

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES)
)
 V.) **Cr. No. 07-274 (RJL)**
)
)
 RENITA FRANKLIN-THROWER)

DEFENDANT’S MEMORANDUM IN AID OF SENTENCING

Defendant Renita Franklin-Thrower, through counsel, respectfully submits this memorandum in aid of sentencing.

I. BACKGROUND

On December 21, 2007, defendant Franklin-Thrower pled guilty to the one count indictment charging her with embezzlement from an organization receiving federal funds, the organization here being the Red Cross. Sentencing is set for June 18, 2008.

II. §3553 FACTORS

A. Guidelines Calculation

The Probation Office in its revised report has determined that Ms. Franklin-Thrower’s base offense level, including acceptance, is 8, and that her criminal history is category I; this calculation results in a guidelines range of 0 to 6 months.

B. Other 3553 Factors

No one downplays the seriousness of this offense. However, Ms. Franklin-Thrower entered an early guilty plea and has always held the position that she did not wish to force the government and the Court to the time and expense of a trial.

As the presentence report notes, Ms. Franklin-Thrower never knew her biological father, and has had no contact with her biological mother since age 12. She appears to have been raised by foster parents. She is now unemployed and receives food stamps; her unsecured debt is over \$135,000.

Although there is no criminal history resulting in any points, we do acknowledge some troubling behavior. But we would submit that there are no aggravating factors warranting anything above the lower end of the guidelines. Indeed we would submit that the ends of justice may well be served by a probationary sentence with the requirement that she obtain employment and make reimbursement for the funds taken. Of course, the Court would have the sword of incarceration should she violate any terms of probation.

For the foregoing reasons, and any others that may appear to the Court, counsel and Ms. Franklin-Thrower request a sentence of probation in this case and that full credit be given for acceptance of responsibility.

Respectfully submitted,

A.J. Kramer

Federal Public Defender

By: _____/s/_____
Shawn Moore
Assistant Federal Public Defender
Attorney for Renita Franklin-Thrower
DC Bar #214171
625 Indiana Avenue, NW #550
Washington, DC 20004

202/208-7500
Fax/208-7515