

UNITED STATES DISTRICT COURT

District of South Carolina

United States of America

v.

Jonathan E. Ramaci,
Defendant.

Case No. 2:22-cr-00993-RMG-1

RCVD - USDC - CHAS, SC
2025 APR 28 PM 2:56

MOTION TO MODIFY RESTITUTION PAYMENT SCHEDULE

PURSUANT TO 18 U.S.C. §§ 3664(k) AND 3572(d)(3)

COMES NOW the Defendant, **Jonathan E. Ramaci**, proceeding *pro se*, and respectfully moves this Honorable Court to modify the restitution payment schedule based on a **material and involuntary change in economic circumstances**. In support, Defendant states:

I. INTRODUCTION

This Motion is brought due to a **substantial, unforeseen, and continuing decline in Defendant's financial condition**, rendering compliance with the current restitution schedule impracticable. The current payment obligation no longer reflects Defendant's actual ability to pay and risks becoming punitive rather than compensatory, contrary to the purpose of federal restitution law.

II. MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES

1. Defendant, **Jonathan E. Ramaci**, was sentenced on February 7, 2025 and ordered to pay restitution in the amount of \$1,547,862.88 with scheduled payments of \$500 per month.
2. Since sentencing, Defendant has experienced a **significant and material change in economic circumstances**, including:
 - Ongoing **unemployment** despite diligent, good-faith efforts to secure employment;
 - Substantial reduction in income and financial resources;
 - Inability to meet both basic living expenses and restitution obligations.

3. Defendant is constrained by **court-imposed travel restrictions**, which:
 - Prevent acceptance of viable employment opportunities outside a limited area;
 - Significantly restrict Defendant's earning capacity;
 - Directly contribute to Defendant's continued unemployment.
 4. These circumstances constitute a **material, non-speculative, and ongoing change** that was not reasonably anticipated at the time of sentencing.
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III. LEGAL AUTHORITY

A. Statutory Authority for Modification

6. Under **18 U.S.C. § 3664(k)**, the Court may adjust a restitution payment schedule upon notice of a **material change in the defendant's economic circumstances** affecting the ability to pay.
 7. Additionally, **18 U.S.C. § 3572(d)(3)** authorizes modification of payment schedules when a defendant's financial condition materially changes.
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B. Restitution Must Reflect Ability to Pay

8. Restitution is intended to be **compensatory rather than punitive**, and payment schedules must be grounded in a defendant's **actual financial capacity**.
 9. Courts have recognized that unrealistic payment obligations undermine compliance and frustrate the purpose of restitution.
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C. Constitutional Considerations

10. The Supreme Court has held that a defendant cannot be penalized solely due to inability to pay. *Bearden v. Georgia*, 461 U.S. 660 (1983).
 11. Defendant's circumstances demonstrate:
 - No willful refusal to pay;
 - A genuine inability to comply;
 - Good-faith efforts to obtain employment.
 12. Maintaining the current payment schedule under these conditions risk violating fundamental fairness principles.
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D. Impact of Court-Imposed Restrictions

13. Defendant's **travel restrictions materially impair earning capacity**, limiting access to employment opportunities.
 14. A payment schedule based on income Defendant is effectively prevented from earning is **inequitable and contrary to statutory intent**.
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E. Interests of Justice

15. Modification of the payment schedule will:

- Promote compliance;
- Encourage lawful employment;
- Increase the likelihood of eventual restitution recovery.

16. A realistic payment structure better serves both the **victim's long-term interests** and the **Court's enforcement objectives**.

IV. REQUEST FOR RELIEF

WHEREFORE, Defendant **Jonathan E. Ramaci** respectfully requests that this Court:

1. **Modify the restitution payment schedule** to reflect Defendant's current financial condition;
 2. Order one or more of the following:
 - o **Reduce payments to \$50 per month;**
 - o In the alternative, set a nominal payment amount until employment is secured;
 - o Temporarily **suspend restitution payments** if deemed appropriate;
 3. Grant such other relief as the Court deems just and proper.
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V. DECLARATION

I, **Jonathan E. Ramaci**, declare under penalty of perjury that the foregoing is true and correct.

Date: April 24, 2026

Respectfully submitted,

Jonathan E. Ramaci

