

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

EDWARD MCCORKLE.

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Docket No.: 1:25-CR-00270-RDB

DEFENDANT’S MEMORANDUM IN AID OF SENTENCING

The Honorable Judge Richard D. Bennett
United States District Court, District of Maryland
101 West Lombard Street
Baltimore, MD 21201

Re: *United States v. Edward McCorkle*, 1:25-CR-00270-RDB

Dear Judge Bennett,

Edward McCorkle is scheduled to appear before Your Honor for sentencing on January 27, 2026, having pleaded guilty to one count of wire fraud conspiracy in violation of 18 U.S.C. §1349 and §1343. Mr. McCorkle’s guilty plea was tendered pursuant to an agreement under Federal Rules of Criminal Procedure 11(c)(1)(B).

Mr. McCorkle respectfully asks the Court to impose a sentence of nine months’ active incarceration followed by eighteen months’ electronic monitoring. Undoubtedly, this is below the guidelines, but Mr. McCorkle obliges the opportunity to explain why this lesser sentence is warranted. Since he was a young child, Mr. McCorkle relied on his steadfast self-sufficiency to survive. Mr. McCorkle had to become largely independent at

nine years old when his father went to prison to serve a sentence of life without the possibility of parole. Thereafter, Mr. McCorkle's juvenile years were defined by immaturity and the recklessness of youth. He was guided by corrupting influences on the streets and, subsequently, sentenced to five years' incarceration at age 17 for distribution of a controlled dangerous substance with a firearm charge.

Fortunately, the trouble of Mr. McCorkle's youth inspired redirection. Mr. McCorkle found a new credence in entrepreneurship. Mr. McCorkle realized that the best way to guarantee his success was to operate on the right side of the law. Mr. McCorkle created several successful small businesses, overcoming his criminal record, his lack of mentorship, and his limited education. His self-determination proved prosperous. Mr. McCorkle continued on this path of hard work for over a decade. Then, in Spring 2020, the onslaught of COVID-19 unraveled Mr. McCorkle's livelihood. Like many, he was terrified of what was to come and how he was going to support the family he had built. Here, his self-reliance, that in many ways had proven to be his greatest strength, became his greatest weakness. His rudimentary business acumen led him to online assistance that, at first, appeared legitimate. He began working with an accountant to obtain government sponsored business loans. Mr. McCorkle was too entrenched, and taken by uncertainty, to break away when the ominous nature of the scheme started to become apparent. Inasmuch, he was complicit in a crime that derailed the otherwise productive and fulfilling life he had built.

This offense was absolutely an error in judgment. It is not a representation of Mr. McCorkle as a person. Mr. McCorkle has taken full ownership of his transgressions from

the second he was contacted by law enforcement; Mr. McCorkle assisted authorities immediately in the investigation of his own misconduct. Plea Agreement, page 13. Now, Mr. McCorkle respectfully provides this Court with additional information in the hope that this allows the Court to get to know Mr. McCorkle as a man beyond his error in this case.

A. The Sentencing Guidelines

Mr. McCorkle's sentencing guideline calculations illustrate how a binary system fails to fully capture nuance in its' results. Mr. McCorkle's sentencing guidelines were a near miss of a significantly lower outcome, contingent on two key variables. Mr. McCorkle does not suggest that his sentencing guidelines were improperly calculated, but rather that comparative calculations provide support for Mr. McCorkle's humble request that he be sentenced below the guidelines.

Of course, the federal sentencing guidelines are intended to guide judges' discretion, not replace it. The applicable guideline range serves as a "starting point and initial benchmark" for the sentencing court to then "determine an appropriate sentence upon consideration of all the factors set forth by Congress in 18 U.S.C. § 3553(a)." U.S. SENT'G COMM'N, GUIDELINES MANUAL §3E1.1, p. 3-4 (Nov. 2025) (quoting *Gall v. United States*, 552 U.S. 38, 39 (2007)). In fact, a sentencing court should consider the "widest possible breadth of information" about a defendant to ensure the court is in "possession of the fullest information possible concerning the defendant's life and characteristics." *See Pepper v. United States*, 562 U.S. 476, 488 (2011); *see also Concepcion v. United States*, 597 U.S. 481, 493 (2022).

First, Mr. McCorkle is compensating heavily for a grievous mistake made as a child. Mr. McCorkle has been assigned a criminal history category of II because he was convicted of one count of distributing a controlled dangerous substance with a firearm at 17 years old, in 2005. Inasmuch, the 37-year-old Mr. McCorkle is facing increased punishment for the actions of juvenile Mr. McCorkle instead of being afforded the recognition of adolescent immaturity that has since been provided throughout criminal law. *See, e.g., Roper v. Simmons*, 543 U.S. 551, 569 (2005) (a “lack of maturity and an underdeveloped sense of responsibility are found in youth more often than in adults and are more understandable among the young.”); *Graham v. Florida*, 560 U.S. 48, 68 (2010) (“As compared to adults, juveniles . . . are more vulnerable or susceptible to negative influences and outside pressures, including peer pressure; and their characters are not as well formed.”) (cleaned up); and *Miller v. Alabama*, 567 U.S. 460, 472 (2012) (juveniles’ “immaturity, recklessness, and impetuosity” renders them less culpable than adults). “Maturation of brain structure, brain function, and brain connectivity continues throughout the early twenties.” Catherine Insel, Stephanie Tabashneck, et al., *White Paper on the Science of Late Adolescence: A Guide for Judges, Attorneys, and Policy Makers* (2022), <https://clbb.mgh.harvard.edu/white-paper-on-the-science-of-late-adolescence/>.

Mr. McCorkle’s juvenile offense occurred so long ago that it was close to no longer factoring into his sentencing guidelines. Under the U.S. Sentencing Guidelines, a sentence imposed more than fifteen years prior to the commencement of the instant offense is not counted unless the defendant’s incarceration extended into this fifteen-year

period. U.S. SENT’G COMM’N, GUIDELINES MANUAL §4A1.2(e) (Nov. 2025). This time limit recognizes that the predictive capacity of a previous offense on recidivism decreases the longer a person goes without recidivating, provides a measure of finality, and incentivizes rehabilitation. In a ten-year study, the U.S. Department of Justice Bureau of Justice Statistics found that annual arrest rates of released prisoners decrease every year after release. U.S. Department of Justice, *Recidivism of Prisoners Released in 24 States in 2008: A 10-Year Follow-Up Period (2008-2018)* (2021) https://bjs.ojp.gov/BJS_PUB/rpr24s0810yfup0818/Web%20content/508%20compliant%20PDFs. That Mr. McCorkle’s juvenile offense was about to time out of sentencing guidelines consideration provides another layer of support for not increasing Mr. McCorkle’s current sentence due to his juvenile offense.

The policy interests of deterring recidivism that may rationalize a sentencing increase elsewhere do not rationalize a sentencing increase here. The federal sentencing guidelines’ section on criminal history states:

To protect the public from further crimes of the particular defendant, the likelihood of recidivism and future criminal behavior must be considered. Repeated criminal behavior is an indicator of a limited likelihood of successful rehabilitation.

U.S. SENT’G COMM’N, GUIDELINES MANUAL §3E1.1, p. 361 (Nov. 2025). The Sentencing Commission also expresses concerns of “patterns of career criminal behavior.” *Id.* Mr. McCorkle’s juvenile offense does not establish a pattern of career criminal behavior or evidence a likelihood of recidivism in the future.

Second, Mr. McCorkle's offense category increased two levels due to the amount that loan applications sought, not the actual amount obtained. There is certainly cause to structure penalties based on the scale of an attempt. Here, however, Mr. McCorkle simply seeks consideration of the fact that he did not calculate the amount of the attempt. Mr. McCorkle's co-conspirator did so. Undoubtedly, Mr. McCorkle reaped the benefits of the amount obtained and graciously requests that amount be considered as more reflective of Mr. McCorkle's involvement in this case.

The following chart illustrates alternative sentencing guideline calculations based on the variables discussed above. The first row is the current guidelines. The second row is the guidelines if Mr. McCorkle's juvenile offense was not considered. The third row is the guidelines if they were run based on the actual amount of money, not the attempted amount. The fourth row is the guidelines if both Mr. McCorkle's juvenile offense was not considered and the guidelines were run based on the actual amount of money.

Calculation:	Basis for Adjustment:	Resulting Guidelines:	Average Sentence Imposed:
Current Guidelines (offense level 18, offender level II)	N/A	30-37 months	25 months
Lesser Offender Level (offense level 18, offender level I)	Disregards juvenile offense	27-33 months	18 months
Lesser Offense Level (offense level 16, offender level II)	Accounts for the actual quantity of harm	24-30 months	21 months
Lesser Offense and Offender Level (offense level 16, offender level I)	Accounts for actual quantity of harm and disregards juvenile offense	21-27 months	14 months

B. The Offense

COVID closed down most businesses in March 2020. In April 2020, the federal government made loans available for companies to help them try to survive the unprecedented pandemic. At the time, many aspects of the program were unclear – the Small Business Administration was issuing new regulations almost weekly. Mr. McCorkle met a person in an online group for business owners. The person, charged as Mr. McCorkle's co-conspirator, offered group members help applying for the new loans. Initially, Mr. McCorkle's co-conspirator had the appearance of legitimacy to Mr. McCorkle. The person told Mr. McCorkle that they were an accountant. Mr. McCorkle answered the person's questions honestly and the person filled out and submitted the application. The person also directed Mr. McCorkle to a brick-and-mortar office where they met in person.

In May 2020, Mr. McCorkle's co-conspirator submitted Payment Protection Program loan applications to Cross River Bank under Mr. McCorkle's business names. The loan applications were combined for \$946,500 total but Mr. McCorkle actually obtained \$523,700. Mr. McCorkle used funds to retain workers and maintain payroll, to make mortgage payments, lease payments, and utility payments, and for maintenance to support ongoing business operations, among other things.

On October 30, 2023, law enforcement executed a federal search warrant at Mr. McCorkle's residence. Mr. McCorkle recalls that he, his partner, and their two young children were woken by law enforcement at 5 a.m. and had to go outside in the cold while their home was searched. Law enforcement officers read Mr. McCorkle his

Miranda rights and Mr. McCorkle agreed to speak with them. Plea Agreement, page 13. Mr. McCorkle immediately admitted his involvement. Taking ownership is a guiding principle to Mr. McCorkle and, in this difficult moment, he demonstrated his character by cooperating with the investigation leading to his prosecution.

C. Mr. McCorkle's History and Characteristics

Mr. McCorkle's life has been defined by being a self-starter. Mr. McCorkle, 37, was born and raised in Maryland. Mr. McCorkle's father was incarcerated with a life without parole sentence when Mr. McCorkle was nine, leaving Mr. McCorkle and his eight siblings without a present father. Mr. McCorkle recalls that this was a difficult and traumatic time for him and his family. From that moment on, Mr. McCorkle's mother was in survival mode to support the family. She struggled to navigate the situation herself, let alone to guide her young children through the emotional journeys they each faced. Mr. McCorkle recalls feeling alienated, even though he had done nothing wrong. While other kids got to be innocent, his childhood was marred by the seriousness of this trauma.

From this background, Mr. McCorkle struggled finding his way and transitioning into early adulthood. As a juvenile, Mr. McCorkle learned to provide for himself so his mother had one less mouth to feed. Deprived of familial influences, Mr. McCorkle was guided by young adults on the streets. At age 17, Mr. McCorkle was convicted of possession and distribution of a controlled dangerous substance. Mr. McCorkle was sentenced to five years' incarceration at Maryland Correctional Training Center.

Mr. McCorkle never fit in with the younger guys in prison. The older inmates were always surprised when they learned how young he was and said they wish they could be

his age again. Mr. McCorkle asked them what they would do differently if they were his age. He knew he did not want to become an old inmate wishing he was young again. Mr. McCorkle realized he needed to create the change he wanted to see in his life: being financially independent without breaking the law or hurting anyone.

In the years following his release, Mr. McCorkle created three businesses managing properties, fixing up houses, and operating a fleet of commercial trucks carrying daily shipments in and out of the Port of Baltimore. Mr. McCorkle created these businesses to support himself and his family and also to provide housing and work opportunities for people like himself who struggled due to their afflicting circumstances.

Mr. McCorkle, like many, suffered financially in Spring 2020. Mr. McCorkle estimates 80% of his revenue came from his commercial trucking business, which was devastatingly impacted by COVID-related closures. While Mr. McCorkle fully acknowledges his wrongdoing, it is important to note that the money did not go towards a lavish lifestyle or luxury goods. Like many struggling small business owners, Mr. McCorkle was trying to support his family and keep his businesses afloat during a time of indeterminate shutdown.

Mr. McCorkle has demonstrated acceptance of responsibility since the moment he was confronted. He has not made excuses.

Mr. McCorkle has utilized this time to reflect on how he became involved in the underlying offense and how to ensure nothing like this ever happens again. Mr. McCorkle is participating in weekly mental health treatment while on pretrial release. Mr. McCorkle realizes that his relentless self-sufficiency and limited education is part of what led to his

involvement in the underlying offense. Overworked, overwhelmed, and under-educated, Mr. McCorkle relied on financial advice from a stranger found online. Mr. McCorkle has since learned that although he started his businesses on his own, due to his specific learning disorder he can no longer manage them effectively without advanced professional assistance.

Earlier this year, Mr. McCorkle began contracting professionals at Tax Recovery Service in Towson, Maryland, to ensure that his businesses are in full compliance with all state and federal regulations. Mr. McCorkle notes that his advisers at Tax Recovery Service not only work with him to navigate the complexities of filing for multiple businesses with different structures and schedules, but they encourage Mr. McCorkle to sit with them while they work and educate him in the process. The importance of this guidance to Mr. McCorkle cannot be overstated. Mr. McCorkle floundered to his co-conspirator's illicit guidance because of Mr. McCorkle's deficient understanding of business financing regulations. Now, Tax Recovery Service is not only helping Mr. McCorkle learn what needs to be done for government compliance, but teaching him why things need to be done a certain way and how to ensure his compliance.

In addition to his professional endeavors, Mr. McCorkle has built a beautiful family. Mr. McCorkle is in a loving relationship with Dontraya Ammons, who is employed at an adult learning center. They have two children, Tiger, age 6, and Akeelah, age 4. The family resides together in Owings Mills. Mr. McCorkle also has a son, Tommy, age 15, who lives out of state. Mr. McCorkle has been proud to involve his

eldest son in his work: teaching him how the equipment operates, showing him the value of hard work, and involving him in the process of maintaining the family businesses.

Mr. McCorkle is deeply remorseful for committing an offense that has derailed his life and hurt his loved ones, and he plans to focus his energy while incarcerated on preparing for a brighter future.

D. Mr. McCorkle's Plans for the Future

Mr. McCorkle has reflected on his error over the past two years that Mr. McCorkle has been facing this charge. In a time of economic uncertainty and desperation, Mr. McCorkle broke the law in an effort to provide for his family and his businesses. He now understands that his actions have had the opposite effect. Not only will Mr. McCorkle's ability to lead his businesses and financially support his family be impacted by his sentence in this case, but Mr. McCorkle faces time away from his children for the first time in their lives. As his own father was incarcerated when he was nine years old, Mr. McCorkle's primary motivation is minimizing the repercussions his children face due to his actions.

Mr. McCorkle looks forward to a future where he can return to the mission of his work, providing for family and community.

E. The Appropriate Sentence

Mr. McCorkle, humbly and respectfully, requests that this Court impose a sentence of nine months' incarceration following by eighteen months' electronic monitoring. Pursuant to 18 U.S.C § 3553(a), the Court is to impose a sentence that is "sufficient, but not greater than necessary" to accomplish the statutory purposes of sentencing: just

punishment, specific and general deterrence, protection of the public, and rehabilitation. Here, that sentence is nine months' incarceration with eighteen months' electronic monitoring.

1. Just punishment

Mr. McCorkle's offense cannot be excused. Mr. McCorkle fully understands that wire fraud conspiracy is a serious crime, but Mr. McCorkle's offense is not representative of him as a whole person. Mr. McCorkle hopes to be seen by the life he has led since his offense. Even before his arrest, Mr. McCorkle made regular repayments on the EIDL loans. As previously mentioned, Mr. McCorkle has been cooperative at every step of his investigation. Mr. McCorkle became aware of the investigation on October 30, 2023, and has vigilantly followed all laws since. A sentence of nine months' incarceration followed by eighteen months' electronic monitoring is just punishment given Mr. McCorkle's role in the underlying offense and his cooperation in the investigation thereof.

2. Specific and general deterrence

The specific deterrent intention of this prosecution will manifest through the devastating consequences Mr. McCorkle will face while undergoing incarceration. This will be his first time away from his three children. Mr. McCorkle recognizes that, through his actions, he has also punished his partner and children by depriving them of his presence and support and is determined not to let them down again. Mr. McCorkle recognizes, based in part on his own turbulent upbringing, the negative impacts that growing up without a fully present father can have on a young person's mental health and development. Mr. McCorkle's prison sentence does not need to extend beyond nine

months' incarceration with eighteen months' electronic monitoring to deter him from breaking the law again – his remorse and desire to make amends for his actions and absence have already done so.

Research supports the contention that lengthier prison sentences do not result in lower recidivism. For example, the Johns Hopkins Center for Gun Policy and Research has compiled data from a broad range of research on incarceration, policing and crime deterrence to conclude that: “(1) The marginal deterrent effect of increasing lengthy prison sentences is modest at best; and (2) imprisonment, compared with noncustodial sanctions such as probation, does not prevent reoffending and often has a criminogenic effect on those who are imprisoned.” Daniel Webster et al., *Reducing Violence and Building Trust: Data to Guide Enforcement of Gun Laws in Baltimore*, Johns Hopkins Bloomberg School of Public Health, Center for Gun Policy and Research, at 24 (2014)). This tracks findings from other criminological research that severity increases are “seldom if ever crime preventatives.” Michael Tonry, *Purposes and Functions of Sentencing*, 34 *Crime & Just.* 1, 29 (2006). In fact, “prison can exacerbate, not reduce, recidivism.” Nat’l Institute of Justice, *Five Things About Deterrence* (Jun. 5, 2016).¹

3. Protection of the public

Mr. McCorkle has been released on his personal recognizance with Pretrial Services Supervision since September 15, 2025, without incident. Mr. McCorkle has

¹ <https://nij.ojp.gov/topics/articles/five-things-about-deterrence>

shown that he is not a risk to the public and that he is more than amenable to complying with court conditions.

4. Rehabilitation

Mr. McCorkle is responsive to rehabilitative opportunities. Mr. McCorkle has already begun participating in mental health treatment while on pretrial release. He remains a caregiver with a strong work ethic. With the right support, Mr. McCorkle can realize his potential to return to a fulfilling, productive, and law-abiding life. Mr. McCorkle has strong support, already, from his family. He is well-suited to thrive with additional support and direction from the U.S. Probation Office.

F. Conclusion

To satisfy the directive of § 3553(a), for the reasons explained herein and at the upcoming sentencing hearing, I respectfully request that the Court sentence Mr. McCorkle to nine months' incarceration with eighteen months' electronic monitoring.

Respectfully submitted,

/s/Matthew C. Zernhelt
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this January 9, 2026, a copy of the foregoing was served electronically by ECF to: Office of the United States Attorney.

/s/Matthew C. Zernhelt
Matthew Zernhelt