

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 23CR80154

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY SCOTT KEOUGH,

Defendant.

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OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT

COMES NOW the Defendant, GREGORY SCOTT KEOUGH, (hereinafter “KEOUGH”), by and through undersigned counsel, David J. Joffe and Patrick R. McKamey, pursuant to the Local Rules for the Southern District of Florida and the Federal Rules of Criminal Procedure, and would hereby file these KEOUGH’S Objections to Presentence Investigation Report, in which it is requested that this District Court impose a sentence “sufficient, but not greater than necessary” in order to achieve individual accountability and just punishment. *See generally, United States v. Irey*, 612 F.3d 1160 (11th Cir. 2010). The objections are a result of detailed discussions with KEOUGH and as such, KEOUGH has provided relevant input into said objection. As a threshold matter, KEOUGH continues to fully and completely accept responsibility for his offense conduct. KEOUGH’S objections are as follows:

1. Undersigned counsel would object to paragraph 34 at page 11, of the Presentence Investigation Report; more particularly, KEOUGH would argue that said paragraph should be stricken as it deals with It deals with the NFH bankruptcy and has no relevancy to the charges that KEOUGH pled to.

2. Undersigned counsel would object to paragraph 55 at page 15, of the Presentence Investigation Report; more particularly, KEOUGH would argue that he has provided a statement for acceptance of responsibility.

3. Undersigned counsel would object to paragraph 65 at page 16, of the Presentence Investigation Report; more particularly KEOUGH argues that KEOUGH is entitled to a three level reduction for acceptance of responsibility pursuant to U.S.S.G. §3E1.1.

4. Undersigned counsel would object to paragraph 66 at page 16, of the Presentence Investigation Report; more particularly KEOUGH argues that KEOUGH'S Total Offense Level should be 19.

5. Undersigned counsel would object to paragraph 109 at page 25, of the Presentence Investigation Report; more particularly KEOUGH argues that KEOUGH'S total offense level should be 19 and that his guideline imprisonment range is 30 to 37 months.

6. Undersigned counsel would object to paragraph 115 at page 26, of the Presentence Investigation Report; more particularly KEOUGH argues that KEOUGH does not have the ability to pay a fine. (PSI:107).

7. Undersigned counsel would object to paragraph 117 at page 26, of the Presentence Investigation Report; more particularly KEOUGH argues that KEOUGH does not have the ability to pay a fine. (PSI:107).

8. Undersigned counsel would object to paragraph 121, at page 26, of the Presentence Investigation Report; more particularly, KEOUGH does have factors that may warrant a variance or downward departure.

CONCLUSION

The Presentence Investigation Report's advisory guideline range of 41 to 51 months of imprisonment is both inequitable and unreasonable given the facts in the case *sub judice*. Taking into account KEOUGH'S objections. Furthermore, the Court should also consider KEOUGH'S arguments that support his request for a variance before making a final decision as to KEOUGH'S sentence. This embodies the sum and substance of undersigned counsel's Objections to Presentence Investigation Report.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 25, 2024, I electronically filed the foregoing document with the Clerk of the Court.

Respectfully submitted,
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