

United States District Court
Northern District of Georgia

United States of America

V.

Harrescia Hopkins

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

NOV 17 2023

KEVIN P. WEIMER, Clerk
By: L. Pollard Deputy Clerk

Docket Number 1:22-CR-00284-SEG-CM

Motion for Reduction in Sentence

18 USC 3582 (c)(2)

§ 1131.10 Reduction in term of imprisonment

As a result of Amended Guideline Range

Come now, Petitioner Harrescia Hopkins, with a pro-se motion requesting a reduction in sentence pursuant to 18 USC 3582 (c)(2). As a preliminary matter. The defendant states that she is not an attorney; has no legal or professional training pertaining to the preparations and filings of legal motions. Petitioner seeks notice of such limitations and prays upon this honorable court to construe her pleadings liberally in the light of the Supreme Court holdings *Haines v. Kerner*, 404 US 519, 60 L. Ed. 2d 452 (1972) *Lawler v. Marshall*, 898 F.2d 966 (11th Cir.)

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The allegations and averments in a pro-se motions pleading must be construed in favor and taken as true from the defendant/movant. See *Malone v. Couler* 71 of 2d 258, 260 116th Cir 1982). Section 3582(c)(2) of title 18, United States code provides that "in case of a term of imprisonment based on a sentencing range that has been subsequently been lowered by the Sentencing Commission pursuant to 28 USC 994, upon motion of the defendant/movant or the director of The Bureau of Prisons, the court may reduce the term of imprisonment after considering the factors set forth in section 355(a) to the extent that they are applicable, if such a reduction is consistent with applicable policy statements issued by the sentencing commission. Pursuant to 28 USC 994(u). If the commission reduces the term of imprisonment recommended in the guidelines applicable to a particular offense or category of offenses, it shall specify in what circumstances and by what amount the sentences of

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prisoners serving time and/or terms of imprisonment for the offense may be reduced." The Commission list in subsection (D) of of 18 USC 3582 (c)(2). On April 21, 2023, the Commission submitted to Congress, amendments to the Sentencing guideline, policy statements, and the Statutory index, which became effective on November 1, 2023, of which is applicable and within the date range of this pro-se motion. The United States Sentencing Commission issued guidelines that amended Chapter four. Guidelines at 4C1.1 (Adjustment for eligible offenders) seeking a reduction in status points and criminal history points which provides a two (2) level reduction determining under chapter two and three. Offenders who meet the imposed criteria. Harrescia Hopkins is a federal camper whom is incarcerated and housed at Federal Medical Center Satellite Camp in Lexington, Kentucky. She was sentenced to 5 months on 06/08/2023 June, 8 2023 by Judge Geraghty of The Northern

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District of Georgia. Her offense codes 820 Communications Act, 18:1343 wire fraud (2 counts). Ms. Harrescia Hopkins has served 17.6% of her sentence through time served and First Step Act Credits. Ms. Hopkins is eligible after meeting the criteria needed to qualify for the zero point reduction decrease. Ms. Hopkins has an offense level of 11 and her total criminal history score is 0 (zero). Part A, a Criminal history score of zero, establishes a Criminal history category of 0. Her estimated release date is 02/15/2024 via First Step Act credits. Ms. Hopkins ask this honorable court (under Sec 1B1.10) grant her a reduction based of the amended guideline range. Such a reduction would fulfill the interests of Justice outlined in 18 USC 3553, Sentencing factors, the nature and circumstances of the offense, and the nature and characteristics of the defendant are met with the lower guideline range as agreed by the data analyzed by the Commission released in 2010 and published in 2021. This lower sentence still reflects the seriousness of the offense, yet while still promoting the respect for the

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law and providing just punishment for the offense as agreed by the sentencing commission and congress. Ms. Harrescia Hopkins is a 35 year old daughter, sister, aunt, and caregiver. She is in full compliance with the F.R.P (Financial responsibility program) and has paid the courts her fines in full, she is up to date with each and every assessment, had a clear discipline record. When determining the reduction, the defendants term of Imprisonment Under 18 USC 3582 (c) (2) and policy statement, is warranted, the court shall determine the ammended guideline range that would have been applicable to the defendant if the amendment to the guidelines had been in effect at the time she was sentenced. Including special instructions (also post sentencing conduct) of the defendant. The court may consider post sentencing conduct of the defendant that occurred after imposition of the term of imprisonment is warranted; and (ii) the extent of such reduction. Ms. Hopkins has chosen to rehabilitate herself to the full extent possible. Once arriving to FMC Lexington.

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was made aware she was eligible to receive first step act credits, with this wonderful opportunity and path to success Ms. Hopkins realized that her rehabilitation was important and continues to program and completed over 10 classes, earning over 10 (ten) Certificates, including Trauma and life, assert yourself, Circle of strength and, Money smart. Not only is Ms. Hopkins bettering herself through proper diet and exercise, mentally through trauma workshops, and furthering her education through developing work skills she has set herself on a path to become the best version of herself. All of this to exceed each and every goal, on her own accord, to reenter society 100% different from when she walked into the B.O.P. Ms. Hopkins is a model camper with much earned respect. She is the primary caregiver to her sister, a aunt, and a daughter. She is a role model to her twelve year old nephew whom she helps raise. Her family fully supports her and will be her strength and support when she returns home.

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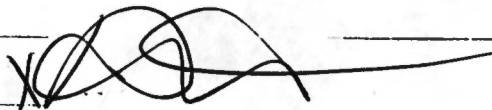
Ms. Hopkins made a mistake but takes full responsibility for her actions. Through this journey she has grown as a person, a friend and promises the court to be a productive citizen of her community.

Wherefore petitioner, Harrescia Hopkins humbly prays upon this honorable court to grant her reduction in sentencing and accept her certificates for programming, and based on the integrity of her rehabilitation, reduce her sentence in the highest regard on the foregoing.

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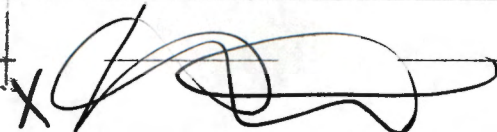
Respectfully Submitted,

Harrescia Hopkins 15535-510
FMC Lexington, Satellite Camp
PO Box 14525
Lexington, Kentucky 40512


Harrescia Hopkins

11-01-2023
Date

I Harrescia Hopkins pro-se movant under penalty and perjury of The United States Of America hereby certifies that this instrument is true and correct to the best of my knowledge, this 1st day of November, 2023.


Harrescia Hopkins

Harrescia Hopkins 15535-570

FMC Lexington Atwood Unit

PO Box 74525

Lexington Kentucky 40512



LEXINGTON P&DC 40511

TUE 14 NOV 2023 PM

United States Courthouse
75 Spring Street, S.W
Atlanta GA 30303

CLEARED DATE
NOV 17 2023

U.S. Marshals Service
Atlanta, GA 30303