

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA

v.

JAMES VICTOR PUNELLI,

Defendant.

Case No. 1:21-cr-224-AJT

**RESPONSE IN OPPOSITION TO DEFENDANT’S
REQUEST FOR EARLY RELEASE FROM PROBATION**

On October 19, 2021, James Punelli pled guilty to making false statements and theft of government funds. The former charge relates to false statements Punelli made to the Federal Emergency Management Agency (“FEMA”) while attempting to secure a lucrative contract to provide surgical masks. FEMA cancelled its contract with Punelli once it became clear he would not be able to provide them surgical masks. The second charge stems from false statements Punelli made to the Small Business Administration which resulted in him fraudulently obtaining an Economic Injury Disaster Loan (“EIDL”). Punelli paid back the EIDL around the time of sentencing.

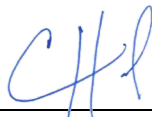
At the sentencing hearing, the United States recommended a term of probation. The Court agreed and sentenced Punelli to two years of probation. Now, halfway through his term of probation, Punelli asks the Court to terminate his probation. In support, Punelli notes that he has complied with the terms of his probation. Punelli also argues that continued probation would negatively impact his ability to travel internationally and establish new business opportunities. The Court should deny the motion.

The United States commends Punelli for fulfilling his obligations on probation. But he only incurred these obligations because of his criminal conduct. At sentencing, the Court found the nature and circumstances of the offenses Punelli committed justified a two-year term of probation. Nothing in the record suggests that fact has changed. As for travel, defendants routinely ask for—and receive—permission to travel domestically and internationally. Punelli can do the same. Because Punelli offers no meaningful justification for his request and because a two-year term of probation provides just punishment for Punelli’s crimes, the Court should deny the motion.

Respectfully submitted,

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By:



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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of that electronic filing (NEF) of the foregoing to the attorney of record for the defendant.



Christopher Hood
Assistant United States Attorney