

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 2:22-cr-39-SPC-NPM

DANIEL JOSEPH TISONE

**MOTION BY THE UNITED STATES FOR  
DOWNWARD DEPARTURE OF DEFENDANT'S SENTENCE  
BASED UPON SUBSTANTIAL ASSISTANCE**

Pursuant to the provisions of Section 5K1.1 of the United States Sentencing Guidelines, Title 18, United States Code, Section 3553(e), and Rule 35 of the Federal Rules of Criminal Procedure, the United States moves this Court to grant a two-level reduction in the defendant's offense level, and in support thereof states as follows:

**MEMORANDUM OF LAW**

The Court, on motion of the government, may reduce a defendant's sentence to reflect a defendant's substantial assistance. USSG §5K1.1. Here, the defendant provided truthful and timely information to the United States which aided the United States in its investigation and prosecution of another individual for Paycheck Protection Program (PPP) fraud.

The United States believes that, because of his efforts on behalf of the United States, Daniel Joseph Tisone should receive a two-level reduction in his offense level for his assistance.

**CONCLUSION**

For the foregoing reasons, this Court should grant the government's motion for downward departure of defendant's sentence.

Respectfully submitted,

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United States Attorney

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**U.S. v. Daniel Joseph Tisone**

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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