

BASIC RELEVANT CONDUCT

1. Def. convicted of one count of Bank Robbery, citing a specific date in which the defendant stole \$1,700.

Applicable guideline is §2B3.1 (Robbery)

If it is determined that the defendant also possessed and brandished a gun during the robbery. Should the defendant also be subject to the gun enhancement?

2. Def. convicted of one count of Bank Robbery, citing a specific date in which the defendant stole \$1,700.

Applicable guideline is §2B3.1 (Robbery)

If it were determined that Def. did not possess a gun in the bank, but after the bank robbery used a gun to carjack a vehicle in order to aid the getaway, would the §2B3.1 firearm SOC apply?

3. Def. is convicted of a drug conspiracy involving at least 300kg of cocaine

Applicable guideline is §2D1.1 (Drugs)

Conspiracy involved multiple importations; however, Def. was only involved in two importations of 5kg each

It is determined that the defendant's undertaking only includes the two importations of 5kg each

What quantity of drugs will be used to determine the defendant's base offense level at §2D1.1?

4. Def. convicted of bank robbery

Applicable guideline is §2B3.1

Co-participant carried a gun in the robbery, a fact unknown to Def. until the commission of the robbery. Will the §2B3.1 SOC for "if a firearm was brandished or possessed" apply?

5. Three defendants convicted of a Drug Conspiracy involving 10,000 kg of Marijuana- §2D1.1.

Defendant 1 lives in Minnesota, but owns a grow operation in CA. Defendant 2 lives in CA at the grow operation and is responsible for taking care of the plants, watering them, harvesting, etc. Defendant 3 lives in CO and has access to an airplane. He flew to CA on several occasions to pick-up the marijuana (total of 5,000kg) and took it back to CO to distribute to his people.

What amounts are attributable to each defendant?

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6. Defendants were convicted of Filing False Tax Returns - §2T1.1. Defendant 1 steals personal identifying information from a local business. Defendant 2 files the vast majority of the false tax returns. Defendant 1 only files a handful of returns, but they share the return money which exceeds \$100,000.

Is each defendant accountable for the total loss amount?

7. Def. convicted of sale of 1kg of cocaine on a single occasion

Applicable guideline is §2D1.1

It is determined that Def. additionally sold 1kg of cocaine to the same gang member each week for 40 weeks.

What quantity of drugs will be used to determine the defendant's base offense level at §2D1.1?

8. Defendant convicted of Felon in Possession of a Firearm-§2K2.1.

Several months after the offense cited in the Indictment, during the execution of a search warrant, officers located seven additional firearms, including two that were stolen and four that had the serial numbers scratched off.

Is the defendant accountable for the firearm in the count of conviction as well as the seven firearms located at his residence?

9. Defendant was indicted for 21 bank robberies. Defendant pleads guilty to five of them.

Can you include the additional 16 of them for relevant conduct purposes?