

**MINUTE SHEET OF PROCEEDINGS HELD BEFORE
YVETTE KANE, UNITED STATES DISTRICT JUDGE
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

USA v.	Estevan Hernandez Claudio	CRIMINAL NO.	12-cr-006-03
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Courtroom No. 4	Date	4/27/17	Time Commenced	9:30	Time Terminated	11:05
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Nature of Hearing:	Sentencing					
Gov't Counsel:	Scott Ford, AUSA		Defense Counsel: Linda George, Esq. (Retained)			
Interpreter:				Probation Officer: Lori Baker Dowd		

PLAINTIFF'S WITNESSES:	Exam	Cross	DEFENDANT'S WITNESSES:	Exam	Cross

REMARKS: Court opens with counsel and defendant present; Government calls case and makes opening remarks; defense counsel argues on defendant's behalf & requests that this proceeding be continued. Court addresses the government with respect to defense counsel's request and possible filing of a rule 35 at some point. Court will proceed with sentencing today.

Government has no objections to the PSR. Defense counsel argues their objections to Offense Conduct, victim impact and Acceptance of Responsibility. Government presents their argument to defendant's objections. Court over rules the defendant's objections. Defense counsel speaks on defendant's behalf and request that the court sentence the defendant to time served. Defendant addresses the Court on his own behalf. Government recommends a 5 point reduction and a sentence at the low end of the guideline range. Court will sentence at the below the guideline range. Court gives the defendant a 60% reduction.

Sentence imposed: on count 1 of the SSI, Defendant is committed to the BOP for a term of 92 months. This term is to run concurrently with the sentence imposed in the District of Puerto Rico at docket number 3:12-CR-036-02 .A special assessment of \$100, due immediately, and a fine of \$1,900 are imposed. Supervised release for a term of five years, to be served concurrently with the term of supervised release imposed in the District of Puerto Rico at docket number 3:12-CR-036-02. Court recommends to the BOP that the defendant be placed in a facility near in/near Lexington, KY. Court waives public safety factors. Government moves to dismiss remaining charges. Appeal rights given.

Lori Shuey, Court Reporter

Rashelle Weida, Courtroom Deputy