

1 Gregory J. Navazo
 2 Attorney At Law
 3 7614 North 51st Drive
 4 Glendale, AZ 85301
 (623) 326-9083
 (602) 322-1001
 Bar No. 019552

5 gregory.navazo@azbar.org

6 Attorney for the Defendant

7
 8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF ARIZONA

10	United States of America,)	
)	NO. 2:08-CR-00731-PHX-SRB
11	Plaintiff,)	
)	
12)	
	vs.)	SENTENCING MEMORANDUM AND
13)	LETTERS SUBMITTED ON BEHALF OF
)	THE DEFENDANT
14)	
	Salvador Acuna-Quijada,)	(Sent Set for November 24, 2008 at 10:00am)
15)	
	Defendant.)	
16	_____)	

17 On behalf of the defendant Defense counsel submits the following recommendations for
 18 sentencing.

19 **BACKGROUND**

20 The defendant finds himself about to be sentenced to longest of any of his criminal
 21 convictions to date. At the completion of his sentence he will be deported to Mexico as he has
 22 been in the past, with one main difference. At the present time Mr. Acuna Quijada has moved
 23 his family to Mexico to await his release date. This may seem trivial however he has begun
 24 the transition process to starting his life over in Mexico. The Pre-Sentence Report writer failed
 25 to mention this fact in her information provided to the Court.

26 Additionally, another change that has occurred is that Mr. Acuna Quijada has begun a
 27 process of dealing with his addictions which is a big reason for where he finds himself today.
 28 Mr. Acuna Quijada has been attending Narcotics Anonymous classes and completing religious

1 studies via correspondence. The participation in both these programs has helped Mr. Acuna
2 Quijada begin his recovery and cope with his addictions.

3 **SENTENCING RECOMMENDATIONS**

4 Defendant falls at a guidelines sentencing range 15 criminal history level III which carries
5 with it a sentencing range of 24 to 30 months. Defense counsel would recommend 24 months
6 as it represents Mr. Acuna-Quijada's longest incarceration period to date. Mr. Acuna- Quijada
7 has taken steps to unite with his family in Mexico thereby reducing the likely hood of return
8 to the United States. Lastly, Mr. Acuna Quijada has begun addressing his addiction problem
9 while in pre-sentence custody. A twenty four (24) month sentence is sufficient but not greater
10 than necessary to fulfill the need of an Illegal Re-Entry after Deportation with the (b)(2)
11 Enhancement conviction, as it reflects the seriousness of the offense and promotes respect for
12 the law. It provides Mr. Acuna Quijada a just punishment for his re-entry and the necessary
13 deterance to committing more crime in this country. A twenty four (24) month sentence also
14 protects the public and provides the necessary time for Mr. Acuna Quijada to receive the
15 needed treatment for his addictions.

16 **SENTENCING LETTERS**

17 The attached letters were submitted by friends, family and the Mexican Government in
18 behalf of the defendant for purposes of sentencing.

19 RESPECTFULLY SUBMITTED this 21, November 2008

20 /s/ Gregory J. Navazo
21 Gregory J. Navazo
Attorney for the Defendant

22 **CERTIFICATE OF SERVICE**

23 I hereby certify that on November 21, 2008,
24 I electronically transmitted the attached
25 document to the Clerk's Office using the
26 CM/ECF system for filing and
transmittal of a Notice of Electronic Filing
27 to the following CM/ECF registrants:
Lisa Miller, AUSA

28 S/Gregory J. Navazo
Attorney for Defendant