

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

FILED

AUG 25 2025

**THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT**
CVK

UNITED STATES OF AMERICA

CASE No.: 1:23-cr-97

vs.

CHRISTOPHER SCOTT
Defendant.

_____ /

MOTION FOR RELEASE PENDING APPEAL

Comes Now the Defendant, Christopher Scott, respectfully moves this Court for release pending appeal pursuant to 18 U.S.C. § 3143(b) and Federal Rule of Appellate Procedure 9(b).

I. INTRODUCTION

This Court entered a judgment of conviction and sentenced Defendant to a term of imprisonment of 70 months. A timely Notice of Appeal has been filed pursuant to Fed. R. App. P. 4(b), and Defendant now seeks release pending resolution of the appeal.

II. LEGAL STANDARD

Under 18 U.S.C. § 3143(b)(1), a defendant who has been sentenced to a term of imprisonment shall be detained unless the Court finds:

1. Clear and convincing evidence that the defendant is not likely to flee or pose a danger to the safety of any other person or the community; and

2. That the appeal is not for the purpose of delay and raises a substantial question of law or fact likely to result in (A) reversal, (B) an order for a new trial, (C) a sentence that does not include a term of imprisonment, or (D) a reduced sentence to a term less than the expected duration of the appeal.

See also *United States v. Bilanzich*, 771 F.2d 292, 298–99 (7th Cir. 1985) (defining “substantial question” as “a close question or one that could be decided the other way”); *United States v. Shoffner*, 791 F.2d 586, 589 (7th Cir. 1986) (release pending appeal is appropriate where a substantial question exists that is integral to the merits of the conviction or sentence).

III. ARGUMENT

A. Defendant is Not a Flight Risk and Poses No Danger

Defendant has complied with all pretrial and presentencing conditions of release, has strong ties to the community, including [family, employment, or residence], and has no history of violence. Defendant’s consistent compliance demonstrates by clear and convincing evidence that he is neither a flight risk nor a danger to the community.

B. The Appeal is Taken in Good Faith and is Not for Delay

Defendant has promptly filed a Notice of Appeal and intends to pursue good-faith appellate challenges to issues involving erroneous guideline application, sentencing errors, and/or constitutional violations. This appeal is not interposed for delay but to vindicate substantial legal rights.

C. The Appeal Raises a Substantial Question of Law or Fact

The appeal raises substantial questions within the meaning of 18 U.S.C. § 3143(b) and Seventh Circuit precedent. Specifically, Defendant will argue that there were sentencing, guideline errors as primary appellate issue(s).

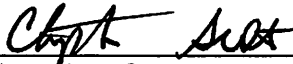
As articulated in *Bilanzich* and *Shoffner*, a “substantial question” is one that is “close” or “could be decided the other way.” The issues Defendant presents on appeal are not merely routine but present genuine, debatable questions of constitutional and statutory law that, if resolved in Defendant’s favor, would substantially reduce the Defendant’s sentence.

IV. CONCLUSION

For the foregoing reasons, Defendant respectfully requests that this Court grant release pending appeal, staying execution of the sentence until final disposition of the appeal by the United States Court of Appeals for the Seventh Circuit.

Dated: August 25, 2025

Respectfully submitted,

/s/ 
Christopher Scott
11060 Frances Lane
Palos Park, IL 60464

CERTIFICATE OF SERVICE

I swear under the penalty of perjury that I have mailed and caused to be served a copy of the foregoing pleading upon the AUSA in the case, at the U.S. Attorney's Office, Northern District of Illinois, 219 South Dearborn Street, 5th Floor, Chicago, IL 60604 & the U.S. Clerk of Court, Northern District of Illinois, to forward to all interested parties in this case through the ECF system. On this 25th Day of August 2025. In Palos Park, IL 60464.

/s/ Chyph Scott

Christopher Scott