

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA

v.

SENTENCING MINUTES

HECTOR M. GOMEZ-SALAS

Case No. 19-CR-151

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: August 18, 2021
Deputy Clerk: Lori

Time Called: 1:30 pm
Time Concluded: 1:55 pm
Tape: Zoom
081821

Appearances:

UNITED STATES OF AMERICA by: William J. Roach
HECTOR M. GOMEZ-SALAS via video and by: Thomas J. Erickson
US PROBATION OFFICE by: Brian Koehler
INTERPRETER: None ☐ Interpreter Sworn

☒ Defendant consents to appear and proceed by video conference from the Brown County Jail. The Court makes findings under the Cares Act to hold the hearing via videoconference. The Court makes further findings specific to this case that further delay would seriously impair the interest of justice.

- | | |
|--|---|
| <input type="checkbox"/> The parties have no objections to the factual statements in the PSR | <input checked="" type="checkbox"/> The parties have no objections to the application of the guidelines in the PSR
No formal objection to guideline by defendant, Counsel mentions that the factual objection could possibly involve 2 points. |
| <input checked="" type="checkbox"/> Objections/corrections to factual statements in PSR by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant
Objects as to allegation there was an actual completion/transaction of delivery of cocaine. Counsel states that deal was never consummated. | <input type="checkbox"/> Objections/corrections to application of guidelines by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant |
| <input checked="" type="checkbox"/> The court adopts the factual statements and guideline application as set forth in the PSR. The Court recognizes the factual dispute over the transaction objection. | <input type="checkbox"/> The court adopts the factual statements and guideline application with these changes: |

- | | |
|--|---|
| <input checked="" type="checkbox"/> The government presents sentencing argument: 6 years | <input checked="" type="checkbox"/> The defendant presents sentencing argument: 61 months (11month adjustment for time served on Oklahoma State sentence) |
| <input checked="" type="checkbox"/> Defendant exercises right of allocution. | <input checked="" type="checkbox"/> The court imposes sentence. |
| <input checked="" type="checkbox"/> The government dismisses remaining counts. | <input checked="" type="checkbox"/> Defendant advised of appeal rights. |

The Court accepts the Rule 11(c)(1)(C) plea agreement, finding it reasonable.
Mr. Roach objects to the adjustment requested by defendant as to state time credit, but agrees the Court has authority to grant the request. Defendant will be deported upon completion of his sentence.

SENTENCE IMPOSED:

Imprisonment: 61 months as to Count one of the Information.

Imprisonment term for each count to be served ☐ concurrently ☐ consecutively.

TOTAL TERM OF IMPRISONMENT IMPOSED: 61 months.

☐ This term of imprisonment is to be served (☐ concurrently with or ☐ consecutively to) any state court sentence the defendant is currently serving.

Probation:

Supervised Release: 5 years as to Count one of the Information.

MONETARY PENALTIES

Special Assessment: \$ 100.00 due immediately

Fine: \$ _____ ☒ fine waived

Restitution: \$ _____ ☐ determination deferred

JOINT AND SEVERAL PAYMENTS

☐ Fine and/or ☐ Restitution is **joint and several** with _____.

☐ Repayment of Buy Money is **joint and several** with _____.

FORFEITURE

☐ All property forfeited upon conviction or by order of the court shall be included in the criminal judgment.

RECOMMENDATIONS

☐ The court recommends the defendant's placement at _____.

☐ The court recommends the defendant's participation in the Bureau of Prisons' 500-hour drug treatment program.

☐ Other: _____.

CUSTODY

- ☒ The defendant is remanded to the custody of the U.S. Marshal Service.
- ☐ The defendant is to voluntarily surrender at the institution designated by the Bureau of Prisons as notified by the U.S. Probation Office; ☐ on or after ____.

CONDITIONS OF SUPERVISED RELEASE/PROBATION

- ☒ The defendant does not object to the conditions of supervised release as set forth in the presentence investigation report.
- ☒ The defendant waives reading of the conditions of supervised release.
- ☒ **Mandatory Conditions of Supervision** imposed.
- ☒ The Court adopts the **Standard Conditions of Supervision** set forth in the presentence investigation report without change.
- ☐ The Court adopts the **Standard Conditions of Supervision** set forth in the presentence investigation report with the following changes:
- ☒ The Court adopts the **Special Conditions of Supervision** set forth in the presentence investigation report without change.
- ☐ The Court adopts the **Special Conditions of Supervision** set forth in the presentence investigation report with the following changes: