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Attorney for Defendant
ARSEN TERZIAN

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
—WESTERN DIVISION—

UNITED STATES OF AMERICA,	) Case No: 2:25-CR-00456-MWC-1
	)
Plaintiff,	) DEFENDANT ARSEN TERZIAN’S
	) SENTENCING MEMORANDUM;
vs.	) EXHIBITS
	)
ARSEN TERZIAN,	) Sentencing Date: June 5, 2026
	) Time: 10:00 a.m.
Defendant.	)
	) HON. MICHELLE W. COURT

Defendant Arsen Terzian, by and through his attorney of record, Anna Osipov, hereby submits his Sentencing Memorandum pursuant to Federal Rules of Criminal Procedure 32, setting forth the factors the Court should consider in determining what type of sentence is “sufficient, but not greater than necessary” to achieve the purposes of sentencing pursuant to 18 U.S.C. § 3553(a).

The attached memorandum is based upon the Presentence Investigation Report (“PSR”) and Recommendation Letter prepared by the United States Probation Office

1 (“USPO”), attached exhibits, documents and records on file in this matter, and any
2 argument or evidence that may be presented at the hearing which the Court may wish
3 to consider.
4

5 For the reasons discussed in detail herein, Mr. Terzyan respectfully requests
6 that the Court adopt the Presentence Investigation Report and Recommendation;
7
8 i.e., a custodial sentence of 37 months, followed by three years’ supervised release,
9 a special assessment of \$300 and restitution of \$1,166,670. This sentence should be
10 deemed, sufficient, but not greater than necessary to achieve the purposes of
11 sentencing under 3553(a), and will avoid any sentencing disparities with similarly
12 situation defendants.
13
14

15 Dated: May 22, 2026

Respectfully submitted,

16
17 */s/ Anna Osipov*

18 ANNA OSIPOV
19 Attorney for Defendant
20 ARSEN TERZIAN
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DEFENDANT’S SENTENCING MEMORANDUM

I.
INTRODUCTION

On June 10, 2025, an eighteen-count Indictment was filed against defendant Arsen Terzyan, CR 2:25-00456-MWC. See dkt no. 64. Mr. Terzyan was charged in Counts One (1) through Seven (7) with Wire Fraud (18 U.S.C. § 1343), and in Counts Eight (8) through Eighteen (18) with Transactional Money Laundering (18 U.S.C. § 1957).¹

On January 30, 2026, Mr. Terzyan entered into a plea agreement with the government. Plea Agreement (cited hereinafter as “PA”), at dkt no. 95. On February 20, 2026, he pleaded guilty before the Court, pursuant to the written plea agreement, to Counts One, Seven and Eight. See Criminal Minutes--Change of Plea, dkt no. 105.

The Plea Agreement provides the factual basis of the offense. See PA, dkt no. 95, at pp.19-26. In sum, defendant applied for, and obtained, funds from programs authorized through the CARES Act. For instance, defendant used his existing restaurant business, Grub House, Inc., to apply for relief funds. In one application, defendant “falsely represented that Grub House’s revenue for 12 months preceding January 31, 2020, was \$433,441.” PA at p.21 (The actual revenue was \$50,000. Id.). These false representations were material to the agency’s decision to approve the application. PA at p.22. As a result, defendant received \$149,900. Id. Additionally, defendant submitted a subsequent

¹ The Indictment also includes forfeiture allegations.

application to increase the amount to \$350,000, for a total of \$500,000, using fraudulent tax returns with incorrect revenues. PA p.23.

In March 2021, defendant applied for funds under the Restaurant Revitalization Fund (“RRF”). PA p.23. Among other things, he stated that Grub House’s annual revenues were \$1,423,441. PA p.24. The application was approved and \$1,864,830 was transferred to the business bank account. Id.

Defendant admits that “the aggregate actual loss that defendant caused by the misrepresentations and misuse of pandemic stimulus funds described above was \$1,166,670.” PA p.26. “The parties agree that the actual loss figure is legally appropriate under USSG § 2B1.1(b)(1) *et seq.*” Id.

II. THE ADVISORY SENTENCING GUIDELINES CALCULATIONS

The USPO’s advisory Guidelines calculations are as follows:

Base Offense Level:	7	[§ 2B1.1(a)(1)]
	+14	[§ 2B1.1(b)(1)(H)(loss more than \$550k)]
Specific Offense Characteristics:		
	+2	[§ 2B1.1(b)(10)(sophisticated means)]
	+1	[§ 2S1.1(b)(2)(A)(§1957 conviction)]
<u>Acceptance</u>	<u>-3</u>	<u>[§ 3E1.1(a), (b)]</u>
Total Offense Level	= 21	

PSR, at ¶¶ 43-49.

This assessment is in accordance with the plea agreement stipulations by the parties except for one issue. The plea agreement incorrectly noted that a 2 level enhancement applies for money laundering under U.S.S.G. §2S1.1(b)(2)(A). PA p.8. In actuality,

1 §2S1.1(b)(2)(A) corresponds to a 1 level enhancement because defendant stands convicted
2 under 18 U.S.C. §1957, not §1956, as corrected by the USPO. See PSR p.5 n.1. The
3 Supreme Court emphasized that "a district court should begin all sentencing proceedings
4 by *correctly calculating* the applicable Guidelines range." *Gall v. United States*, 552 U.S.
5 38, 49, 128 S.Ct. 586, 169 L.Ed.2d 445 (2007)(emphasis added).
6

7 The USPO assessed three (3) criminal history points, resulting in a designation of
8 Criminal History Category III. PSR ¶¶ 60-61. Thus, the advisory sentencing range is 41 to
9 51 months. The USPO is recommending a custodial sentence of 37 months, followed by
10 three years of supervised release. See Recommendation Letter, dkt no. 105.²
11
12

13 Defendant agrees with the Guidelines' assessments by the USPO and thus does not
14 have any objections. The advisory sentencing range of 41 to 51 months should be the
15 "starting point and initial benchmark" prior to considering several mitigating factors
16 under the Court's 3553-analysis.
17

18 After review of the totality of the factors present in this case and the detailed
19 §3553(a) analysis by the USPO in the PSR and Recommendation Letter, undersigned
20 counsel believes that a sentence of 37 months is sufficient, but not greater than necessary
21 to achieve the purposes of sentencing pursuant to 18 U.S.C. §3553(a). This sentence also
22 alleviates an unwarranted sentencing disparity in a related case. Therefore, the defense
23
24
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26

27 ² The USPO is also recommending a special assessment of \$300 and a restitution amount
28 of \$1,166,670.

1 respectfully requests the Court consider imposing the sentence recommendation by the
2 Probation Office.

3
4 **III.**
5 **THE SENTENCE MUST BE “SUFFICIENT, BUT NOT**
6 **GREATER THAN NECESSARY” TO ACHIEVE THE PURPOSES OF**
7 **SENTENCING UNDER THE STATUTORY DIRECTIVES OF § 3553(a)(2)**

8 The Court is respectfully urged to consider the offender as well as the offense,
9 keeping in mind that it is not “*severe* punishment that promotes respect for the law, it is
10 *appropriate* punishment.” *United States v. Olhovsky*, 562 F.3d 530, 549-51 (3d Cir. 2009)
11 (emphasis in original); *see also Williams v. New York*, 337 U.S. 241, 247 (1949).

12 **A. The Nature And Circumstances Of The Offense & The History And**
13 **Characteristics Of The Defendant Warrant The Requested Sentence**

14 The following social history of Arsen Terzyan is provided in the spirit of 18
15 U.S.C. § 3661, which states “that no limitation shall be placed on the information
16 concerning the background, character and conduct of a person convicted of an offense
17 which a Court of the United States may receive and consider for the purpose of imposing
18 an appropriate sentence.”
19

20
21 Arsen Terzyan, age 43, has promptly accepted responsibility for his actions,
22 demonstrated remorse and now comes before this Court for sentencing. Arsen is a non-
23 violent, white-collar offender.
24

25 Arsen was born in Armenia to the marital union of Oganes and Asmik. PSR ¶66.
26 His father, Oganes, passed away in 2025 after battling cancer for several years. Id. Arsen
27 has two brothers, Mesrop and Artur. PSR ¶67.
28

1 Arsen and his family immigrated to the United States in 1988 when he was five
2 years old due to the turmoil in Armenia at the time. PSR ¶68. The Soviet Union was
3 beginning to collapse; a devastating earthquake claimed the lives of 50,000 people; and a
4 war had broken out between Armenia and Azerbaijan.

6 Arsen was raised in a tight-knit, Christian family who attended church every
7 Sunday. PSR ¶69. His parents always organized outdoor activities and vacations. Id. He
8 recalls, however, that he grew up in a dangerous neighborhood in Van Nuys, where he
9 was bullied as a teenager by other ethnic groups. PSR ¶70. In one event, he was hit in the
10 head with a glass bottle by a Mexican group of 10-15 individuals due to the rivalry
11 between Armenians and Mexicans at that time. Id.

14 In July 2006, Arsen married his wife, Vera. PSR ¶71. Vera is successfully self-
15 employed. She owns a children's daycare for preschoolers. Id.

17 The couple has three children: Anjela (age 19), Kristina (age 17), and Tony (age
18 12). PSR ¶72. Anjela is attending a Catholic university on a scholarship and works for
19 her mother, as well. PSR ¶72. The other two children are in high school and middle
20 school, respectively. Id. Arsen is, and always has been, very "hands-on" as a father—
21 "meeting his children's financial and emotional needs," supporting their extracurricular
22 activities, such as tennis, swimming, painting, and boxing. Id.

25 Arsen's strong family ties and responsibilities are reflected in the letters addressed
26 to the Court, which are attached hereto as Exhibit A. In his letter, Arsen provides insight
27

1 into the circumstances which led to this offense and demonstrates genuine remorse for his
2 foolish choices. Id.

3 Arsen's wife of 26 years, Vera, conveys how the pandemic was the catalyst to
4
5 Arsen's foolish choices which led to this criminal matter:

6

7
8 My husband, Arsen, is very family oriented. When we were
9 separated, he tried doing everything to bring his family back, and
10 in the end, he accomplished that. He takes pride in being a loving
11 husband and father and even through our falling out, I could not
12 ask for a better husband and father for our children. He truly does
everything for his family; he never likes to see his children upset
and will do everything to keep them happy.

13 While I understand that everyone makes mistakes, I firmly believe
14 that some of those mistakes can stem from desperate
15 circumstances. During the COVID-19 pandemic, when panic and
16 financial uncertainty gripped many families, Arsen felt immense
17 pressure to provide for us. His actions, though misguided, were
driven by a deep love for our family and desire to ensure we did
not end up in dire straits.

18 Arsen is a man of faith and possesses a heart of gold. He has
19 always been devoted to his family and has strived to be a positive
20 influence in our community. Honorable Judge, I respectfully
21 request that you consider granting him house arrest instead of
22 serving more penalties. This would allow him to remain actively
23 involved in our children's lives, which is crucial for their well-
being. Our children greatly depend on him and he on them.

24 I understand that gravity of the situation and the importance of
25 accountability, however, I sincerely ask you to consider the
26 impact on our family when making your decision. Thank you for
taking the time to read my letter.

27 May God bless you and the decision you will make for my
28 husband.

1 Ex. A at p.1-2. “[F]inancial desperation . . . lends explanation, though not excuse, to the
2 activities for which [the defendant] is now being sentenced.” *United States v. Gerard*, 782
3 F.Supp.2d 913, 915 (S.D.N.Y. 1992)(imposing sentence of five years’ probation,
4 notwithstanding Guidelines range of 33 to 41months).
5

6 Significantly, these crimes were committed during the worst pandemic in this
7 country’s history. Arsen’s only source of income came crashing down as a result. His
8 involvement was induced by his confluence of financial and emotional pressures. His
9 desire to put food on the table was the impetus of his involvement in this offense. The
10 Guidelines, however, do not account for motive. *See United States v. Dikiara*, 50 F.
11 Supp. 3d 1029, 1032 (E.D. Wis. 2014)(noting that “the [loss] guideline fails to take into
12 account other relevant factors, including motive and culpability”).
13
14

15 Of course, none of this justifies Arsen’s poor judgement in committing this offense.
16 His frustration with his inability to provide for his family proved too much to handle.
17

18 Arsen’s children, relatives, and members of the clergy have written letters to the
19 Court. See Ex. A, pp. 5-11. By all accounts, Arsen a hardworking family-man whose
20 entire life revolves around his family and bettering the lives of others in the community.
21

22 For instance, Mesrop describes Arsen as “a beacon of light and positivity” who
23 touched his “life but has also had a profound impact on many others.” *Id.* Nanor writes:
24 “In a world where kindness can sometimes be overlooked, Arsen serves as a reminder of
25 the positive impact one individual can have on the lives of others.” *Id.*
26
27
28

1 Senior Chaplain Rafi Ohanes, who serves in the Los Angeles County Jails since
2 1994, explains the steps Arsen is taking toward completely changing his life around:

3 For the past several months, I have visited Arsen Terzyan. I met
4 him initially by recommendation of other sober and reformed
5 youth. When I met him, I learned that Arsen has been searching
6 for spiritual guidance and seeking leadership on living a righteous
7 lifestyle. From there, we started Bible studies, prayers and other
8 spiritual counseling sessions for the past several months. What I
9 have seen is a significant growth and transformation in his attitude
10 and overall demeanor. He is much more positive and wakes up
11 every day eager to serve his family and community in an honest
12 way. It is my opinion that he has started the journey of reforming
13 his life and wants to continue living a righteous and honest
14 lifestyle. If the court can grant him some grace and mercy, I will
15 continue to follow up and provide additional spiritual guidance
16 and support. The theme that runs through these letters is of a
17 remarkable family man, father, husband, son and brother who
18 acted out of character and, by all indications, has demonstrated his
19 sincere remorse for his actions.

20 Ex. A, p.12

21 Reverend Fr. Shnork Demirjian conveys how Arsen and his family attend Sunday
22 services and how he “has always shown willingness to support the church during various
23 events.” PSR p.13. He describes Arsen’s character as one of reliable, polite and caring.

24 Arsen’s family ties and responsibilities are a mitigating factor warranting a variance
25 from the Guidelines.³ Courts have untangled the Sentencing Commission’s conflation of

26 ³ After *Booker*, it should be “pellucidly clear” that the particular factors in any given case
27 need not be “extraordinary” to warrant a variance from the Guidelines. *Gall*, 552 U.S. at
28 41. Indeed, the Fifth Circuit has held unequivocally that after *Gall* and *Kimbrough v. United States*, 128 S. Ct. 558 (2007), “[w]ithout a doubt, the requirement of ‘extraordinary circumstances’ is no longer the law.” *United States v. Simmons* (Simmons II), 568 F.3d 564, 568 (5th Cir. 2009) (citation omitted); see also *United States v. Jones*, 460 F.3d 191,

1 the culpability of the defendant with the impact of imprisonment on the defendant's
2 dependents. In *United States v. Schroeder*, 536 F.3d 746 (7th Cir. 2008), the Court stated
3 that "extraordinary family circumstances can constitute a legitimate basis for imposing a
4 below-guidelines sentence." *Id.* at 755. However, the Court explained that the fact that a
5 defendant's criminal conduct was the cause of a family's hardship is "obvious" and "not
6 dispositive." *Id.* "When a defendant presents an argument based on extraordinary family
7 circumstances, the relevant inquiry is the effect of the defendant's absence on his family
8 members. The defendant's responsibility for the adverse effects of his incarceration is not
9 the determinative issue. If it were, there would never be an occasion on which the court
10 would be justified in invoking family circumstances to impose a below-Guidelines
11 sentence." *Id.*

12
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16 **B. The Need For The Sentence Imposed To —**

17 **i. Reflect The Seriousness Of The Offense, To Promote Respect For The**
18 **Law, And To Provide Just Punishment For The Offense**

19 Congress directed the Sentencing Commission to "ensure that the guidelines
20 reflect the general appropriateness of imposing a sentence other than imprisonment in
21 cases in which the defendant has not been convicted of a crime of violence or an
22 otherwise serious offense, and the "general appropriateness of imposing a term of
23 imprisonment on a person convicted of a crime of violence that results in serious bodily
24
25
26 194–95 (2d Cir. 2008) (the government's reliance on pre-*Booker* policy statements and
27 court decisions revealed a fundamental "misconception" concerning today's non-
28 Guideline sentences).

injury.” 28 U.S.C. § 994(j). Congress issued this directive in the belief that “sentencing decisions should be designed to ensure that prison resources are, first and foremost, reserved for those violent and serious criminal offenders who pose the most dangerous threat to society,” and that “in cases of nonviolent and non-serious offenders, the interests of society as a whole as well as individual victims of crime can continue to be served through the imposition of alternative sentences, such as restitution and community service.” *See* Pub. L. No. 98-473, § 239, 98 Stat. 1987, 2039 (1984) (set forth at 18 U.S.C. § 3551).

Arsen is plainly not a “violent and serious offender” who “pose[s] the most dangerous threat to society.”⁴ To the contrary, Arsen wishes to continue working to support his dependent family members. He is a white-collar, non-violent offender who clearly acted out of desperation. In short, a variance from the Guidelines is needed to avoid its restrictive policies on these issues.

ii. Afford Adequate Deterrence to Criminal Conduct

The empirical evidence is unanimous that there is no relationship between sentence length and general or specific deterrence, regardless of the type of crime.⁵ The

⁴ In *United States v. Whitehead*, 532 F.3d 991 (9th Cir. 2008) (*per curiam*), the Ninth Circuit affirmed a probationary sentence despite the guideline range of 41-57 months for creating counterfeit access devices; explaining that the district court had “properly take[n] into account” its “finding that Whitehead’s [nonviolent] crime ‘[di]d not pose the same danger to the community as many other crimes.’” *Id.* at 993.

⁵ *See* Andrew von Hirsch *et al.*, *Criminal Deterrence and Sentence Severity: An Analysis of Recent Research* (1999) (concluding that “correlations between sentence severity and

1 Sentencing Commission has found that “[t]here is no correlation between recidivism and
2 Guidelines’ offense level. . . . While surprising at first glance, this finding should be
3 expected. The Guidelines’ offense level is not intended or designed to predict
4 recidivism.” U.S.S.C., *Measuring Recidivism: The Criminal History Computation of the*
5 *Federal Sentencing Guidelines*, at 15 (2004) (hereinafter, “*Measuring Recidivism*”).⁶
6
7 And according to “the best available evidence, . . . prisons do not reduce recidivism more
8 than noncustodial sanctions.” Francis T. Cullen, *et al.*, *Prisons Do Not Reduce*
9 *Recidivism: The High Cost of Ignoring Science*, 91 Prison J. 48S, 50S-51S (2011).
10

11 A sentence of 37 months, followed by 3 years of supervised release serves as a
12 deterrent. Beyond the extensive limits on a supervised releasee’s freedom, yet another
13 punishment inherent in supervision is the proverbial hangman’s noose. At any slip or
14
15

16 crime rates . . . were not sufficient to achieve statistical significance,” and that “the studies
17 reviewed do not provide a basis for inferring that increasing the severity of sentences
18 generally is capable of enhancing deterrent effects”); Michael Tonry, *Purposes and*
19 *Functions of Sentencing*, Crime and Justice: A Review of Research 28-29 (2006)
20 (“[I]ncreases in severity of punishments do not yield significant (if any) marginal deterrent
21 effects. . . . Three National Academy of Science panels, all appointed by Republican
22 presidents, reached that conclusion, as has every major survey of the evidence.”); Donald
23 P. Green & Daniel Winik, *Using Random Judge Assignments to Estimate the Effects of*
24 *Incarceration and Probation on Recidivism among Drug Offenders*, 48 Criminology 357
25 (2010) (study of over a thousand offenders whose sentences varied substantially in prison
26 time and probation found that such variations “have no detectable effect on rates of re-
27 arrest,” and that “[t]hose assigned by chance to receive prison time and their counterparts
28 who received no prison time were re-arrested at similar rates over a four-year time
frame”).

27 ⁶ U.S.S.C., *Measuring Recidivism: The Criminal History Computation of the Federal*
28 *Sentencing Guidelines*, at 15 (2004),
http://www.ussc.gov/Research/Research_Publications/publications.cfm

1 violation of the release conditions, the noose can be tightened and the offender
2 imprisoned. The Ninth Circuit used this very metaphor when it upheld a probationary
3 sentence rather than imprisonment in a child pornography case.
4

5 It is said that there is nothing like being sentenced to hang in the
6 morning to focus a man's thoughts, and it is improbable that the
7 district court's stern warning will be an ineffective deterrent in
8 this case.

9 *United States v. Autery*, 555 F.3d 864, 876 (9th Cir. 2009).

10 Supervised release, then, is not just a momentary loss of freedoms—it entails an
11 overhanging and continuing threat of greater losses. Trial courts have the inherent power
12 to tighten the noose by extending the supervised period, or exacting harsher conditions,
13 requiring home confinement, or requiring the supervisee to serve prison time. Thus, the
14 threat of imprisonment is a deterrent factor: “Deterrence involves the prevention of
15 criminal acts by the threat of punishment, which is addressed to the aversion to being
16 punished.” Richard G. Board, *Operational Criteria for Determining Criminal*
17 *Responsibility*, 61 Colum. L. Rev. 221 (1961). Imposing the requested sentence will
18 punish Arsen, and this Court's supervisory power over him will serve as a sufficiently
19 effective deterrent.
20
21
22

23 Additionally, research regarding white-collar offenders in particular (presumably
24 the most rational of potential offenders) found no difference in the deterrent effect of
25 probation and that of imprisonment. See David Weisburd *et al.*, *Specific Deterrence in a*
26 *Sample of Offenders Convicted of White Collar Crimes*, 33 Criminology 587 (1995); see
27
28

1 also Zvi D. Gabbay, *Exploring the Limits of the Restorative Justice Paradigm:*
2 *Restorative Justice and White Collar Crime*, 8 Cardozo J. Conflict Resol. 421, 448-49
3 (2007)(“[T]here is no decisive evidence to support the conclusion that harsh sentences
4 actually have a general and specific deterrent effect on potential white-collar offenders.”).

6 **iii. To Protect The Public From Further Crimes Of The Defendant**

7 The offense was committed under extenuating circumstances for which Arsen is
8 extremely contrite. Imposing a lengthy prison term in this instance would not serve to
9 protect the public.
10

11 Under the Guidelines, age (§ 5H1.1), employment record (§ 5H1.5) and family ties
12 and responsibilities (§ 5H1.6) are not “ordinarily relevant” in determining the sentence.
13 But under § 3553(a)(2)(C), they are plainly relevant to the issue of “protecting the public
14 from further crimes of the defendant.” *See Booker*, 125 S. Ct. at 765.
15

16 Arsen is 42 years old, has a long and successful employment record and financially
17 and emotionally provides for his wife and three children. All of these factors separately
18 diminish the risk of recidivism. *See Measuring Recidivism*, at Exs. 9 and 10. Taken in
19 combination, the risk of recidivism rate is certainly much lower.
20

21 **C. The Requested Sentence Helps Avoid Unwarranted Sentence Disparities**

22 Several defendants were charged with identical conduct in related cases. See PSR
23 ¶14. Defendant Ashot Bejanyan, for instance, received a sentence of 24 months and one
24 day, which the Court, pursuant to its authority under “18 U.S.C. §3583(d), (e)(4) and
25 U.S.S.G. §5F1.2,” split the sentence into 12 months and one day in BOP custody and “12
26
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months in home confinement as a special condition of the term of supervised release.” See J&C at dkt no. 180, in 2:25-CR-00450-CV-4.

There, the defendant pleaded guilty to one count of 18 U.S.C. §1344 and one count of 18 U.S.C. §1956. Id. The parties stipulated to the following Guidelines calculations:

Base Offense Level:	8	[§ 2S1.1(a)(1)]
	+18	[§ 2B1.1(b)(1)(J)(loss more than \$3.5m)]
Specific Offense Characteristics:		
	+2	[§ 2B1.1(b)(10)(sophisticated means)]
	+2	[§ 2S1.1(b)(2)(A)(§1956 conviction)]
	-2	[§ 4C1.1(zero-point offender)]
<u>Acceptance</u>	-3	[§ 3E1.1(a), (b)]
Total Offense Level	= 25	

See Plea Agreement, dkt no. 156 at p.9, in 2:25-CR-00450-CV-4.

For comparison to the instant matter, the Guideline assessment in the PSR is:

Base Offense Level:	7	[§ 2B1.1(a)(1)]
	+14	[§ 2B1.1(b)(1)(H)(loss more than \$550k)]
Specific Offense Characteristics:		
	+2	[§ 2B1.1(b)(10)(C)(sophisticated means)]
	+1	[§ 2S1.1(b)(2)(A)(§1957 conviction)]
<u>Acceptance</u>	-3	[§ 3E1.1(a), (b)]
Total Offense Level	= 21	

There are four distinguishing factors to consider. First, the most significant difference is the loss amount calculation, which is several times larger than the instant case (18 level enhancement, \$3.5m-\$9.5m, versus 14 levels, \$550k-1.5m). Second, the one-level difference in the base offense levels, indicating that the Sentencing Commission views Bejanyan’s offense slightly more severe. Third, the two-level versus one-level

1 enhancement for convictions under 1956 as opposed to 1957, respectively. Lastly, Mr.
2 Terzyan was placed in Criminal History Category II, while Bejanyan received a two-level
3 reduction for a first offense, which in actuality shifted the respective sentencing ranges,
4 thereby reducing, if not eliminating, the disparity on that point. Thus, when analyzing the
5 other factors in §3553, although a sentence similar to Bejanyan would be justified in order
6 to avoid any sentencing disparities that remain, the defense requests the Court adopt the
7 recommendation of the USPO in this matter.
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10 **IV.**
11 **CONCLUSION**

12 For the foregoing reasons, Defendant Arsen Terzyan respectfully requests that the
13 Court consider imposing, in accordance with the findings and recommendations of the
14 Probation Office, a custodial sentence of 37 months, followed by three years'
15 supervised release, a special assessment of \$300 and restitution of \$1,166,670.
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18 Dated: May 22, 2026

Respectfully submitted,

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20 */s/ Anna Osipov*

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ANNA OSIPOV
22 Attorney for Defendant
23 ARSEN TERZIAN
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