Charmaine is ready to accept responsibility for her actions. I believe that as we move forward, she will emerge a better person. Charmaine has expressed a deep sense of remorse in making such a serious mistake and I believe in her ability to pay back her debt to society.

It is my sincere hope that the court takes this letter into consideration at the time of sentencing. Despite the current case, I still see Charmaine Redding as an honorable individual, a valuable citizen in the community and a great human being.

Sincerely,

Exhibit 6

07/09/2021

Britney Hayes
1521 E. Larned st. Apt. 3
Detroit, MI 48207

Dear Honorable Judge,

Charmaine Redding and I have been friends for 7 years and during our friendship she has been loyal, compassionate, a confidant, and honest. In 2017 I loss my spouse which was one of the hardest things I have ever had to deal with in my life. During this time, Charmaine was influential in my life because she connected me with a mental health therapist, she helped restore my faith, and she educated me on how to deal with grief and loss.

It is very heartbreaking to hear that Charmaine is in a situation that could potentially jeopardize her future; however, she is an upstanding citizen. Charmaine is very active in the church as being an advocate for the youth. Not only is she an advocate for the youth, but she also assists her single mother with taking care of her three younger brothers. Charmaine has expressed to me that she is deeply remorseful in making a mistake such as this.

Honorable Judge it is my sincere hope that the court takes this letter into consideration because Charmaine has a lot to offer the community, her family, and friends.

Sincerely,

Britney Hayes

Britney Hayes

Exhibit 7

Dear honorable Judge,

I am writing this letter given my dear friend, Charmaine Redding. I am honored to bring to you light the kind of person that she is despite the grave allegations in her upcoming case. I understand the seriousness of these allegations but looking at the current situation I would like to plead for leniency.

Charmaine Redding has been apart of my life for fifteen years and I know her to be nothing short of honorable. During our friendship she has been the epitome of an upstanding citizen. She has serviced the elderly, donates to the less fortunate regularly, and is a supportive member of her church. In addition to her passion for helping others, She dedicated her life to support her family... She spent every waking hour making sure her grandmother had everything she needed and wanted during her last waking days. She even supported her through countless surgeries.

In addition to her passion for helping others, she has made a tremendous impact on my life. My six year old son literally adorns her . He spends every weekend with her and she has taken on the epitome of a superb god mother since he was born. One thing I will always be indebted to her for is how she took over motherhood for me when I experienced postpartum depression. She not only took care of my son full time but made sure I was getting the proper care I needed as well. She is a natural born caretaker and nurturer .Ms. Redding has been the perfect example to me, of hard work and perseverance. Given the opportunity, she will emerge reformed.

I can say without a doubt that she feels a deep sense of remorse and is ready to take accountable ability for her actions. I hope you look into this matter and consider this letter before passing on any verdict. Charmaine will strive to make amends. And I am sure we will get to see her good works bringing fruitful results to our society again .

Thank you.

Sincerely,
Talaisha Lee

July 12, 2021

Brandi Rigsby
30017 Oakwood St
Inkster, MI 48141

Exhibit 8

To whom this letter concerns,

I, Brandi Rigsby, am writing this letter to provide a character reference regarding Charmaine Redding whom I have known for over 20 years. I was both troubled and shocked to hear about her being implicated in any legal matter as she has always been a woman of good moral character, responsible, trustworthy, and most importantly God fearing.

I realize that in black and white it may be difficult to see who a person really is, but nonetheless Charmaine is not who these court documents make her out to be. Charmaine and I grew up as cousins, but we are more like sisters. Even as children, Charmaine displayed acts of being charitable, ambition, leadership and independence. She has always been our families go to person to help with giving advice, cooking family meals, babysitting children and even being a personal stylist. Although she does not have any biological children, she treats my two daughters as her own. From the moment I found out that I would be coming into motherhood, I was afraid of the possibility of being an inadequate parent and the looming weight of its responsibilities. Charmaine assured me that I already possessed the warrior inside that I could not see myself. She even pledged an allegiance to myself and my children saying, "You got this B! What you do not have, WE will get!". It was in that moment that I knew that her words were as solid as the rock she perceived me to be.

Charmaine has accomplished so much in her life. She has successfully maintained employment at Quicken Loans for 6 years, which has been the vehicle to which Charmaine became a homeowner at 28. Usually at our age, we do not grasp the importance of ownership, instead we take the easy but more cost-effective route of renting homes. Seeing how Charmaine was able to acquire a home for herself has given me the motivation as a single mother to set the same goal. Charmaine's GREATEST accomplishment was surviving COVID-19 after testing positive, being hospitalized for days and suffering the aftereffects of the deadly virus. Amidst dealing with this current court case, trying to get back into better health, working full time and

July 12, 2021

being a positive product of her environment, Charmaine has always said, "I have faith. God will see me through this." It is her always seeing the glass as half full rather than half empty that encourages me daily.

In closing, it is in my sincere hope that the court takes this letter into consideration at the time of sentencing. Despite this current case, Charmaine would be more of an asset to society as opposed to this menace that your documents suggest. In your fact findings prior to this case, you will see that Charmaine has never been involved in any criminal activity. If Charmaine is guilty of anything, it would be loving and trusting blindly, always seeing the good in others. I hope that you recognize the power you wield with the regard to the future of Charmaine and make a fair decision.

Thank you,

Brandi Rigsby