

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
vs.	)	<b>PRESENTENCE INVESTIGATION REPORT</b>
	)	
<b>MADE MISTAKES</b>	)	<b>DOCKET NO. 18-CR-3476-01</b>

**Prepared for:** The Honorable Prudence Justice-Haven  
Chief United States District Judge

**Prepared by:** Sebastian Cole  
United States Probation Officer  
555-555-1234

**Assistant U.S. Attorney**  
Stephen King, Esq  
Federal Courthouse, Room 234  
Los Angeles, California 23400

**Defense Counsel** (Retained)  
Elias Brinkman, Esq  
1313 Mockingbird Lane  
Los Angeles, California 23400

**Sentence Date:** January 31, 2019

**Offense:** 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B), Distribution of Cocaine, a  
Class B Felony.

**Arrest Date:** June 2, 2018.

**Release Status:** Remanded on June 3, 2018

**Detainers:** None.

**Other Defendants:** None.

**Date Report Prepared:** December 20, 2018

**Identifying Data**

<b>Date of Birth:</b>	January 10, 2000
<b>Age:</b>	18
<b>Race:</b>	Black, Non-Hispanic
<b>Gender:</b>	Male
<b>Social Security No:</b>	102-54-9244
<b>FBI #:</b>	8874324F07
<b>USM #:</b>	28764-038
<b>PACTS #:</b>	2332323
<b>Education:</b>	High School Equivalency Diploma
<b>Dependents:</b>	None
<b>Citizenship:</b>	United States
<b>Legal Address:</b>	Metropolitan Correctional Center 444 Broadway Los Angeles, California 23434
<b>Other defendants:</b>	None

## **PART A. THE OFFENSE**

### **Charge and Conviction**

1. On December 1, 2019, the defendant, MADE MISTAKES, pled guilty before Magistrate Judge I.M. Hipp to Count 1 of a three-count indictment. Count One charges that on July 18, 2018, the defendant possessed, with intent to distribute, more than 2 kilograms of cocaine in violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B). The remaining counts of the indictment remain pending.

### **The Offense Conduct**

2. In the spring of 2018, confidential informants advised agents of the Drug Enforcement Agency (DEA) that MADE MISTAKES was selling large amounts of cocaine in the Los Angeles area. Informants also advised that MADE MISTAKES was smuggling the cocaine through Los Angeles International Airport where he worked.
3. DEA agents confirmed that MADE MISTAKES did, in fact, work at the airport as a maintenance technician for Seagull Airlines. With the cooperation of airline officials and agents of the Department of Homeland Security (DHS), surveillance of MADE MISTAKES was established at the airport.
4. On June 2, 2018, agents observed MADE MISTAKES in a repair hanger entering a plane that he had not been assigned to work on. Inside the craft, MADE MISTAKES was seen by cleaning staff on the plane removing the mirror from the aircraft's lavatory wall and then replacing it almost immediately after. MADE MISTAKES then exited the plane with a large bag slung over his back, a bag that he was not seen carrying previously.
5. As he walked away, MADE MISTAKES was confronted by his supervisor who asked why MADE MISTAKES was on the plane and asked what was in the bag. MADE MISTAKES did not respond directly but instead said he did not feel well and had to take sick leave.
6. MADE MISTAKES was stopped by DEA agents and Los Angeles police as he approached his car outside the repair hanger. A police dog trained to detect narcotics indicated that the bag carried by MADE MISTAKES contained drugs. When advised by law enforcement that they would be seeking a warrant to search the bag and his person, MADE MISTAKES admitted that he was carrying cocaine. A search of the bag revealed 2.1 kilograms of cocaine. A simultaneous search of his person revealed that MADE MISTAKES was carrying a loaded, semiautomatic handgun that had been reported stolen from a residence in Las Vegas.

7. The defendant declined to make any post-arrest statements to arresting agents.

**Adjustment for Obstruction of Justice**

8. The probation officer has no information to suggest that the defendant impeded or obstructed justice.

**Adjustment for Acceptance of Responsibility**

9. The defendant acknowledged he was in possession of drugs to arresting agents which alleviated the need for a search warrant. The defendant also pled guilty in a timely fashion to the charge of distribution of cocaine, saving the time and cost of a trial.

**Offense Level Computation**

- |     |  |                  |
|-----|--|------------------|
| 10. | Base Offense Level: The guideline for a 21 U.S.C. 841(a) offense is U.S.S.G. § 2D1.1 which, in this case provides a base offense level contingent on the amount of cocaine involved in the offense, 2.1 kilograms. That base offense level is, per U.S.S.G. § 2D1.1(c)(7) is 26. | <b><u>26</u></b> |
| 11. | Specific Offense Characteristics: Since the defendant possessed a dangerous weapon, specifically a stolen semiautomatic handgun, in relation to his drug offense U.S.S.G. 2D1.1(b)(1) requires two offense levels be added.  | <b><u>2</u></b>  |
| 12. | Adjustment for Role in the Offense: None.  | <b><u>0</u></b>  |
| 13. | Victim Related Adjustment: None.   | <b><u>0</u></b>  |
| 14. | Adjustment for Obstruction of Justice: None.   | <b><u>0</u></b>  |
| 15. | Adjusted Offense Level (Subtotal):   | <b><u>28</u></b> |
| 16. | Adjustment for Acceptance of Responsibility: The defendant pleaded guilty, and per Guideline 3E1.1, the offense level is decreased by 3 levels.  | <b><u>-3</u></b> |
| 17. | <b><u>Total Offense Level:</u></b>   | <b><u>25</u></b> |

**PART B. THE DEFENDANT'S CRIMINAL HISTORY**

**Criminal History Computation**

18. The defendant has no criminal history according to available law enforcement and court databases. Therefore, no criminal history points under Chapter 4 of the Sentencing Guidelines are assigned and, per the Sentencing Table in Chapter 5-Part A of the Guidelines, the applicable Criminal History Category is I.

### **PART C. OFFENDER CHARACTERISTICS**

19. The defendant declined to provide any identifying or personal history information to agents upon his arrest. He also declined to be interviewed by probation officials for a pretrial services report. Similarly, he declined to be interviewed for this presentence report. All that was known about him is that he was identified by DEA informants by the name MADE MISTAKES and he had a California driver's license in that name when he was arrested.
20. Efforts to secure information from his personnel file at Seagull Airlines was unsuccessful as they required a consent to disclose form from the defendant, which the Probation Department was unable to obtain due to his refusal to be interviewed. A visit to the residence listed on the defendant's California driver's license revealed that a family living there who said they had no knowledge of the defendant and had been living there for the last 18 months.
21. Search of public record information not requiring consent or a court order did not reveal any information related to the defendant.

#### **Physical Condition**

22. The defendant was screened by Bureau of Prisons Medical Officials shortly after his arrest. No significant medical issues were detected.

#### **Employment Record**

23. As evidenced by the instant offense, the defendant was employed by Seagull Airlines at Los Angeles International Airport. Airline officials declined to provide any additional information without a consent form from the defendant, which the Probation Department could not obtain.

#### **Financial Condition: Ability to Pay**

24. The defendant declined to provide any financial information to the Probation Department for pretrial release or presentencing purposes. However, it is noted that he signed an affidavit of indigency shortly after his arrest and has been appointed counsel at

government expense.

25. Due to a lack of information, the Probation Department cannot fully assess the defendant's ability to pay a fine. However, it is noted that DEA informants said that the defendant had been in the business of trafficking in large amounts of cocaine before his arrest. Such activity is often associated with generation of large amounts of proceeds.

## **PART D. SENTENCING OPTIONS**

### **Custody**

26. Statutory Provisions: The mandatory minimum term of imprisonment is 5 years and the maximum term is 40 years. 21 U.S.C § 841(b)(1)(B).
27. Guideline Provisions: Based on a total offense level of 25 and a criminal history category of I, the guideline custody range is 57 to 71 months. However, to satisfy the statutory minimum custody term, the range should be seen effectively as 60 to 71 months.

### **Supervised Release**

28. Statutory Provisions: If a term of imprisonment is imposed, a term of supervised release of at least 4 years up to life must be imposed per 18 U.S.C. § 3583 and 21 U.S.C. § 841(b)(1)(B).
29. Guideline Provisions: Pursuant to Guidelines 5D1.1(b) and 5D1.2(a)(2), if a term of imprisonment is imposed, a term of supervised release of at least 2 but not more than 3 may also be imposed.

### **Probation**

30. Statutory Provisions: The defendant is eligible for probation by statute, 18 U.S.C. § 3561(a)(1)

### **Fines**

31. Statutory Provisions: The maximum fine is \$5,000,000. 21 U.S.C. 841(b)(1)(B).
32. A special assessment of \$100 is mandatory. 18 U.S.C. 3013.
33. Guideline Provisions: The guidelines require the imposition of a fine except where the defendant establishes that he is unable to pay and is not likely to become able to pay any fine. The fine range for the instant offense is from \$25,000 to \$250,000. U.S.S.G. 5E1.2(c)(2)(A).

RESPECTFULLY SUBMITTED:

HORATIO HORNBLOWER  
CHIEF U.S. PROBATION OFFICER

Prepared by:

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Sebastian Cole  
Senior U.S. Probation Officer

Approved by:

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Elvis Costello  
Supervising U.S. Probation Officer