

**UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA
Jacksonville Division**

UNITED STATES OF AMERICA

v.

Docket No: 3:24-cr-190 WWB-SJH

Carnisha M. Rogers

**AMENDED
DEFENDANT’S SENTENCING MEMORANDUM**

I. INTRODUCTION

The Defendant, Carnisha M. Rogers, respectfully submits this memorandum to assist the Court in fashioning a sentence that is “sufficient, but not greater than necessary” under 18 U.S.C. § 3553(a). This memorandum highlights her history of trauma, untreated mental illness, and her rehabilitative progress since arrest.

II. PERSONAL HISTORY AND CHARACTERISTICS (18 U.S.C. § 3553(a)(1))

- **Early Trauma:** At age 15, Carnisha was sexually assaulted, a formative trauma that shaped her psychological development.
- **Mental Health:** Diagnosed with bipolar disorder only after her arrest, she required three months of stabilization before she could meaningfully assist in her defense.
- **Rehabilitation:** Post-arrest, Carnisha has engaged in mental health treatment, stabilized her condition, and shown remorse and insight.

III. NATURE AND CIRCUMSTANCES OF THE OFFENSE

While serious, the offense occurred during a period of untreated mental illness. Carnisha’s role was non-violent, and there is no evidence of physical harm. Her conduct stemmed from impaired judgment rather than greed or malice.

IV. MENTAL HEALTH AS A MITIGATING FACTOR

Under U.S.S.G. §§ 5K2.13 and 5H1.3, the Court may consider diminished capacity and mental/emotional conditions. Carnisha’s psychiatric evaluation, submitted herewith, supports mitigation based on her mental health history and current treatment.

V. REQUEST FOR VARIANCE OR DOWNWARD DEPARTURE

A downward variance or departure is warranted due to:

- Her history of trauma and mental illness
- Her post-arrest rehabilitation
- Her non-violent conduct and acceptance of responsibility

A sentence incorporating continued mental health treatment and supervision would promote deterrence, protect the public, and support rehabilitation.

VI. REQUEST FOR FEDERAL-STATE CONCURRENT SENTENCING UNDER 18 U.S.C. § 3584(a)

Carnisha faces a pending state charge in Florida for *Organized Scheme to Defraud*, a second-degree felony under Fla. Stat. § 817.034(4)(a)2. Considering this:

- The Court has discretion under 18 U.S.C. § 3584(a) to impose a sentence concurrent with anticipated state custody.
- Concurrent sentencing would avoid duplicative punishment and promote judicial economy.
- Given the shared factual context and rehabilitative needs, concurrent sentencing would serve the interests of justice and proportionality.

VII. CONCLUSION

Carnisha is not the sum of her worst decisions. She is a survivor—stabilized, remorseful, and committed to change. A sentence that reflects compassion, accountability, and concurrent consideration of her pending state matter will best serve justice.

Respectfully Submitted,
Robert Calvin Rivers

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CERTIFICATE OF SERVICE

I HERBY CERTIFY that on the 3 day of November 2025, a true copy of the foregoing document was served electronically upon AUSA Kevin Frein at the Office of the United States Attorney.

Respectfully Submitted,
Robert Calvin Rivers
Law Offices of Robert Calvin Rivers