

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA,

v.

DARA BUCK,

Defendant.

CASE NO.: 4:22-cr-65

ORDER

Defendant Dara Buck has filed yet another motion which the Court construes as a Motion for Compassionate Release. (Doc. 62.) For the reasons set forth below and those stated in the Government’s Response, (doc. 64), the Court **DENIES** Buck’s Motion.

The Court previously denied Buck’s first, second, and third Motions for Compassionate Release. (Docs. 52, 61.) Those orders explained that Buck failed to meet the prerequisites of 18 U.S.C. § 3582(c)(1)(A), because she failed to show that she exhausted her administrative remedies, she failed to prove an extraordinary and compelling reason for her release, and the factors set forth at 18 U.S.C. § 3553(a) weigh heavily against her release.

In her most recent filing, Buck addresses one of these failures by stating that she exhausted her administrative remedies and attempts to address another by arguing that her prior release is warranted due to her family members’ inability to care for her children. Indeed, “[t]he death or incapacitation of the caregiver of the defendant’s minor child or minor children” qualifies as an “extraordinary and compelling reason” for Section 3582(c)(1)(A) relief. U.S.S.G. § 1B1.13, app. n. 1(C)(i). As the Court stated previously, it is not insensitive to the hardship that Buck’s crimes have brought upon her children. However, she has still failed to prove the incapacitation of her

children's caregivers. See United States v. Granda, 852 F. App'x 442, 446 (11th Cir. 2021) ("it was [the defendant's] burden to show that his circumstances warranted a reduction."); United States v. Spencer, No. CR 418-171, 2021 WL 43999, at *3 (S.D. Ga. Jan. 5, 2021) ("Defendant has failed to provide sufficient evidence that he is the only family member caregiver capable of carrying for his children.").

Moreover, even if Buck presented an extraordinary and compelling reason, the Court has repeatedly explained that the factors set forth at 18 U.S.C. § 3553(a) weigh heavily against Buck's early release. (See, doc. 52, pp. 6—7.) Even taking her factual contentions at face value, allowing her release at this juncture would not reflect the seriousness of her conduct, would not serve the needs of general and specific deterrence, would not protect the public, and would create significant sentencing disparities between her and other defendants who have been found guilty of similar conduct. 18 U.S.C. § 3553(a)(6). The Court was aware of Buck's family circumstances at the time it imposed her sentence, and it considered those circumstances including the effect the sentence would have on her children. Unfortunately, Buck did not do the same as she apparently gave no consideration to her children's needs when she engaged in the conduct that led to her incarceration. For her now to use those needs as an excuse to dodge the consequences of her criminality is insulting.

For all these reasons, the Court **DENIES** Buck's Motion for Compassionate Release.

SO ORDERED, this 26th day of July, 2024.



R. STAN BAKER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA