

I agree with the proposed amendments. I have encountered the first situation (gap between order and conviction) at least twice. It does not appear to have been the Commission's intent to allow a select few defendants have no applicable enhancements based on when the conviction occurred. As it stands now, it may actually create sentencing disparities.

Although I have not encountered the second issue, I agree the proposed amendment to address sentence imposed/sentence of imprisonment issues.

The only other consideration under 2L1.2 is to further define order of deportation. That is, there was initially some confusion about *who* can order a deportation. In some cases, the order is signed by a CBP/BP officer who has delegated powers, not an immigration judge. After some debate in our office, we agreed that any order, regardless of who signs it, counts. Just something to consider adding to the application note under 1(A).

Thank you!

Willow Stokes

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