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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PROBATION OFFICE

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January 9, 2024

Jason R. Coody
United States Attorney

Joseph F. DeBelder
Federal Public Defender

Re: Felicia Jackson Stanley, DKT#4:22CR32-001
Amendment 821 Sentence Reduction

Eligibility

☐ Part A (Status Points) ☐ Part B (Zero Point Offender) ☒ Not eligible for Part A or Part B

The above-referenced case has been referred to the Court for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(2) and §1B1.10 of the *United States Sentencing Guidelines* based on Amendment 821. On August 31, 2023, the United States Sentencing Commission voted to add Parts A and B, subpart 1 of Amendment 821 to the list of amendments in §1B1.10 that may be applied retroactively. An order reducing the defendant's term of imprisonment must have an effective date of February 1, 2024, or later.

Part A, herein referred to as "status points," reappropriated §4A1.1(d) to §4A1.1(e) and amended the previous two-point upward adjustment, providing that one point is added if the defendant (1) receives seven or more points under §4A1.1(a) through (d), and (2) committed any part of the instant offense (i.e., any relevant conduct) while under any criminal justice sentence.

Part B, subpart 1, established a new guideline at §4C1.1, herein referred to as "zero-point offender," that provides for a two-level reduction to the offense level determined under Chapters Two and Three for offenders who did not receive criminal history points from Chapter Four, Part A and who meet nine additional criteria.

According to the Bureau of Prisons, the defendant's current anticipated release date is December 17, 2024.

Original Sentence:

Following an entry of a guilty plea, on May 2, 2023, the defendant was sentenced to 24 months imprisonment for Count 1: Conspiracy to Commit Wire Fraud; Count 2: Conspiracy to Commit Money Laundering; and Count 3: Knowingly and Willfully Making Materially False Statements, all counts to be served concurrently. The Court also imposed a supervised release term of 3 years, restitution in the amount of \$2,802,690.76, and a \$300 special monetary assessment. No substantial assistance motions were filed in this matter. According to the Statement of Reasons,

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the Court varied downward from the advisory guideline imprisonment range of 37 months to 46 months, and among the factors it considered, the Court explicitly cited “absolutely no criminal history.”

Sentencing Reduction Analysis:

Based on the above-noted information and in consideration of Amendment 821, Part B (“zero-point offender”), the custodial sentence imposed by the Court of 24 months is less than the minimum of the amended guideline imprisonment range of 30 to 37 months as determined pursuant to Amendment 821. As such, no further reduction is permitted pursuant to USSG §1B1.10(b)(2)(A). Further, it appears that the Court previously imposed a sentence that accounted for her status as a zero-point offender.

On January 3, 2024, the Court appointed the Federal Public Defender’s Office to assist the defendant in determining whether she is entitled to any relief under the 2023 Amendments to the Sentencing Guidelines.

Should you have any questions, please do not hesitate to contact me at (850) 521-3564.

Sincerely,

s/ April J. McCommon

April J. McCommon
Senior United States Probation Officer