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

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	Case No. 1:24-CR-235
v.	)	
	)	Honorable Claude M. Hilton
ARTHUR HILL CARTER,	)	
	)	Sentencing: July 11, 2025
Defendant.	)	

UNITED STATES' POSITION ON SENTENCING

The United States of America, through undersigned counsel and in accord with 18 U.S.C. § 3553(a) and the U.S. Sentencing Commission Guidelines Manual ("Guidelines" or "U.S.S.G."), hereby provides this position with respect to sentencing for defendant Arthur Hill Carter ("defendant"). The United States requests that this Court adopt the findings of the Pre-Sentence Investigation Report ("PSR"), resulting in a sentencing range of 10-16 months of incarceration for Count 1 followed by a mandatory minimum consecutive term of 60 months of incarceration for Count 3. This sentence addresses the cocaine possessed for sale from this apartment while armed.

I. Factual Background

Carter was arrested inside an apartment leased under his name and occupied by other individuals in addition to himself. After observing the defendant selling narcotics from his apartment during the week of June 16, 2024, law enforcement

obtained a search warrant which they executed on June 27, 2024. Four firearms, cash, cocaine and fentanyl were recovered. The narcotics were subsequently tested and found to be cocaine and fentanyl.

II. Guidelines Calculation

As the Court is aware, although the Guidelines are advisory, sentencing courts "must consult those Guidelines and take them into account when sentencing." *United States v. Booker*, 543 U.S. 220, 261 (2005). Thus, at sentencing a court "must first calculate the Guidelines range." *Nelson v. United States*, 555 U.S. 350, 351 (2009). The U.S. Probation Office correctly found an offense level reduced by 2 points for the Acceptance of Responsibility. The Total Offense Level is 10. The defendant's criminal history category is III, ¶ 65.

III. Section 3553(a) Factors

The standards governing sentencing are well established. After calculating the applicable Guidelines range, a sentencing court must then consider that Guidelines range, as well as the sentencing factors set forth in § 3553(a), and determine a sentence that is appropriate and reasonable for the individual defendant. *Nelson*, 555 U.S. at 351; *see also United States v. Hughes*, 401 F.3d 540, 546 (4th Cir. 2005). With respect to 18 U.S.C. § 3553(a)'s enumerated factors, of particular relevance here are the "nature and circumstances of the offense," the need for the sentence "to reflect the seriousness of the offense," "the

history and characteristics of the defendant," the need "to promote respect for the law," and the need for the sentence "to afford adequate deterrence to criminal conduct." § 3553(a)(1), (a)(2)(A), (a)(2)(B), (a)(7).

The need for general deterrence in this case warrants a sentence addressing the narcotics sales in this apartment complex by this defendant. General deterrence is important in any case, but it is particularly important with respect to repetitive drug dealing while armed. *See, e.g.*, *United States v. Martin*, 455 F.3d 1227, 1240 (11th Cir. 2006) (finding that crimes that are "rational, cool, and calculated" rather than "crimes of passion or opportunity" are "prime candidates for general deterrence") (citation omitted).

IV. Conclusion

For the reasons stated, the United States requests that this Court impose a period of incarceration for Count 1 followed by a consecutive 60-month period of

incarceration for Count 3. This sentence addresses this armed narcotics dealer. A term of imprisonment will serve to protect the community from this dealer.

Respectfully submitted,

Erik S. Siebert
United States Attorney

Date: July 7, 2025

By: /s/

Ronald L. Walutes, Jr.
Assistant United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Office: (703) 299-3910
Fax: (703) 299-3980
Email: ron.walutes@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record. A copy has also been emailed to the PSR author.

By: /s/
Ronald L. Walutes, Jr.
Assistant United States Attorney