

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:21-cr-107-SPC-KCD

EDRICA LEANN WATSON

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SENTENCING MINUTES

Presiding Judge:	United States District Judge Sheri Polster Chappell
Counsel for Plaintiff:	Jesus M. Casas
Counsel for Defendant:	James Lappan
Probation Officer:	Jodi Petersen
Date and Time:	August 17, 2022 @ 10:30 AM
Deputy Clerk:	Allison Holland
Court Reporter:	Stacey Raikes
Interpreter:	

Start Time: 10:30AM Court convenes.

AUSA Jesus Casas on behalf of the Government, AFD Jim Lappan on behalf of Defendant Edrica Leann Watson, who is present.

USPO Jodi Petersen is also present in court.

The Defendant confirms she received a copy of the PSR and reviewed the report with her attorney, asking all necessary questions and discussing the facts contained therein.

AFPD Lappan advises no objections to the facts contained in the PSR, and no objections to the officer's application of the guidelines.

AUSA Casas advises the Government has no objections to the facts contained in the PSR but does have objections to the officer's application of guidelines. Government position that defendant should receive two level enhancement for the sophistication of the crime, AUSA Casas presents argument supporting same.

AFPD Lappan responds, arguing against enhancement, citing case law. Government responds to defense arguments.

The Court finds the defendant's action do not apply to two-level enhancement as requested by the government.

No other objections to the PSR.

The Court adopts the undisputed facts and guideline applications contained in PSR. As to disputed facts, the Court adopts position of USPO. The Court reviews the total offense level and criminal history category, and guideline range sentence.

AUSA confirms no victims statement to present to the court, request for restitution to be included in judgment.

The Court reviewed the Defendant's Sentencing Memorandums prior to today's hearing.

AFPD Lappan presents argument as to the imposition of sentence.

Defendant addresses the Court.

AUSA Casas presents argument as to the imposition of sentence and responds to defense arguments, requests inclusion of restitution and forfeiture be included in judgment.

AFPD Lappan responds to government argument as to sentence.

For the reasons stated on the record, the Court imposes the sentence as follows:

IMPRISONMENT:

The Defendant is sentenced to a term of **15-MONTHS**.

SUPERVISED RELEASE:

The Defendant is sentenced to a term of **5-YEARS** supervised release.

Special conditions of supervision:

Defendant shall provide USPO with any requested financial information.

Defendant shall submit to searches.

Defendant is prohibited from incurring new credit charges, opening additional lines of credit.

The Defendant shall cooperate in the collection of DNA.

Restitution in the total amount of \$434,227.50, to victims Itria Ventures (\$41,664.50) and Customers Bank (\$392,563.00). Restitution to be paid during incarceration and continue payments while on supervision as directed. Interest is waived.

The Defendant shall submit to random drug testing not to exceed 104 tests per year.

SPECIAL ASSESSMENT of \$100.00, due immediately.

Fines waived.

Forfeiture to be included in judgment, as per order of forfeiture (Doc. 45).

Plea agreement accepted by the Court. Count Two is dismissed on request of government and as per plea agreement.

The Court advises Defendant of right to appeal.

Nothing further from either party.

Request for placement in a facility close to home (Lehigh Acres, FL) and request to self-surrender. No objection from the government.

Defendant shall self-surrender to U.S. Marshal for this district by 3pm on September 29, 2022, unless designated to facility prior to that date. Defendant shall remain on pretrial release and follow terms and conditions of bond as previously set by Magistrate Judge.

End time: 12:09PM