

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO.: 4:21 CR 00036

CLONET JUNIOR CHARMANT

Defendant.

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DEFENDANT'S SENTENCING MEMORANDUM

COMES NOW Defendant, CLONET JUNIOR CHARMANT, hereinafter “Mr. Charmant” by and through his undersigned attorney, and files this Sentencing Memorandum regarding the sentencing, which is scheduled to occur on March 3, 2022 at 11:00 a.m. Mr. Charmant and his counsel request that this Court consider the matters presented herein and the matters presented in Mr. Charmant’s Presentence Report (hereinafter “PSR”), as well as the matters to be presented at the sentencing hearing itself.

Mr. Charmant, pursuant to the decision in United States v. Booker, 543 U.S. 220 (2005), requests this Court to impose a sentence that is “sufficient but not greater than necessary to comply with” the goals of sentencing set forth in 18 U.S.C. § 3553(a)(2), namely the need to protect the public from further crimes; the

need to provide just punishment for the offense, and the need to reflect the seriousness of the offense. Those goals, the consideration of the “nature and circumstances of Mr. Charmant’s offense,” 18 U.S.C. § 3553(a), and the other factors set forth in the statute.

Mr. Charmant respectfully requests the Court to consider the mandatory minimum of 2 years imprisonment as sufficient to comply with the goals of sentencing without imposing an additional period of imprisonment. Additional considerations of the nature and circumstances of the offense are summarized below for the Court:

Mr. Charmant Regrets His Involvement and Role in These Offenses

Mr. Charmant clearly demonstrated acceptance of responsibility for the offense and has assisted authorities in the investigation or prosecution of the misconduct by timely notifying authorities of his intention to plead guilty. See PSR, Doc. 106, ¶47.

Mr. Charmant regrets his crime and appreciates that his criminal conduct has not only put his own future in jeopardy but has affected each of his victims and society as a whole.

Mr. Charmant apologizes to the Court for his actions and wishes to express that he is committed to living a law-abiding life moving forward and paying

restitution to the best of his ability.

No Criminal History Whatsoever

Mr. Charmant was raised in a single-parent household in low-income neighborhoods and had no relationship with his father during his formative years.

See PSR, Doc. 106, ¶¶72, 74.

Mr. Charmant avoided gangs and other negative influences throughout his childhood by focusing on sports. See PSR, Doc. 106, ¶¶ 74, 79.

Mr. Charmant has no criminal history whatsoever, including no juvenile criminal history.

Mr. Charmant does not have a proclivity toward criminal behavior or fraud and is unlikely to recidivate.

Mr. Charmant's Youth Is a Mitigating Factor. See PSR, Doc. 106, ¶ 123.

Mr. Charmant was only 19 years of age when his involvement in this fraud began.

Mr. Charmant's high school classmates/Co-Defendants Catala and Ramirez were already engaged in the fraud before Mr. Charmant became involved.

Mr. Charmant showed extreme naivete' by joining his friends in this fraud.

Mr. Charmant's judgment was not helped by daily use of marijuana during

this time period, and Mr. Charmant has expressed an interest in receiving substance abuse treatment. See PSR, Doc. 106, ¶¶ 80, 82.

Mr. Charmant will have at least two years in the Bureau of Prisons to reflect on his conduct to become a more mature person.

Mr. Charmant Has Potential To Be A Productive Member of Society

Mr. Charmant graduated from St. Lucie West Centennial High School in Port St. Lucie, Florida, in 2018.

Mr. Charmant was a standout linebacker for St. Lucie West Centennial Eagles Varsity Football.

On National Signing Day of his senior year, Mr. Charmant signed a National Letter of Intent to play football for Mount Union (a Division III college football power with thirteen national championships).

Mr. Charmant attended Palmetto Preparatory School in Columbia, South Carolina in an effort to be admitted to Mount Union, during which time he studied general education courses, college preparatory classes, and played football. See PSR, Doc. 106, ¶ 83.

Mr. Charmant understands that he must take his punishment for this crime and will live with a felony fraud record for the rest of his life.

Mr. Charmant has the intelligence and dedication to move forward in a

positive direction.

Mr. Charmant hopes to attain skills such as in heating, ventilation, and air conditioning (HVAC) and obtain his Commercial Driver's License (CDL) in the future so that he can become a productive member of society. See PSR, Doc. 106, ¶ 84.

Mr. Charmant is dedicated to make the most out of any second chance the Court may consider giving him.

Conclusion

We respectfully request the Court to consider the mandatory minimum of 2 years imprisonment as the custodial sentence for Mr. Charmant.

Respectfully submitted this 1st day of March 2022.

/s/Eric K. Milles
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 1, 2022, I filed the within and foregoing with the Clerk of Court and electronically served a true and correct copy upon all counsel of record.

/s/Eric K. Milles
Eric K. Milles, Esq.

CERTIFICATE OF COMPLIANCE

Pursuant to Rule 7.1(F) of the Local Rules of the Northern District of Florida, I hereby certify that the textual portion of the foregoing Memorandum contains 934 words as determined by the word-counting feature of Microsoft Word.

Dated this 1st day of March 2022.

/s/Eric K. Milles
Eric K. Milles, Esq.