

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

UNITED STATES OF AMERICA)
)
) **Case No.: 1:24-CR-00017-002**
V.)
)
CRYSTAL SAMANTHA SHAW)

GOVERNMENT’S SENTENCING MEMORANDUM

The United States of America, by counsel, having considered the facts and circumstances of this case, and the sentencing factors set forth in 18 U.S.C. §3553(a), respectfully recommends that Crystal Samantha Shaw (“Shaw”) be sentenced to a term of incarceration of 60 months, followed by three years of supervised release.

At this time, the government does not intend to call any witnesses or present any exhibits. The Presentence Investigation Report (“PSR”) and Agreed Statement of Facts accurately describe Shaw’s conduct and central role in the conspiracy to defraud the United States. *See* ECF No. 389; ECF No. 627 ¶¶ 3–78. This conduct resulted in the payment of \$34,650 in unemployment benefits that Shaw was ineligible to receive. ECF No. 627 ¶ 77. Shaw is also responsible for \$262,507 in benefits collectively received by codefendants Josef Brown, Jonathan Webb, Brian Addair, Josef Brown, Jeramy Farmer, Daniel Horton, Justin Meadows, Jason Worley, Christopher Webb, Jeramy Farmer, Cara Bailey, Jessica Lester, Russell Stiltner, Joseph Hass, Clinton Altizer, and Terrence Vilacha, for a total loss amount attributable to Shaw of \$297,157. *Id.* ¶¶ 78.

The PSR calculates Crystal Shaw’s total offense level of 22 and criminal history

category of V. *Id.* ¶¶ 367, 386. While the government failed to file an objection to the initial PSR, at the sentencing hearing the government intends to object to the PSR's application of the Base Offense Level of 7, rather than 6 as stipulated in the parties' plea agreement. *See* ECF No. 390. Application of the parties' stipulated Base Offense Level of 6 results in a Total Offense Level of 21, rather than 22. In either event, Shaw's guideline imprisonment range is 60 months because the statutorily authorized maximum sentence of 5 years is less than the minimum of the applicable guideline range as calculated in the PSR or as calculated based upon the parties' stipulation. ECF No. 627 ¶ 419. The guideline range for a term of supervised release is 1 year to 3 years. *Id.* ¶ 422.

Shaw's offense is a serious offense. According to the United States Department of Labor, Virginia paid approximately \$1.1 billion in fraudulent unemployment claims between April 1, 2020, and March 31, 2021.¹ By participating and playing a central role in this conspiracy to defraud the United States, Shaw contributed to the rampant and costly fraud that occurred during the COVID pandemic.

Shaw is 40 years old and his criminal history spans his entire adulthood, starting at age 23, and includes multiple drug and theft-related convictions. *Id.* ¶¶ 370-383. Shaw was primarily raised by her paternal grandparents as an only child. *Id.* ¶¶ 401-402. She has two children with co-defendant Jonathan Webb. *Id.* ¶ 403. She is in good health but reports an extensive substance abuse history starting at age 18, including marijuana,

¹ *Unemployment Insurance Payment Accuracy Datasets*, U.S. Department of Labor, <https://www.dol.gov/agencies/eta/unemployment-insurance-payment-accuracy/data> (last visited Dec. 23, 2024).

methamphetamine, powder and crack cocaine, heroin, Vicodin, and fentanyl. She has received suboxone and methadone treatment for his substance abuse in the past. *Id.* ¶¶ 406-413. Shaw graduated high school in 2003 and has worked in the past transporting individuals to their doctor's appointments and as a pet groomer. *Id.* ¶¶ 414-415.

A sentence of 60 months would provide just punishment, promote respect for the law, deter Shaw and others from future criminal activity, and protect the public from future crimes of this defendant. Accordingly, the government submits that a sentence of 41 to 51 months is sufficient but not greater than necessary and would serve the factors in § 3553(a).

Respectfully submitted,

ZACHARY T. LEE
Acting United States Attorney

/s/ Danielle Stone
Danielle Stone
Assistant United States Attorney
VA Bar No.: 84503
United States Attorney's Office
180 W. Main Street, Suite B-19
Abingdon, VA 24210
Telephone: (276) 628-4161
Facsimile: (276) 628-7399
USAVAW.ECFAbingdon@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on May 1, 2025, I electronically filed the foregoing Sentencing Memorandum with the Clerk of Court via the CM/ECF system, which will send notification of the filing to all counsel of record in this matter.

/s/ Danielle Stone, VSB # 84503