

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 23-CR00233-02-CR-W-BCW
	)	
CAMONTE HENDERSON,	)	
	)	
Defendant.	)	

SENTENCING MEMORANDUM

Comes now Mr. Henderson, by and through CJA appointed counsel Arimeta DuPree, and submits this sentencing memorandum to aid in his sentencing hearing scheduled for August 29, 2024, at 1:30 p.m. Mr. Henderson requests this Court sentence Mr. Henderson below the advisory guidelines and place Mr. Henderson on a term of probation for two years with a restitution amount of \$20,832. In support of this request, Mr. Henderson states the following:

18 U.S.C. § 3553(a) Factors

United States v. Booker, found the United States Sentencing Guidelines are to be considered advisory and requires that a court consider the guideline range calculation as merely one of many factors in determining a sentence no greater than necessary to achieve the goals of sentencing set forth in 18 U.S.C. § 3553(a)(2). United States v. Booker, 125 S. Ct. 738 (2005); Gall v. United States, 128 S. Ct. 586, 597 (2007); Kimbrough v. United States, 128 S. Ct. 558, 570 (2007); Hawk Wing, 433 F. 3d at 631. The overriding principle and basic mandate of the statute requires District Courts to impose a sentence “*sufficient, but not greater than necessary*,” to achieve the four purposes of sentencing set forth in 18 U.S.C. § 3553(a)(2):

(A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;

(B) to afford adequate deterrence to criminal conduct;

(C) to protect the public from further crimes of the defendant; and

(D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

In this case, sentencing Mr. Henderson to two years of probation is sufficient punishment, but not greater than necessary to achieve the purposes of sentencing.

(A) Seriousness of the offense

On April 4, 2024, Mr. Henderson pled guilty to Count 1 - conspiracy to commit wire fraud, in violation of 18 U.S.C. §§ 1349, for conduct occurring on or about March 2021 and continuing through on or about January 2022. (PSI ¶ 1). The maximum penalty for Count 1 is no more than 20 years imprisonment, no more than a \$250,000 fine and no more than 3 years of supervised release.

(B) Afford adequate deterrence to criminal conduct

The recommended sentence will deter any future criminal conduct by Mr. Henderson. Also, the sentence will send a message to individuals who want to engage in wire fraud to rethink because of the stern punishment.

(C) Protect the public from future crimes of the defendant

The recommended sentence will protect the public from future crimes of the defendant. Furthermore, the term of probation will allow Mr. Henderson to continue outpatient counseling

and treatment, continue working so that he can pay his restitution, and be continually supervised by the United States Probation and Pretrial Services Office.

(D) Provide defendant with needed training, medical care, or treatment

Mr. Henderson realizes that marijuana is not a legal substance within the laws of the Federal government. Although Mr. Henderson has had positive urinalysis for marijuana, his negative urinalysis are far greater than the positive ones. Mr. Henderson is working diligently to overcome the marijuana use that has been unknowingly placed in food that he's consumed and other items that he's ingested. The road to recovery is a marathon and not a sprint. Mr. Henderson believes that with his continued therapy, he will be successful in this race and overcome the consumption of marijuana.

WHEREFORE, considering the above, Mr. Henderson respectfully requests this Court sentence Mr. Henderson to 2 years of probation, which will be “*sufficient, but not greater than necessary*,” to achieve the four purposes of sentencing set forth in § 3553(a)(2): (a) retribution; (b) deterrence; (c) public safety; and (d) rehabilitation.

Respectfully Submitted,

/s/ Arimeta R. DuPree

ARIMETA R. DUPREE #56313
1125 Grand Blvd., Suite 210
Kansas City, Missouri 64106
Tel: (816) 521-0773
Fax: (816) 474-7013
Email: dupree@adupreelaw.com
ATTORNEY FOR DEFENDANT

Certificate of Service

I hereby certify that on August 29, 2024, a copy of the foregoing was electronically filed and a “Notice of Electronic Filing” to the CM_ECF system of the United State District for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Arimeta R. DuPree

ARIMETA R. DUPREE