

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	.	
	.	
Plaintiff,	.	CR No. 21-0691 (TSC)
	.	
v.	.	
	.	
CHRISTIAN MATTHEW MANLEY,	.	Washington, D.C.
	.	Tuesday, April 25, 2023
Defendant.	.	10:19 a.m.
. . . . .	.	

TRANSCRIPT OF SENTENCING  
BEFORE THE HONORABLE TANYA S. CHUTKAN  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	ZACHARY PHILLIPS, AUSA U.S. Attorney's Office 1801 California Street Suite 1600 Denver, CO 80202 (303) 454-0100
For Defendant:	NICHOLAS G. MADIOU, ESQ. MICHAEL E. LAWLOR, ESQ. Brennan McKenna & Lawlor 6305 Ivy Lane Suite 700 Greenbelt, MD 20770 (301) 474-0044
Court Reporter:	BRYAN A. WAYNE, RPR, CRR U.S. Courthouse, Room 4704-A 333 Constitution Avenue NW Washington, DC 20001 (202) 354-3186

Proceedings reported by stenotype shorthand.  
Transcript produced by computer-aided transcription.

## P R O C E E D I N G S

1  
2 THE DEPUTY CLERK: Your Honor, we have criminal action  
3 21-691, United States of America versus Christian Manley. We  
4 have Mr. Zachary Phillips representing the government and  
5 Mr. Michael Lawlor and Mr. Nicholas Madiou representing  
6 Mr. Manley, all appearing in person. And we also have  
7 Ms. Crystal Lustig representing Probation.

8 THE COURT: Good morning. Both of you here today.  
9 That's big-time. You're tag-teaming me today; it's usually  
10 just one at a time.

11 All right. Good morning, everyone. We are here for the  
12 sentencing of Mr. Manley, who has pleaded guilty to one count  
13 of assaulting, resisting, or impeding certain officers using a  
14 dangerous weapon in violation of 18 U.S.C. § 111(a) and (b).

15 In preparation for this sentencing, I have received and  
16 reviewed the following materials: The plea agreement that was  
17 signed by Mr. Manley, sentencing memoranda and seven video  
18 exhibits from the government, and sentencing memoranda from  
19 the defense as well as a letter from Mr. Manley. I've  
20 reviewed all of these documents. Am I missing anything,  
21 Mr. Phillips?

22 MR. PHILLIPS: No, Your Honor.

23 THE COURT: Mr. Madiou?

24 MR. MADIOU: No, Your Honor.

25 THE COURT: Are you expecting a witness? Are you

1 planning on playing anything?

2 MR. PHILLIPS: No, Your Honor. I submitted that stuff  
3 in the hopes that the Court would be able to review it.

4 THE COURT: I did. All right. Thank you.

5 So let me begin with the presentence report. The final  
6 presentence report and sentencing recommendation were filed on  
7 April 18, 2023. The probation office added a two-point  
8 enhancement to the total offense level because its assessment  
9 was that the assault involved more than minimal planning  
10 pursuant to Sentencing Guidelines § 2A2.2(b)(1).

11 The government and the defense in negotiating the plea  
12 agreement did not factor in this enhancement and the  
13 government is not asking for the enhancement to be applied.

14 While I think that the probation office's calculation and  
15 assessment that this enhancement applies is warranted, in  
16 other words, it's not -- in my opinion I don't disagree with  
17 their assessment, I'm not going to add it. Because I believe,  
18 first of all, he is getting an enhancement for I believe the  
19 weapons, carrying those objects, and I try if I can to stay  
20 true to the spirit of the agreement reached with the parties,  
21 because you all negotiated this, I was not part of it, I am  
22 not part of it, I didn't investigate the case, I don't  
23 represent the defendant. And if the opinion of the government  
24 is that that is the deal that was negotiated and it's  
25 obviously the opinion of the defense, I'm not going to add

1 that enhancement unless there were circumstances that I  
2 believe really warrant it, and I don't believe those  
3 circumstances exist here.

4 So while I believe -- and I want to make it clear for  
5 probation that probation was doing their job in assessing this  
6 enhancement, I'm not going to apply it.

7 Okay. The plea agreement initially contemplated that  
8 Mr. Manley would have two criminal history points based on two  
9 prior convictions. But where it states in the presentence  
10 report that he has two criminal points, that was based on what  
11 was in the plea agreement. The government notes -- well, the  
12 presentence report notes that only one of those convictions  
13 could be proven for purposes of criminal history points, and  
14 so they only have one criminal history point.

15 The government notes in its sentencing memorandum the same  
16 thing, which was although the parties contemplated that -- let  
17 me find it. Right. Right. Says the probation office  
18 calculated defendant's criminal history as a Category I, which  
19 is not disputed. And then they came up with an imprisonment  
20 range of 51 to 63 months. Maybe I'm mistaken. Was it in the  
21 government memorandum or the defense memorandum that conceded  
22 that one of those couldn't be proven?

23 MR. PHILLIPS: I think I can clarify this. Originally  
24 when we negotiated the plea agreement and did the plea  
25 agreement we believed the defendant was going to be a criminal

1 history II. The documentation for that has --

2 THE COURT: Right.

3 MR. PHILLIPS: -- unable to be completed and provided  
4 to the probation and/or defense and as such we believe that  
5 it's now criminal history No. 1.

6 THE COURT: You're right, and I was right but had the  
7 wrong document. It's the defense memo. On page 3 the defense  
8 memo says: The parties anticipated an additional criminal  
9 history point for a possible 2018 summary court-martial, but  
10 that conviction has not been confirmed. It does not appear in  
11 NCIC. So everybody agrees with only -- he only has one  
12 criminal history point which puts him in criminal history  
13 category I. Right? We're all on the same page?

14 MR. MADIOU: Yes, Your Honor.

15 MR. PHILLIPS: Yes, Your Honor.

16 THE COURT: So, Mr. Manley, you may remember I told you  
17 at your plea that I was not bound by what was in the plea  
18 agreement, that this was just your attorneys' estimation, and  
19 sometimes my final calculation will be higher or lower. In  
20 this case, it's lower. So that's one of the things I warned  
21 you about.

22 So there's no objection to the criminal history -- one  
23 criminal history point, criminal history category I. Is that  
24 right?

25 MR. PHILLIPS: Yes, Your Honor.

1           THE COURT: Okay. In which case, I'll go through now  
2 step by step the guidelines calculations and then we'll end up  
3 with a range.

4           The presentence report lays out the probation office's  
5 calculation of the advisory guideline range, and it was done  
6 using the 2021 guidelines manual, and is as follows:  
7 Beginning with the guidelines offense level, the applicable  
8 guideline in this case is sentencing guideline § 2A2.2(a),  
9 which has a base offense level of 14. Because a dangerous  
10 weapon was used, that is the bear repellent, pepper spray, the  
11 canisters and a pipe, or retractable baton, the offense level  
12 is increased by four, and that's the reason why I decided not  
13 to give the additional enhancement for the planning. Even  
14 though as I said, I agree it could be reasonable to assess it,  
15 I did not.

16           Mr. Manley was convicted under 18 U.S.C. § 111(b),  
17 therefore, the offense level is increased by two. Because  
18 there is an official victim, the offense level is increased by  
19 six. And the government has also represented that Mr. Manley  
20 has demonstrated acceptance of responsibility in a manner that  
21 entitles him to a two-level reduction under § 3E1.1(a), and  
22 that Mr. Manley assisted authorities in the investigation and  
23 prosecution of this matter in a manner that entitles him to an  
24 additional one-level reduction under § 3E1.1(b). Therefore,  
25 before I consider any departures or variances, Mr. Manley's

1 total offense level is 23. Are there any objections to that  
2 calculation? Mr. Phillips?

3 MR. PHILLIPS: No, Your Honor.

4 MR. MADIOU: No, Your Honor.

5 THE COURT: All right. So turning to the -- we've  
6 already discussed the applicable criminal history. The  
7 parties are all agreed and the Court agrees that Mr. Manley  
8 has one prior conviction that receives criminal history  
9 points, and that conviction gives him a subtotal of 1, which  
10 puts him in criminal history category I. Any objections,  
11 Mr. Phillips?

12 MR. PHILLIPS: No, Your Honor.

13 MR. MADIOU: No, Your Honor.

14 THE COURT: Based on the offense level and the criminal  
15 history category I've just discussed, I calculate that the  
16 guidelines sentencing range in this case is 46 to 57 months of  
17 imprisonment. Any objection to that calculation?

18 MR. PHILLIPS: No, Your Honor.

19 MR. MADIOU: No, Your Honor.

20 THE COURT: Okay. And again, Mr. Manley, that is  
21 actually lower than what was in your plea agreement, because  
22 your plea agreement had an estimated guideline range of 51 to  
23 63 months, but because of the lower criminal history points,  
24 we're now looking at 46 to 57 months.

25 Okay. So sometimes my estimation is higher, sometimes it's

1 lower. In your case it's lower.

2 Now, having determined the applicable guidelines range, the  
3 next step is for me to consider departures. Presentence  
4 report doesn't include any departure grounds, and under the  
5 terms of the plea agreement, both parties have agreed that  
6 there are no grounds for imposing a sentence outside of the  
7 guidelines range that is based on policy statements in the  
8 manual. Is that correct, Mr. Phillips, Mr. Madiou?

9 MR. PHILLIPS: Yes, Your Honor.

10 MR. MADIOU: Yes, Your Honor. There is a request to --

11 THE COURT: Right.

12 MR. MADIOU: -- address the sealed portion but we don't  
13 anticipate -- there are no departures.

14 THE COURT: Right. So Mr. Manley argues in his  
15 sentencing memorandum that the Court should vary downward from  
16 the guideline range because of certain factors. And I'll  
17 provide the parties with an opportunity to address that in a  
18 little bit.

19 Now, with regard to the statutory framework, § 3553  
20 requires me to consider a number of factors including the  
21 statutory penalties that the guidelines prescribe, and the  
22 sentencing range which I've just discussed.

23 With regard to the statutory penalties, the charge of  
24 assaulting, resisting, or impeding certain officers using a  
25 dangerous weapon in violation of 18 U.S.C. § 111(a) and (b)

1 carries a statutory maximum penalty of 20 years of  
2 imprisonment. There's no mandatory minimum. And the  
3 defendant is eligible for one to five years' probation because  
4 the offense is a Class C felony.

5 If a term of imprisonment is imposed, the statutes provide  
6 that Mr. Manley faces a supervised release range following  
7 imprisonment of not more than three years, while under the  
8 guideline range, that is one to three years. And the statute  
9 of conviction sets a maximum fine of up to \$250,000, while the  
10 guidelines fine range is between \$20,000 and \$200,000.

11 There's a special assessment of \$100 that is mandatory to  
12 the Clerk of the Court of the District of Columbia, and  
13 pursuant to his plea agreement Mr. Manley must pay \$2,000 in  
14 restitution to the Architect of the Capitol to help offset the  
15 damage done to the Capitol as a result of the riots.

16 Counsel, have I stated accurately the statutory and  
17 guideline framework that we're operating under? Mr. Phillips.

18 MR. PHILLIPS: Yes, Your Honor.

19 MR. MADIOU: Yes, Your Honor.

20 THE COURT: As you all know, because I authorized it to  
21 be disclosed, the probation office has recommended 64 months  
22 of incarceration and 36 months of supervised release. The  
23 recommendation of the probation office is not based on any  
24 facts or circumstances that haven't been already revealed to  
25 the parties in the presentence report.

1 I just wanted to let you know because I always do this.  
2 Whenever I meet with Probation prior to a sentencing, I  
3 disclose the contents of that discussion on the record because  
4 I think -- it's what I prefer to do. I had a brief discussion  
5 with the probation officer this morning just to confirm my  
6 calculation and our calculation of the criminal history  
7 points. And that was the substance of the discussion.

8 Okay. So at this point, having set forth my calculation of  
9 the applicable criminal history category as well as the  
10 sentencing guideline range, I will give the parties an  
11 opportunity to address the Court. Mr. Phillips?

12 MR. MADIOU: Your Honor, would it be the Court's  
13 preference to take care of the brief sealed portion?

14 THE COURT: Oh, yeah. Let's do that now. You want to  
15 put it under seal or -- let's put this portion under seal.

16 MR. MADIOU: Thank you, Your Honor.

17 PROCEEDINGS UNDER SEAL

18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]











1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[REDACTED]

OPEN PROCEEDINGS

THE COURT: Okay. We can go back on the record.

Okay. Mr. Phillips?

(Discussion off the record.)

MR. PHILLIPS: Your Honor, I know that we talked about this earlier. You've had the opportunity to view our exhibits. And I guess at this time I'd move to admit Government Exhibits 1 through 6 or 7, or whatever -- I think it was --

THE COURT: Why don't you just say all the proffered exhibits.

MR. PHILLIPS: Yeah. 1 through 7.

THE COURT: Any objection?

MR. MADIOU: No objection.

THE COURT: They'll be admitted.

1 (Government Exhibit Nos. 1-7  
2 received into evidence.)

3 MR. PHILLIPS: Your Honor, just briefly, since the  
4 Court is well aware and has been able to see the government  
5 exhibit as well as the sentencing memo, taking in all of the  
6 considerations and much of which we've discussed this morning,  
7 both the defendant's preparation and coming to the Capitol  
8 with the things he came with -- although we did not seek that  
9 enhancement, that is information we considered in our  
10 recommendation to the Court -- as well as the fact that we  
11 believed he was a criminal history II and may or may not be,  
12 although he's not today certainly because there's not the  
13 evidence to prove it, but also that defendant's actions during  
14 January 6 and since January 6, 2021, ultimately we are going  
15 to continue to maintain our recommendation of 57 months.

16 That gets us at the top end of where the Court has  
17 calculated the guidelines for today, or the bottom end had  
18 probation's calculations been considered. It's that kind of  
19 sweet spot where the defendant was.

20 We've talked, at least I have, briefly, some of the  
21 defendant's remorse and so forth since January 6, 2021. But  
22 I do want to take the Court back to his actions on January 6,  
23 2021. This was a man who arrived at the Capitol with a flak  
24 jacket, with blue lives matter, or a blue lives flag or  
25 something of that nature, which is kind of ironic given his

1       conduct on that day, as well as a police collapsible baton,  
2       handcuffs, and two cans of bear spray.

3             And in a 10-minute period he gets to the Lower West  
4       Terrace, tests out the baton and then puts it back in his  
5       pack, then goes and gets the --

6             (Discussion off the record.)

7             -- and after testing his baton went into his backpack, got  
8       a can of bear spray, and immediately made his way to the Lower  
9       West Terrace tunnel, which I know the Court is well aware of.  
10       He enters the tunnel quickly and sprays his entire can of bear  
11       spray and throws it towards the officers, and spraying the  
12       bear spray to the officers. Moves to the back part of the  
13       tunnel and then assists in passing shields out that have been  
14       taken from the officers, and encourages others to enter into  
15       the tunnel.

16             He then makes his way back into the tunnel, near the front,  
17       again sprays a second can of bear spray towards officers,  
18       throws that can of bear spray at the officers, briefly exits  
19       the tunnel, and then makes his way back in the tunnel, throws  
20       some sort of rod or pole or something of that nature that's  
21       handed to him at the officers, and then makes his way to the  
22       very front of the tunnel where he braces his body between a  
23       wall and the glass doors and uses that brace of the wall to  
24       push against the officers, where ultimately I think, maybe  
25       good for the defendant but certainly good for law enforcement,

1 as he's exiting it's clear that he's been sprayed with pepper  
2 spray himself, and stops him from his activities that day, or  
3 at least forces him out of the tunnel and he doesn't go back  
4 in. But in a 10-minute period he was extremely active in the  
5 assault on officers.

6 We don't have specific officers to testify today that could  
7 remember him. As that was a battle over a period of hours,  
8 officers received numerous assaults by numerous defendants.  
9 But we do know that certainly, and defense isn't challenging  
10 this, that Mr. Manley was very active in that assault.  
11 Although for a short period of time, he was a major aggressor  
12 and was very active in that assault, and as such, we believe a  
13 sentence of 57 months as well as our other recommendations is  
14 appropriate in this case.

15 THE COURT: Thank you, Mr. Phillips.

16 MR. PHILLIPS: Thank you, Your Honor.

17 THE COURT: Mr. Madiou?

18 MR. MADIOU: Thank you, Your Honor.

19 Your Honor, Mr. Manley appeared before the Court in  
20 December and pled guilty to assaulting officers with a  
21 dangerous weapon. While I'm here today asking the Court to  
22 vary downward from the applicable guideline range, I think  
23 Mr. Manley more than anyone else recognizes how serious his  
24 actions were that day. I know from having many, many  
25 conversations with him, he's mortified thinking about his

1 conduct that day, because this is a former United States  
2 Marine.

3 THE COURT: And I'm afraid not the only one I've had  
4 in front of me.

5 MR. MADIOU: I'll address that too, in terms of --  
6 you know, whether that's aggravating or mitigating, I think  
7 it's a discussion worth having, Your Honor.

8 But Mr. Manley I know feels an incredible amount of  
9 remorse. As I said, he's mortified as he thinks back on his  
10 conduct that day, and he feels shame. But I think the very  
11 fact that he spent the last 18 months grappling with this  
12 makes him just a different person than many of the individuals  
13 that stand before the Court.

14 And so I do want to -- and my comments today sort of track  
15 chronologically with his life because I think it's really  
16 important context to help the Court understand why Mr. Manley  
17 made his way to the Capitol on January 6. But I did want to  
18 address just how serious this case is. There's no part of us  
19 that is disagreeing with anything that Mr. Phillips said.  
20 This is certainly one of the more serious cases that involve  
21 assaulting police officers.

22 And nevertheless, Your Honor, we believe that a sentence  
23 below the guideline range is sufficient but not greater than  
24 necessary to achieve justice in this case, for several  
25 reasons. I laid this out in detail in our sentencing

1 memorandum, but Mr. Manley comes before the Court with a  
2 really tragic upbringing. His parents split when he was very,  
3 very young. He lived with his mother for the first  
4 approximately 10 years of his life. His mother was a nurse by  
5 trade but suffered from a crippling drug addiction to the  
6 point where she was never able to take care of Mr. Manley.  
7 Mr. Manley was in the care -- in the same home as his mother  
8 but he was in the care of her parents.

9 And even as a young child, it was clear to Mr. Manley that  
10 his mother had crippling substance abuse issues to the point  
11 where she couldn't provide for him in any way. Didn't say  
12 that she loved him, wasn't there to tuck him in bed at night,  
13 would go weeks on end without being home. So I think what is  
14 a lifetime of mental health issues began very, very early on  
15 in his life.

16 He was eventually removed from his mother's home, following  
17 her first of many overdoses, and he was placed in the care of  
18 his father. His father is a veteran, just like Mr. Manley.  
19 And his father provided him a home that was certainly  
20 different but no less tragic.

21 He went to live with his father at the age of 12. His  
22 father was an extreme disciplinarian. He too suffered from  
23 substance abuse issues. He was an extreme alcoholic, and the  
24 way that played out was just that the slightest of any  
25 transgression as a child would result in physical, verbal,

1 and mental abuse to a young Mr. Manley.

2 He was petrified in his own home. He literally did not  
3 go a night without being afraid that his father would lash  
4 out at him for the smallest of infractions. And this is a  
5 sort of continuation of the anxiety and the depression that  
6 would linger throughout his childhood and into his adulthood.

7 And so he gets to the point when he's 18 years old, he  
8 graduates from high school, and two days later he enlists in  
9 the United States Marine Corps. He did that I think in a  
10 certain degree as an 18-year-old seeking to serve the country,  
11 but I think equally as important to him was simply a way to  
12 get out of where he grew up and away from what was extremely  
13 traumatizing years growing up in Alabama.

14 So he enlists, Your Honor, he serves in the United States  
15 Marine Corps, he goes through basic training and he's deployed  
16 throughout the Middle East. He does the tour. In many ways,  
17 he thrived as a Marine. I think he found a greater purpose,  
18 he found a group that worked together, and I think he thrived  
19 in a lot of ways.

20 But up until that point, Your Honor, his mental health  
21 issues had never gone addressed. He came into the Marine  
22 Corps with a lifetime of anxiety and depression. And I think  
23 the mentality of the Marine Corps and the culture of the  
24 Marine Corps was both a good thing and a very bad thing for  
25 him. Because what happened as he progressed -- again, I mean

1 he -- he was rising in the ranks. He was a corporal at his  
2 highest rank. When he came back from his deployments, he  
3 served in the specialized unit, the Chemical Biological  
4 Incident Response Force in Indian Head, Maryland.

5 But all the while, he started developing substance abuse  
6 issues like his mother and his father, to the point when he  
7 was looking to sign up for a second four-year contract, he  
8 was then, at 22 years old, battling himself with extreme  
9 alcoholism. It led to his less than honorable discharge, and  
10 then over the course of several years, when he gets back to  
11 the United States and civilian life, he really spiralled out  
12 of control.

13 And so what developed was someone who is in constant need  
14 of mental health relief, but is not getting mental health  
15 treatment, is turning to substance abuse. So it progressed  
16 from alcoholism to Mr. Manley consuming every known narcotic  
17 there is --

18 THE COURT: And then some.

19 MR. MADIU: -- in a way to try to get immediate  
20 relief, but again, the cycle just sort of ate him up. So he  
21 travels the country, trying to make ends meet, working odd  
22 jobs, but really living day-to-day, trying to find a way to  
23 get relief for what is this severe, severe substance abuse and  
24 mental health crisis, which is this revolving door.

25 Your Honor, the lead-up to January 6 I think is a snapshot

1 of Mr. Manley at his absolute lowest point. He talks in his  
2 letter and in many conversations with me as someone that was  
3 never interested in politics, ever. But as he began  
4 spiralling out of control with his mental health and his  
5 substance abuse issues, we all know the rhetoric that  
6 surrounded the events of January 6, 2021, but even before  
7 then, all of us see the bombardment of disinformation. And  
8 for the first time in his life, he's convinced that there is  
9 this problem that he's called upon to get involved in.

10 I think as he thinks about it now, it's just hard to  
11 explain how he could get there. But I think the context of  
12 how he got there is critically important. This is someone  
13 again who served the country. And I think ultimately that  
14 should be a mitigating factor. It's easy to say you should  
15 know better, you were called upon to serve the country, this  
16 is the antithesis of serving your country, this is an attack  
17 on it.

18 But someone who is in the lowest of mental states who is  
19 constantly inebriated found himself on his way to the Capitol  
20 on January 6 with genuinely held political beliefs. And  
21 again, the man who stands before you here today is  
22 disillusioned with that. I know the Court has had an  
23 opportunity to review his letter.

24 I honestly think the letter that was written by Mr. Manley  
25 says more than I could ever say to the Court. I think it's

1 the product of someone who has used the last 18 months to  
2 engage in genuine self-reflection. And I think, simply put,  
3 he's in a position now, he's housed with nothing but January 6  
4 defendants, and I believe in my heart of hearts that this is  
5 an individual that can make the biggest change.

6 This court is called upon to impose a sentence that meets  
7 many goals: promote respect for the law, act as deterrence.  
8 But I think a sentence below the guideline range can promote  
9 respect for the law because of how Mr. Manley has responded to  
10 this and his history and characteristics and what led him to  
11 this point.

12 This is someone who is not shy about calling out that  
13 which he was disillusioned about. You know, this is not the  
14 right cause, and it's putting him in a position when he's  
15 incarcerated where, you know, he's not -- he's not looked upon  
16 by some of his January 6 defendants in a kind way. And I  
17 think that sends -- it should send this court the message that  
18 this is someone that has atoned, done everything he can to  
19 atone for the conduct that day, and has really used this  
20 opportunity, which is the lowest point of his life, as a  
21 springboard to something much, much different.

22 Your Honor, I think the Court can tell a lot about an  
23 individual in terms of any risk of recidivism by the way they  
24 respond to the case. And this is not somebody who's standing  
25 in front of the Court apologetic because he knows he got

1 caught and he knows you're about to impose a prison sentence.  
2 This is someone who has thought about this deeply, who now  
3 sits before the Court with 18-plus months of sobriety,  
4 something he hasn't had and was forced upon him during his  
5 incarceration, but it has given him the opportunity to change  
6 his life. I think -- he said it himself, and I'll take his  
7 words: His arrest was both the best and worst day of his  
8 life. I think it was the culmination of what had gotten him  
9 there and that was the worst part. But the being forced to  
10 own his sobriety has given him the opportunity to reflect on  
11 his life.

12 Notwithstanding the seriousness of his offense conduct, I  
13 believe really strongly in Mr. Manley and I believe that he is  
14 a good man who endured immense trauma growing up, and somebody  
15 who served his country, fell into crippling mental health and  
16 substance abuse, but has used all of this I think to put  
17 himself in a better position today.

18 And I know Mr. Manley wants to address the Court. He's  
19 written a letter to Your Honor. But what I'm asking the Court  
20 to do is to look at this case in the totality of  
21 circumstances. His conduct is incredibly serious. But I  
22 think Mr. Manley is situated so much different than other  
23 January 6 defendants, both in terms of his history and  
24 characteristics and what he's endured, but most importantly  
25 how he's responded to this case.

1           And when I say that he can make a big difference, I believe  
2           that because of what he's doing currently as he's housed with  
3           other January 6 clients. He talks in his letter about the  
4           dangers of misinformation and the dangers of going down the  
5           path that is this toxic rhetoric. And I think as someone who  
6           has put himself in the worst of positions, his words will  
7           probably resonate way more than anyone else, and I believe  
8           that he can make a positive difference, and I believe that he  
9           is making a positive difference, Your Honor.

10           Contribution is one thing, but as you're incarcerated with  
11           other January 6 defendants, if you can stand up and say, no,  
12           this is not right, you know, I think it goes a long way.

13           Your Honor, so for those reasons we respectfully ask for a  
14           sentence below the guidelines of 46 months. And I will  
15           address Mr. Manley but I know he intends to address the Court  
16           before Your Honor imposes sentence.

17           THE COURT: All right. Mr. Manley, I've read your  
18           letter, but I told you at your plea and I'll tell you again  
19           that you have an absolute right to come up and tell me  
20           whatever you want me to hear. So this is your chance if you'd  
21           like to.

22           THE DEFENDANT: Yes, ma'am.

23           THE COURT: Come on up.

24           (Discussion off the record.)

25           THE COURT: Go ahead, Mr. Manley.

1 THE DEFENDANT: Your Honor, good morning.

2 THE COURT: Good morning.

3 THE DEFENDANT: I appreciate the opportunity to address  
4 you face-to-face. And I'd like you to see the more human side  
5 of me during this. That's why I wanted to take my mask off  
6 especially. I want to start by acknowledging how unfortunate,  
7 how chaotic, and how unnecessary these events were on  
8 January 6.

9 I want to do what any adult should do when they've wronged  
10 someone and deeply regretfully apologize for my actions. I'm  
11 ashamed that I took part in the incitement of violence. I  
12 made things so much worse for everyone there when I should  
13 have been a peacekeeper. This is not me. This is unbecoming  
14 of the man I wish to be. And again, I'm truly sorry for  
15 anyone that I affected negatively this day.

16 As I look back at my actions and what led me to do what  
17 I did, it just deeply saddens me. I'm kind of shaking just  
18 thinking about it and hearing about it again. For my entire  
19 life I have tried very hard to overcome these immense  
20 challenges. My upbringing was extremely difficult. At an  
21 early age I was abandoned by my mother who suffered from  
22 intense crippling drug addiction. And I felt lost without a  
23 mother. And the pain of abandonment was made worse by her  
24 tragic and untimely death.

25 I grew up with a military father who suffered from his own

1 unaddressed mental health issues. He was, is, and always will  
2 be an honorable service member, but life under his care was  
3 emotionally abusive, very mentally taxing. If you chip away  
4 enough at an iceberg, eventually it crumbles, and that's what  
5 I felt like over the years. I never felt comfortable at home.  
6 I constantly lived in fear, in a state of anxiety. It took an  
7 intense toll on my mental health.

8 At the age of 18, two days after my high school graduation  
9 I enlisted in the United States Marine Corps and I sought a  
10 life of service to my country. In many ways I thrived in my  
11 service and I had an admirable purpose. I belonged and I felt  
12 very proud of what I was doing. I was truly passionate about  
13 serving this amazing country. And amazing it is. I love this  
14 country more than anything.

15 During my service, however, I also developed extremely  
16 unhealthy coping mechanisms, and the environment of the  
17 United States Marine Corps exasperated my preexisting mental  
18 health issues. I became an alcoholic, I became very suicidal,  
19 and as my mental health rapidly declined, so too did my need  
20 for relief through substance abuse.

21 Following my discharge from the Marine Corps, I fell into a  
22 catastrophic substance abuse, and my mental health just  
23 spiralled out of control. There was no stopping it. I could  
24 see no end in sight. I sought treatment during my last months  
25 as a Marine. I was in a state of constant mental anguish.

1 Every day just felt like the end of the world, and I wanted it  
2 to be the end of my world more than anything, because I was  
3 just so tired of the constant anguish.

4 I thought about committing suicide with regularity, and I'm  
5 embarrassed to say that I've made attempts at taking my own  
6 life on several occasions. I think back on times when I had  
7 the barrel of a loaded gun in my mouth, and the taste is  
8 something you never forget.

9 I think back on times when I would get intoxicated and  
10 purposely wreck my truck into stationary objects, just hoping  
11 for the love of God this would finally be the one time that  
12 kills me. The intensity of my depression, anxiety, and  
13 suicidal ideations was only ever temporarily eased through  
14 substance abuse. It was nothing but a Band-Aid, of course.

15 My substance abuse became out of control. And for these  
16 reasons, the lead-up to January 6, 2021, is a blur. It feels  
17 like a surreal nightmare, like a dream. It's, you know, it's  
18 hard to think about. And I had never been in a lower place  
19 in my life. I had never been interested in politics a single  
20 day in my life, and I was just so desperate for a direction,  
21 like a cause to grasp onto and feel worthy of being alive,  
22 basically.

23 So all of a sudden I'm going to the nation's capital with,  
24 at the time, genuinely held political beliefs. I was under  
25 the mistaken impression that my intentions were righteous.

1 And I was of course wrong, dead wrong.

2 The day of my arrest was both the best and worst day of my  
3 life paradoxically. And as I read this letter to you today,  
4 I'm so very proud of myself for how far I've come and what  
5 I've been able to accomplish with my own mental health. I  
6 have come so far from where I was on that day and the day of  
7 my arrest.

8 I have been so deeply sad and pessimistic and insecure for  
9 most of my life, as long as I can remember, and at the surface  
10 it took the form of narcissism and arrogance which prevented  
11 me from ever developing healthy relationships.

12 Awareness is step one to solving any problem, and I'm very  
13 grateful for this opportunity to look deep inside myself and  
14 figure out why I've been broken for so long. And I thank God  
15 every single day for this opportunity to grow and learn myself  
16 and really reconstruct and rewire my perspective on life. I  
17 was going down the wrong path and incarceration saved my life.

18 And as remorseful as I feel and as utterly stupid as my  
19 actions were on this day, I can't help but to imagine where I  
20 would be today if I had not been arrested. This incident was  
21 a very painful, very intense catalyst that has seemingly  
22 propelled me in the right direction. I've never felt so calm  
23 and level-minded. This experience has had a profound dimming  
24 effect on my unhealthy ego, and it's taught me a very valuable  
25 lesson, to be very, very careful who you receive your

1 information from.

2 The media-induced outrage in this country, at least in my  
3 own lifetime, has never been so out of control. It is so  
4 important for all of us, liberal, conservative, libertarian,  
5 Christian, Muslim, it doesn't matter, we have to stay  
6 vigilant. January 6 is a prime example of how widely believed  
7 lies and deception can cause chaos and pain for so many  
8 people. It is high time for us all to take a deep breath and  
9 just reflect on who we are, why we are here, and where we're  
10 going as a country together.

11 Your Honor, there is an absolute zero percent chance that I  
12 will ever be involved in anything like this ever again. I  
13 have learned a very hard lesson and have made leaps and bounds  
14 with my mental health and sobriety. My perspective on life  
15 has completely changed. Positivity and love are at the  
16 forefront of my mind for the first time in my life.

17 I feel so much closer to God and so much closer to my  
18 family. And no matter what happens today, no matter what you  
19 decide, I am excited and I look forward to taking on life with  
20 this new attitude and this brand-new fresh perspective and  
21 sobriety.

22 As difficult as this experience has been, I have only it to  
23 thank for this amazing change in my life. Thank you so much  
24 for listening to me. I really appreciate it. This comes from  
25 the heart. I've been looking forward to this day for a long

1 time. Thank you.

2 THE COURT: You're welcome. Thank you, Mr. Manley.

3 Okay. Well, prosecutor's done his job, your lawyer's  
4 done -- your lawyers have done their job. You have spoken,  
5 and you seem to have accepted responsibility. Now it's my  
6 job. And this is -- it's no secret that I consider this the  
7 worst part of my job and the hardest part, but the part I take  
8 most seriously.

9 It is easy for people who do not work in the criminal  
10 justice system to read about crimes and read about offenders  
11 and say, you know, lock 'em all up, hang 'em, whatever. But  
12 those of us who have worked in the trenches for years -- and I  
13 was a public defender for years before I became a -- in  
14 private practice before I became a judge -- know that it's  
15 much more complex, and that everybody who was at that Capitol  
16 on the 6th has a story. And I try and view every individual  
17 charged both in January 6 cases as well as any case as  
18 individuals before me.

19 And what you find if you work in this field long enough  
20 is that people are complicated. And they do things under a  
21 particular combination of pressure and stress and family  
22 background and trauma that they might never otherwise do.  
23 Your story is no different. Every January 6 defendant that  
24 has come in front of me has had a particular combination of  
25 pressures that caused them to take the action that they did.

1 And I try very, very hard, as I'm doing in this case, to view  
2 each person individually.

3 And I'm glad that -- I'm glad that the situation and the  
4 conditions at CTF have improved, but in a way I'm almost sorry  
5 you have not had a chance to meet some of the regular people  
6 that normally appear in front of me in this city, charged with  
7 crimes like guns and drugs and robbery, that come before me,  
8 because they also have difficult stories.

9 I -- one of the things that January 6 did was expose the  
10 real divisions, the real cracks in our country in terms of  
11 what people believe and how they approach political  
12 differences. And the reason that you and the people who were  
13 there that day could spray bear spray on those police officers  
14 who were just doing their job, who could scream about, you  
15 know, hanging people and deface the Capitol and do the things  
16 they did, was because you lose sight of the common humanity of  
17 the people on the other side.

18 And your story is a really -- it is a terrible one. I  
19 cannot tell you how many people that you would probably never  
20 believe you have anything in common with have come up in  
21 similar situations. And it is a large reason of why people  
22 are self-medicating and why they're engaging in antisocial and  
23 violent behavior, because they're dealing with past trauma, as  
24 you have been your whole life. And it cuts across race,  
25 religion, social class, gender. I'm a judge. I'm not a

1 social worker, I'm not a legislator, I'm not a politician. I  
2 deal with the end result. And it's frustrating often to have  
3 to do that.

4 But what you dealt with growing up, no child should have to  
5 deal with, and you're still dealing with the consequences of  
6 that. And you always will be.

7 I believe your remorse is genuine. I believe your  
8 commitment to change your life is sincere. The question is  
9 what are you going to do when you get out. Because you're  
10 going to get out. You're going to get out sooner rather than  
11 later. And you're a young person. And the one thing I'm  
12 going to tell you is it's easier almost in prison to focus on  
13 your rehabilitation and your learning and your growth.

14 But when you get out there and you've got to find a job,  
15 and you're back to dealing with the same temptations and the  
16 same -- you're right back in the same situations that caused  
17 the stress and caused the drinking and caused the substance  
18 abuse, then you're really going to be tested.

19 So I don't doubt your remorse. But what I want you to  
20 understand is the reason you were able to do the things you  
21 did on the 6th is because you stopped seeing other people who  
22 differed from you in their beliefs as human and as worthy of  
23 your respect. Those police officers -- imagine. Some of  
24 them, I've heard testify and come into my courtroom, they were  
25 in their 20s. Some of them hadn't been on the job very long.

1 They were completely under-prepared and overwhelmed and they  
2 were trying to do their jobs, and they were worried if they  
3 were going to see their kids again. They're suffering from  
4 posttraumatic stress disorder. Some of them have had to  
5 retire. Some of them have permanent injuries. Some people  
6 committed suicide.

7 And those are patriots. Those people, those people inside  
8 the Capitol trying to do their jobs, those police officers  
9 trying valiantly to keep the Capitol safe are the patriots.

10 You now have been in a system where you have lawyers  
11 working for you, you have prosecutors who are doing their job,  
12 I'm doing my job, marshals are doing their job, probation, all  
13 these people who you've been surrounded with are also  
14 patriots. They may have different beliefs from you, but their  
15 love of their country is no different from yours. And that  
16 failure to see their humanity is one of the reasons why you  
17 ended up doing what you did.

18 Your lawyer's right. He was very eloquent, and so are you.  
19 You took an oath to defend the Constitution. Not to defend a  
20 particular side or a particular person, to defend the  
21 Constitution. And you more than anybody knew that you were  
22 fighting in that tunnel against sworn law enforcement  
23 officers. That's what you had come to. And so I do hold you  
24 to a higher standard.

25 On the other hand, I see, like so many other people who

1        were there, that the structure and the camaraderie and the  
2        community that you found in the military, you seem to have  
3        found in common cause with the people you were with on  
4        January 6. It was almost like you were in the military in a  
5        wartime situation again and your goal is clear and the job  
6        is -- and it's a shame because that couldn't have been further  
7        from the case.

8            You were searching for some kind of cause. And what you  
9        need to be careful about is when you get out, that you don't  
10       go searching again and fall in with the wrong group or the  
11       wrong cause.

12           It pains me to hear you say that this was the best thing  
13       that ever happened to you. Jail should not be the best thing  
14       that ever happened to any person in this country. But  
15       sometimes it is. And that's really unfortunate. But you've  
16       made the most of it, and I give you credit for taking this  
17       time to look within yourself and examine your thinking.

18           And I believe you have changed. I'm happy to hear that  
19       your relationship with your father is on the mend. Seems that  
20       this was a wake-up call for him as well as for you. And I  
21       hope it continues. If you've ever -- I don't know if you've  
22       ever heard of a book called The Great Santini, but if you've  
23       never heard of it or read it, you should read it. It's about  
24       a young man who grew up with an extremely authoritarian  
25       military father. You might find it interesting.

1           But the point is, I'm -- I've been riffing, but I'm going  
2 back to the 3553 factors. The seriousness of the offense. I  
3 mean, have you seen the videos of yourself?

4           THE DEFENDANT: Yes, ma'am. It's appalling.

5           THE COURT: Imagine being on the receiving end of all  
6 of that. I've seen -- I can't tell you how many times I've  
7 seen those videos, and every single time, I'm shocked, and I  
8 tense up, and my blood pressure rises. And I wasn't even  
9 there. It was like no other day in this country's history.

10           And so I can't emphasize the seriousness of the offense and  
11 the need for deterrence, not only for you but for anybody  
12 who's ever thinking of doing such a thing again, there has to  
13 be an understanding that participating, taking up arms against  
14 law enforcement, taking up arms to basically try and overthrow  
15 the government, is going to be met with severe punishment.  
16 That's my position. And I try and tailor that punishment to  
17 the individual and to the actions that you took.

18           But the actions you took on that day are serious. The  
19 baton, the two canisters of bear spray, the encouragement of  
20 other people, the battling in the tunnel, the passing the riot  
21 shields. Those riot shields were all that were keeping some  
22 officers from losing their lives, and the protesters were  
23 passing them back over their heads like they were trophies,  
24 leaving those officers defenseless. Like it was some kind of  
25 a sporting event.

1 I have also considered the need to avoid unwarranted  
2 disparity. I've looked into the relevant statistics. I've  
3 often said and I still believe that the nature of the crimes  
4 on January 6 are of such a unique nature that I compare  
5 defendants in those cases amongst each other. And I've looked  
6 at other individuals charged with similar cases and the  
7 sentences that they received.

8 And I'll say that, Mr. Madiou, I hear your request for a  
9 variance. I do. But I just don't think this case, despite  
10 Mr. Manley's obvious remorse, [REDACTED]  
11 [REDACTED], I just don't  
12 think this is a case that warrants a variance. I will say,  
13 though, that under the original plea agreement, the range  
14 contemplated by the parties was 51 to 63 months. The  
15 government is asking for 57 months. The actual range that  
16 I've arrived at is lower than that contemplated in the plea  
17 agreement at 46 to 57 months. And then probation's asking for  
18 64 months.

19 Taking into consideration Mr. Manley's obvious remorse, his  
20 previous service to the government, I do believe that a  
21 sentence at the low end of the range is appropriate. And in  
22 fact the sentence that I'm going to impose would have been a  
23 variance under the original plea agreement. It may be cutting  
24 this too fine, but I think that -- that's where I come out.

25 Could you stand, Mr. Manley?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Having considered all the factors in  
3 Section 3553(a), it is the judgment of the Court that a  
4 penalty of 50 months is sufficient but not greater than  
5 necessary to reflect the seriousness of the instant offense,  
6 to promote deterrence, to protect the public from future  
7 crimes that you may commit, and to avoid unwarranted  
8 disparity. Therefore it is the judgment of the court that  
9 you, Christian Manley, are hereby committed to the custody of  
10 the Bureau of Prisons for a term of 50 months on Count 3 of  
11 the indictment. You are sentenced to serve 36 months, that is  
12 three years, of supervised release, and to pay a \$100 special  
13 assessment and \$2,000 in restitution.

14 The Court finds that you do not have the ability to pay a  
15 fine and therefore waives imposition of a fine in this case.  
16 The special assessment is immediately payable to the Clerk of  
17 the Court for the U.S. District Court of the District of  
18 Columbia. Within 30 days of any change of address you shall  
19 notify the Clerk of the Court of the change until such time as  
20 the financial obligation is paid in full.

21 The one --

22 MR. MADIOU: Your Honor?

23 THE COURT: Yes.

24 MR. MADIOU: Your Honor, if I understand -- I heard  
25 the Court's sentence. I was slightly confused. The Court

1 said that you're going to sentence him at the bottom of the  
2 range, which was 46 months.

3 THE COURT: Well, not -- I'm going to sentence him a  
4 month lower than the range that the plea had contemplated. I  
5 am not going to sentence him all the way at the bottom of 46  
6 months. This is the compromise I've come to of 50 months.  
7 And it's obviously less than the government and probation's  
8 asking for.

9 Mr. Manley, the most important thing that you can do is to  
10 keep your sobriety and keep your mental health treatment  
11 going. I'm going to impose conditions of supervised release,  
12 and I'm going to impose things that I want you to do while in  
13 prison, but the most important thing is when you get out, in  
14 addition to whatever conditions probation gives you, you've  
15 got to find a meeting.

16 You can't do it on your own, okay? You have to stay sober.  
17 You have too much addiction on both sides of your family. You  
18 see where it took you and where it has led you. You cannot,  
19 you cannot for a minute -- you have to be vigilant with your  
20 sobriety for the rest of your life.

21 While incarcerated, I recommend that you participate in  
22 an occupational education program designed to help inmates  
23 acquire marketable skills in a wide variety of trades. This  
24 will help you in your rehabilitation when you are released.  
25 I am also recommending that you participate in a drug abuse

1 education program which is designed to encourage inmates with  
2 a history of drug use to review the consequences of their  
3 choice to use drugs and the physical, social and psychological  
4 impacts of this choice.

5 I'm going to recommend that you enroll in a program within  
6 the Bureau of Prisons for drug abuse because that may also  
7 assist you in being released early. Some of the programs have  
8 an opportunity to be released early if you're participating in  
9 the program.

10 And also I recommend that you participate in the Federal  
11 Prisons Industries Program which seeks to reduce recidivism  
12 and curb the rising costs of corrections through a work  
13 program in which inmates are hired through waiting lists and  
14 is available at various institutions through the Bureau of  
15 Prisons.

16 RDAP is what I'm recommending, which is residential drug  
17 abuse program. And also if that's not available, a  
18 nonresidential drug abuse program. Basically, any kind of  
19 drug abuse program that's available to you, you need to take  
20 it. On supervised -- I know you want to say something,  
21 Mr. Madiou, and I'm going to ask about a recommendation for  
22 a facility in a minute. But let me just get through the  
23 supervised release conditions.

24 While on supervised release, you must not commit another  
25 federal, state, or local crime, you must not unlawfully

1 possess a controlled substance -- and marijuana is a federally  
2 controlled substance no matter where else it's legal  
3 statewide. You must refrain from any unlawful use of a  
4 controlled substance. You must submit to a drug test within  
5 15 days of placement on probation, and at least two periodic  
6 drug tests thereafter. And you must pay any special  
7 assessment, which is \$100, as well as the \$2,000 in  
8 restitution.

9 You must notify the Court of any material change in your  
10 economic circumstances that might affect your ability to pay  
11 your restitution or special assessment. You must cooperate in  
12 the collection of DNA as directed by the probation office, and  
13 you must make restitution in accordance with the law.

14 The discretionary conditions of release are as follows:

15 You must submit to substance abuse testing to determine if  
16 you've used a prohibited substance. You must not attempt to  
17 obstruct or tamper with the testing methods. You must  
18 participate in an inpatient and/or outpatient substance abuse  
19 treatment program and follow the rules and regulations of the  
20 program. The probation officer will supervise your  
21 participation in the program.

22 You must participate in a mental health treatment program  
23 and follow the rules and regulations of the program. Again,  
24 the probation officer in consultation with the treatment  
25 provider will supervise your participation in the program.

1 Probation office shall release the presentence  
2 investigation report to all appropriate agencies in order to  
3 execute the sentence of the Court. Treatment agencies shall  
4 return the presentence report to the probation office upon  
5 Mr. Manley's completion or termination from treatment.

6 Mr. Manley, pursuant to 18 U.S.C. § 3742 you have a right  
7 to appeal the sentence I've imposed, subject to certain rights  
8 of appeal you waived as part of your plea. If you choose to  
9 appeal you must file an appeal within 14 days after I enter  
10 judgment. And if you are unable to afford the cost of an  
11 appeal, you may request permission from the Court to file an  
12 appeal without cost to you.

13 Mr. Phillips, the government pledged to dismiss the  
14 remaining counts of the indictment. Does the government wish  
15 to do so now?

16 MR. PHILLIPS: Yes, Your Honor. We move to dismiss  
17 the remaining counts.

18 THE COURT: All right. Those counts will be dismissed.

19 And Mr. Madiou, do you -- and probation, I'm going to come  
20 to you in a minute about conditions of supervised release, but  
21 do you have a request for a recommendation?

22 MR. LAWLOR: Yes, Your Honor.

23 THE COURT: Mr. Lawlor.

24 MR. LAWLOR: Just trying to earn my keep.

25 So, Your Honor, Mr. Manley is from Florida. So there are

1 two facilities that have RDAP in the panhandle. One is a  
2 prison camp, which is Pensacola, and the other is an FCI which  
3 is Tallahassee. So I would ask you to recommend both because  
4 I don't know which security level he'll be designated at. So  
5 one or the other.

6 THE COURT: I will. I'll recommend to the Bureau of  
7 Prisons that Mr. Manley be housed at either the Pensacola camp  
8 or FCI Tallahassee.

9 Mr. Manley, I don't have any authority over the Bureau of  
10 Prisons. I really wish I did, but I don't. And I can just  
11 make a recommendation and hope they will follow.

12 Ms. Lustig, are you asking for supervision to be  
13 transferred of his supervised release? I'm going to keep  
14 jurisdiction of the case.

15 PROBATION OFFICER: So after -- when he's released  
16 from BOP, wherever he determines he's going to live, his  
17 supervision will automatically be directly transferred. If  
18 you're going to retain jurisdiction, then there's nothing  
19 else you need to do.

20 THE COURT: If you violate the conditions of your  
21 release, you're going to see me, and I don't want to see  
22 you like that. I won't be happy. Don't make me unhappy.

23 THE DEFENDANT: I don't want to see you again either,  
24 Your Honor.

25 THE COURT: Oh, you can always walk through those doors

1 and wave hello. D.C. is actually a really nice city and it's  
2 filled with -- it's not a swamp. It's actually filled with  
3 people who also love their country. Come back another time as  
4 a tourist.

5 But I want to tell you seriously, there's another book I'll  
6 recommend. It's called Just Mercy by a man named Bryan  
7 Stevenson. And what he says is -- and I say this all the time  
8 and I believe it every time -- that you are not the worst  
9 thing you've ever done. This is one thing that you have done  
10 in what's going to probably be a long life, and you've done  
11 things you can be proud of and you've done things you can't be  
12 proud of.

13 But what determines the content of your character is how  
14 you move forward from this, what your family and your friends  
15 see you do, how you pick yourself up and move forward in your  
16 life. Whether you're going to be consumed by bitterness and  
17 addiction or whether you're going to -- armed with what you  
18 have suffered, resolve to make a better life for yourself.

19 And I think that you have the capacity -- not everybody has  
20 the capacity for self-reflection, but I think you do. I  
21 really think you do. You've shown it to me. You don't have  
22 anything else to prove to me or anybody else. But for your  
23 own self, you know, you don't want to be mired in that kind of  
24 pain anymore. It's not worth it.

25 So I believe you have the ability to do it. And now again,

1           unfortunately, because you are in the federal system, there  
2           are resources available to you. You are going to have the  
3           opportunity for some mental health treatment that you may not  
4           have had before, for substance abuse treatment that you may  
5           not have had before, because of the federal system. Use it.  
6           You can't do it by yourself. Use it.

7           Good luck to you, sir.

8           THE DEFENDANT: Thank you very much, Your Honor.

9           THE COURT: All right. Thank you.

10          (Proceedings adjourned at 11:31 a.m.)

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\* \* \* \* \*

CERTIFICATE

I, BRYAN A. WAYNE, Official Court Reporter, certify that the foregoing pages are a correct transcript from the record of proceedings in the above-entitled matter.

/s/ Bryan A. Wayne  
Bryan A. Wayne