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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 United States of America,

11 Plaintiff,

12 v.

13 Edward Smith,

14 Defendant.

15 Case No. 3:15-cr-00061-HDM-BNW-2
16 ORDER GRANTING
17 **Joint Stipulation Regarding a**
18 **Reduction in Sentence**

19 In compliance with Amended General Order 2023-09, the parties, Jason M.
20 Frierson, United States Attorney, and Jim W. Fang, Assistant United States
21 Attorney, counsel for the United States of America, and Rene L. Valladares,
22 Federal Public Defender, and Madeline S. Lal, Assistant Federal Public Defender,
23 counsel for Edward Smith, file this Joint Stipulation.

24 The parties state as follows:

25 1. Undersigned counsel and government counsel have determined that
26 Mr. Smith qualifies for a sentence reduction under United States Sentencing
Guidelines Amendment 821 and have reached an agreement regarding a proposed
sentencing reduction.

1 2. Defense counsel has spoken to the defendant. The defendant
2 consents to the proposed sentencing reduction detailed below. The defendant
3 waives any right to appear telephonically or in person at a hearing, should this
4 Court find a hearing is necessary.

5 3. On July 10, 2019, this Court sentenced Mr. Smith to 235 months'
6 incarceration. ECF No. 863. Mr. Smith was in CHC III with a total offense level
7 of 36, which yielded a sentencing guideline range of 235–293 months. Under the
8 amended Guidelines, the parties have determined Mr. Smith is in CHC II with a
9 total offense level of 36 which yields a guideline range of 210–262 months.

10 4. Consistent with U.S.S.G. § 1B1.10, the parties are proposing Mr.
11 Smith's sentence be amended to 210 months.

12 DATED this 28th day of February, 2024.

14 RENE L. VALLADARES
15 Federal Public Defender

14 JASON M. FRIERSON
15 United States Attorney

17 By /s/ Madeline S. Lal
18 MADELINE S. LAL
19 Assistant Federal Public Defender

17 By /s/ Jim W. Fang
18 JIM W. FANG
19 Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Case No. 3:15-cr-00061-HDM-BNW-2

Plaintiff,

ORDER

5

Edward Smith,

Defendant.

The Court has considered the parties' proposed resolution and the factors set out in 18 U.S.C. § 3553(a) and under U.S.S.G. § 1B1.10.

IT IS THEREFORE ORDERED that the parties' proposed amended sentence is accepted. Pursuant to Amended General Order 2023-09, an AO247 form reflecting the amended sentence will be filed.

DATED this 4th day of March, 2024.

Howard D. McKibbin

UNITED STATES DISTRICT JUDGE