

Executive Grant of Clemency

JOSEPH R. BIDEN, JR.

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

BE IT KNOWN, THAT THIS DAY, I, JOSEPH R. BIDEN, JR., PRESIDENT OF THE UNITED STATES, PURSUANT TO MY POWERS UNDER ARTICLE II, SECTION 2, CLAUSE 1, OF THE CONSTITUTION, HAVE GRANTED UNTO

ROBERT HUNTER BIDEN

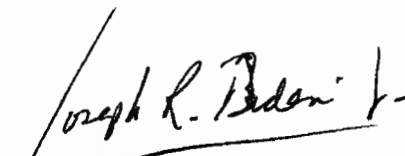
A FULL AND UNCONDITIONAL PARDON

FOR THOSE OFFENSES against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014 through December 1, 2024, including but not limited to all offenses charged or prosecuted (including any that have resulted in convictions) by Special Counsel David C. Weiss in Docket No. 1:23-cr-00061-MN in the United States District Court for the District of Delaware and Docket No. 2:23-CR-00599-MCS-1 in the United States District Court for the Central District of California.

IN TESTIMONY WHEREOF I have hereunto signed my name and caused the Pardon to be recorded with the Department of Justice.

Done at the City of Washington this 1st day of December in the year of our Lord Two Thousand and Twenty-four and of the Independence of the United States the Two Hundred and Forty-ninth.




JOSEPH R. BIDEN, JR.
President

From: US Pardon Attorney(imailagent) uspardon.attorney@usdoj.gov

Sent Date: 12/2/2024

To: (b) (6)

Subject: Recipient of Presidential Pardon: Robert Hunter Biden (b) (5)

Attached: Biden documents.pdf

December 2, 2024

Abbe David Lowell, Esq.

Winston & Strawn LLP

(b) (6)

Dear Mr. Lowell:

On December 1, 2024, the President granted a full and unconditional pardon to your client, Robert Hunter Biden. A scanned copy of the warrant signifying the President's action is attached. Also enclosed is a letter to your client explaining the nature and benefits of pardon. We ask that you forward each of these documents to your client.

Sincerely,

Office of the Pardon Attorney

From: US Pardon Attorney(imailagent) uspardon.attorney@usdoj.gov
Sent Date: 12/2/2024
To: (b) (6)
Subject: Robert Hunter Biden - Grant Notification for Presidential Pardon, (b) (5) (Intranet Quorum IMA00921233)
Attached: Biden Warrant.pdf

December 2, 2024

MEMORANDUM

TO: (b) (6)
Unit Chief
FBI, Other Government Agency II

FROM: Pardon Attorney
Office of the Pardon Attorney

SUBJECT: Robert Hunter Biden
(b) (5)
Docket Nos. 1:23-cr-00061-MN and 2:23-CR-00599-MCS-1
Grant Notification for Presidential Pardon

On December 1, 2024, the President granted Robert Hunter Biden a full and unconditional pardon after completion of sentence. Please make an appropriate notation in your records. Please also note that this recipient was not processed by our Office (b) (5)

Offense: For those offenses against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014 through December 1, 2024, including but not limited to all offenses charged or prosecuted (including any that have resulted in convictions) by Special Counsel David C. Weiss in Docket No. 1:23-cr-00061-MN in the United States District Court for the District of Delaware and Docket No. 2:23-CR-00599-MCS-1 in the United States District Court for the Central District of California.

Sentence: N/A

Date: N/A

District: Delaware & Central California

Date of Birth:

(b) (6)

Social Security Number:

(b) (6)

FBI Number:

(b) (6)

From: US Pardon Attorney(imailagent) uspardon.attorney@usdoj.gov

Sent Date: 12/2/2024

To: (b) (6)

Subject: Robert Hunter Biden - Grant Notification for Presidential Pardon (b) (5)

Attached: Biden Warrant.pdf

December 2, 2024

MEMORANDUM

TO: David C. Weiss
United States Attorney

FROM: Pardon Attorney
Office of the Pardon Attorney

SUBJECT: Robert Hunter Biden
Docket Nos. 1:23-cr-00061-MN (Delaware) & 2:23-CR-00599-MCS-1
(Central California)
Recipient of Presidential Pardon

On December 1, 2024, the President granted Robert Hunter Biden a full and unconditional pardon after completion of sentence. Please make an appropriate notation in your records and with the court. Please also note that this action was not processed via application through our Office.

Offense: For those offenses against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014 through December 1, 2024, including but not limited to all offenses charged or prosecuted (including any that have resulted in convictions) by Special Counsel David C. Weiss in Docket No. 1:23-cr-00061-MN in the United States District Court for the District of Delaware and Docket No. 2:23-CR-00599-MCS-1 in the United States District Court for the Central District of California.

Date: N/A

Sentence: N/A

District: Delaware & Central California

From: US Pardon Attorney(imailagent) uspardon.attorney@usdoj.gov

Sent Date: 12/4/2024

To: (b) (6)

Subject: Robert Hunter Biden - Grant Notification for Presidential Pardon (b) (5)

Attached: Biden Warrant.pdf

December 4, 2024

MEMORANDUM

TO: (b) (6)

Unit Chief

NICS Business and Liaison Unit
Federal Bureau of Investigation

FROM: Pardon Attorney
Office of the Pardon Attorney

SUBJECT: Robert Hunter Biden
Docket Nos. 1:23-cr-00061-MN (Delaware)
& 2:23-CR-00599-MCS-1 (Central California)
Grant Notification for Presidential Pardon

On December 1, 2024, the President granted Robert Hunter Biden a full and unconditional pardon. Please make an appropriate notation in your records.

Offense: For those offenses against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014 through December 1, 2024, including but not limited to all offenses charged or prosecuted (including any that have resulted in convictions) by Special Counsel David C. Weiss in Docket No. 1:23-cr-00061-MN in the United States District Court for the District of Delaware and Docket No. 2:23-CR-00599-MCS-1 in the United States District Court for the Central District of California.

Date: N/A

Sentence: N/A

District: Central California & Delaware (and any others with relevancy)

Date of Birth:

(b) (6)

Social Security Number: (b) (6)

FBI Number: (b) (6)

From: Sargent-Burns, Rosalind A. (PARDON) (b) (6)
Sent: Monday, December 2, 2024 3:49:25 PM
To: Weiss, David (USADE); Hanson, Shannon (USADE)
CC:
Subject: Correction: Robert Hunter Biden pardon grant

Good afternoon Mr. Weiss,

Earlier today, we sent out an email noting that Robert Hunter Biden was granted a full and unconditional pardon after completion of sentence. Please be advised that the notation of "after completion of sentence" was included in error. The proper notification can be found below, and the warrant noting no condition of sentence completion is again attached. Our apologies for any confusion. Please do not hesitate to contact me directly with any additional questions or concerns.

Best regards,

Rosalind Sargent Burns
Senior Deputy Pardon Attorney



December 2, 2024

MEMORANDUM

TO: David C. Weiss
United States Attorney

FROM: Pardon Attorney
Office of the Pardon Attorney

SUBJECT: Robert Hunter Biden
Docket Nos. 1:23-cr-00061-MN (Delaware) & 2:23-CR-00599-MCS-1 (Central California)
Recipient of Presidential Pardon

On December 1, 2024, the President granted Robert Hunter Biden a full and unconditional pardon. Please make an appropriate notation in your records and with the court. Please also note that this action was not processed via application through our Office.

Offense: For those offenses against the United States which he has committed or may have committed or taken part in during the period from January 1, 2014 through December 1, 2024, including but not limited to all offenses charged or prosecuted (including any that have resulted in convictions) by Special Counsel David C. Weiss in Docket No. 1:23-cr-00061-MN in the United States District Court for the District of Delaware and Docket No. 2:23-CR-00599-MCS-1 in the United States District Court for the Central District of California.

Date: N/A

Sentence: N/A

District: Delaware & Central California

From: (b) (6) @att.net>
Sent: Wednesday, June 12, 2024 8:32 AM
To: USPardon Attorney
Subject: [EXTERNAL] Pardon Assistance

(b) (6) request information what I must do to get Pardon for Hunter Biden Please call me (b) (6) Thank you Sent from my iPhone

From: FeedBlitz <feedblitz@mail.feedblitz.com>
Sent: Wednesday, June 12, 2024 2:03 AM
To: lisa.m.porcari
Subject: [EXTERNAL] Sentencing Law and Policy - 4 new articles

[Click here to read this mailing online.](#)





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"Sentencing Law and Policy" - 4 new articles

1. Missouri completes execution of double murderer who proclaimed his innocence
2. BJS releases small accounting with "Preliminary Data Release - Jails (2023)"
3. Notable new Second Circuit opinion limits grounds for granting 3582(c)(1)(A) sentence reduction
4. What facts should matter (and not matter) most at federal sentencing after Hunter Biden is convicted by jury on three felony counts?
5. More Recent Articles

Missouri completes execution of double murderer who proclaimed his innocence

As detailed in [this AP article](#), a "man convicted of killing his former lover and her husband in what prosecutors described as a fit of rage was executed Tuesday evening in Missouri." Here is more:

David Hosier, 69, was pronounced dead at 6:11 p.m. following a single-dose injection of the sedative pentobarbital at the state prison in Bonne Terre. Hosier was convicted of the 2009 killings of Angela and Rodney Gilpin in the state capital of Jefferson City.

Hosier turned his head a couple of times and breathed hard twice as the drug was administered. All movement stopped within seconds, even as his spiritual adviser seated next to him, the Rev. Jeff Hood, continued to pray.

Investigators said Hosier had a romantic relationship with Angela Gilpin and was angry with her for breaking it off and reconciling with her husband. Hosier maintained until the end that he was innocent and shouldn't have been convicted on circumstantial evidence.

The way was cleared Monday when Gov. Mike Parson declined to grant clemency, citing Hosier's "lack of remorse." Parson, a Republican and former county sheriff, has overseen 10 executions since taking office in 2018. Hosier's lawyers said no court appeals were pending in the hours before the scheduled execution....

In previous interviews with The Associated Press, Hosier acknowledged having an affair with Angela Gilpin that she ended before getting back with her husband. In September 2009, the two were fatally shot near the doorway to their apartment....

Hosier was the seventh person executed in the U.S. this year and the second in Missouri. Brian Dorsey was executed in April for killing his cousin and her husband in 2006. Missouri is scheduled to execute another man, Marcellus Williams, on Sept. 24, even though Williams is still awaiting a hearing on his claim of innocence in the 1998 stabbing death of Lisha Gayle.



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BJS releases small accounting with "Preliminary Data Release - Jails (2023)"

The Bureau of Justice Statistics sent me a couple emails today making sure I saw it [published online here](#) its latest data on jail populations in the US. Here is the text that starts the report:

The Bureau of Justice Statistics provides key jail statistics prior to release of the annual jails report. The statistics below include the number of persons held in local jails, by inmate demographics and conviction status; the number of admissions to jail; and jail incarceration rates, from 2013 to 2023.

Statistics from 2023, the latest data year, are preliminary and may be updated once BJS publishes the final data in *Jail Inmates in 2023 - Statistical Tables*, which is scheduled for release in late 2024.

Key findings

- At midyear 2023, local jails held 664,200 persons in custody, similar to the year before (663,100).
- Jails reported 7.6 million admissions from July 1, 2022 to June 30, 2023. While this represents a 4% increase over the 7.3 million admissions the year before, annual admissions were 35% lower than 10 years ago (11.7 million).
- Local jails held 95,100 females at midyear 2023, accounting for 14% of the confined population.
- At midyear 2023, 70% of the jail population (467,600) was unconvicted and awaiting court action on a current charge or being held in jail for other reasons. The remaining 30% (196,600) was convicted and either serving a sentence or awaiting sentencing on a conviction.



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Notable new Second Circuit opinion limits grounds for granting 3582(c)(1)(A) sentence reduction

A helpful reader made sure I did not miss a notable new opinion today from a Second Circuit panel reversing a notable sentence reduction under 18 U.S.C. § 3582(c)(1)(A). The 28-page ruling in *US v. Fernandez*, No. 22-3122 (2d Cir. June 11, 2024) ([available here](#)), gets started this way:

This appeal raises questions as to which claims and arguments a district court is permitted to consider as “extraordinary and compelling reasons” in support of a motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(1)(A), commonly known as a

motion for “compassionate release.” Defendant-Appellee Joe Fernandez, then imprisoned in a federal penitentiary, filed this compassionate-release motion seeking a reduction of the mandatory life sentence he was serving for his conviction of murder for hire, in violation of 18 U.S.C. § 1958.

Patrick Darge had hired Fernandez as a “backup shooter” in a scheme to murder two Mexican drug cartel members who had come to New York City to collect payment for more than 270 kilograms of cocaine the cartel had sold to local drug trafficker Jeffrey Minaya. While Darge (and several other codefendants implicated in the scheme) pleaded guilty to various narcotics, firearms, and murder charges and cooperated with the government, Fernandez went to trial and was convicted.

In 2021, Fernandez filed the instant motion for compassionate release in the district court arguing, in relevant part, that two “extraordinary and compelling reasons” warranted his release: (1) his potential innocence in light of the questionable credibility of Darge, the government’s key witness at trial, and (2) the significantly lower sentences imposed on Fernandez’s co-defendants. The United States District Court for the Southern District of New York (Alvin K. Hellerstein, Judge) granted the motion on these grounds, reduced Fernandez’s sentence to time served, and ordered his release.

The government appealed, arguing that the district court abused its discretion because potential innocence is never a permissible “extraordinary and compelling reason[]” for a sentence reduction within the meaning of 18 U.S.C. § 3582(c)(1)(A), and that Fernandez’s sentencing disparity is not an “extraordinary and compelling reason[]” for a sentence reduction on the facts of this case. We agree with the government that a compassionate release motion is not the proper vehicle for litigating the issues Fernandez has raised, irrespective of whether his mandatory life sentence is unjust. We therefore reverse the judgment of the district court.

The discussion of sentencing disparity as a legal basis for possible sentence reduction is quite nuanced, and it includes a lengthy footnote starting with this sentence: “We cannot foreclose the possibility that significant sentencing disparities, even between a defendant who went to trial and a co-defendant who pleaded guilty and cooperated, might, in some unusual circumstances, warrant a finding of ‘extraordinary and compelling’ reasons to grant a sentence reduction.” In addition, the innocence discussion is also dynamic. But, nuances aside, this ruling would seem to greatly hinder claims of actual innocence or general co-defendant sentencing disparity as a basis for seeking a sentence reduction.



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What facts should matter (and not matter) most at federal sentencing after Hunter Biden is convicted by jury on three felony counts?

These are heady times for historic sentencing proceedings. As New York state actors are working through the process of preparing for former President Donald Trump's state sentencing after his conviction last month on 34 state felony counts following a lengthy trial, we know now that federal actors need to start working through the process of preparing for current President Joe Biden's son, Hunter, to be federally sentenced after his conviction today on three federal felony counts following a short trial. Here are the basics via the [New York Times' latest live update](#):

A jury in Wilmington, Del., on Tuesday found Hunter Biden, President Biden's long-troubled son, guilty of three felony counts of lying on a federal firearms application in 2018, a grievous personal blow to the Biden family as his father enters the final months of a brutal re-election campaign. He could face up to 25 years in prison, but first-time offenders who did not use their weapons to commit a violent crime typically receive no jail time....

Here's what else to know:

A sentencing date was not set: The judge in the case, Maryellen Noreika, did not set a date for sentencing, but said it would typically be about 120 days after the verdict — that's early October, or about a month before the election. Although the maximum possible sentence Mr. Biden faces is more than two decades behind bars and \$750,000 in fines, federal sentencing guidelines call for a fraction of that penalty.

No pardons are coming: President Biden has said he will not pardon his son. The president kept his distance from the trial and was out of office on Oct. 12, 2018, when Hunter Biden asserted he was drug-free on a background check at a time when he was addicted to crack cocaine.

His legal troubles are not over: The Delaware case, brought by the special counsel David C. Weiss, is widely regarded as the least serious of the two federal indictments against Hunter Biden brought last year. He still faces serious tax charges in Los Angeles stemming from his failure to pay the government during a yearslong crack, alcohol and spending binge; the trial is scheduled to start in September.

I have not yet sought to work through the likely (advisory) guideline calculations for Hunter Biden, but I have already seen reports that the estimated guideline range would be for over a year of federal prison time. Even after the Supreme Court made the guidelines advisory, federal judges are duty bound to still consider them at sentencing along with the other sentencing factors detailed by Congress in [18 USC § 3553\(a\)](#).

But, of course, many of the instructions in 3553(a) are quite vague -- eg, judges must consider the "nature and circumstances of the offense and the history and characteristics of the defendant." That vague phrase and others in federal sentencing law prompt the question in the title of this post. Should Judge Noreika give particular weight to, or make a focused effort to limit her consideration of, Hunter Biden's struggles with addiction at the time of his offenses? His indictments on various other alleged crimes and other alleged misbehaviors? The wide range of unique consequences associated with being the son of a president?



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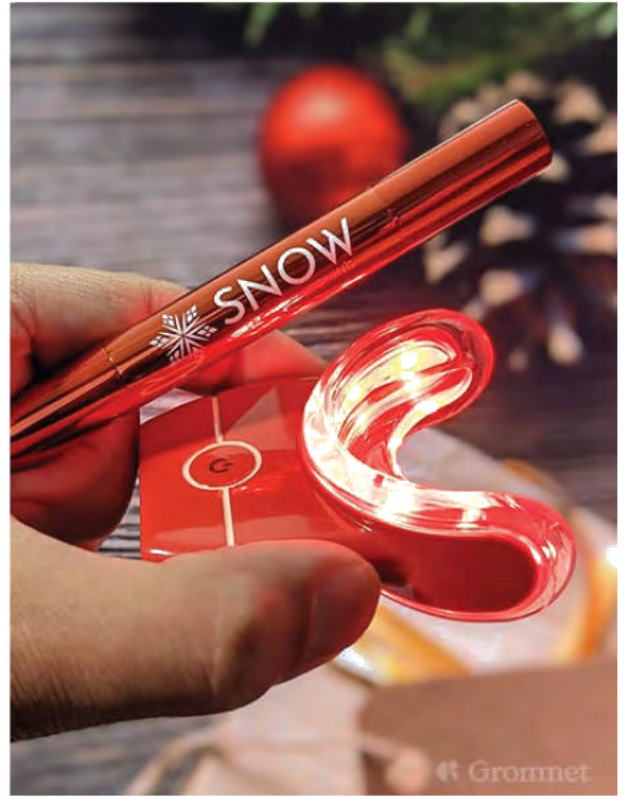
- Flagging challenge to Arizona's suspect application of *Miller* juve LWOP limis
- FBI reports remarkable crime drop to begin 2024
- As SCOTUS heads into homestretch, any prediction for any criminal justice "sleeper" opinions?
- A big (but still abridged) Sunday round-up of lots of (non-capital) stories major and minor
- "Positive Credentials That Limit Risk: A Report on Certificates of Relief"

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From: FeedBlitz <feedblitz@mail.feedblitz.com>
Sent: Sunday, June 16, 2024 1:58 AM
To: lisa.m.porcari
Subject: [EXTERNAL] Sentencing Law and Policy - Recent active discussions regarding Ohio's dormant death penalty

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"Sentencing Law and Policy" - 1 new article

1. Recent active discussions regarding Ohio's dormant death penalty
2. More Recent Articles

Recent active discussions regarding Ohio's dormant death penalty

I have long viewed Ohio as a fascinating death penalty state, though that view is surely influenced by the fact I teach and write about capital punishment here in the Buckeye State. Especially for a state outside the deep south, Ohio has long had a active death system: Ohio juries have imposed a relatively large number of death sentences and Ohio was behind only a few states in the total number of executions for the first dozen of so years starting the 21st century.

But lots of litigation over execution methods and a range of other factors have contributed to a significant reduction in recent years in the (a) the size of Ohio's death row, (b) the number of new death sentences, and (c) completed executions in Ohio. Of particular note, there has not been an execution in Ohio since summer 2018, and it certainly seems that current Ohio Governor Mike DeWine is disinclined to preside over any executions while he is in office (which will be through 2026). But the dormant capital punishment reality has not precluded active capital punishment discussions, as highlights by these recent stories:

From DPIC, "[Ohio Legislative Black Caucus Identifies Death Penalty as a Legislative Priority Due to Legacy of Racial Violence and Bias](#)"

From Fox News, "[Ohio sheriff fed up with crime stemming from border crisis calls for death penalty renewal](#)"

From Ohio Capital Journal, "[Backers believe nitrogen hypoxia can jumpstart Ohio's stalled capital punishment system](#)"

From Spectrum News, "[Gov. DeWine delays 3 more executions](#)"

From WCMH, "[Move to abolish Ohio's death penalty renewed](#)"

From WKRC, "[Ohio considers 2 new death penalty bills that would either end executions or restart them](#)"



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- [US Sentencing Commission releases big report on "Methamphetamine Trafficking Offenses in the Federal Criminal Justice System"](#)
- [The Sentencing Project releases report titled "Incarceration and Crime: A Weak Relationship"](#)
- [Notable *Washington Post* "Abused by the badge" investigation includes notable data on sentencing outcomes](#)
- ["The White House isn't ruling out a potential commutation for Hunter Biden after his conviction"](#)



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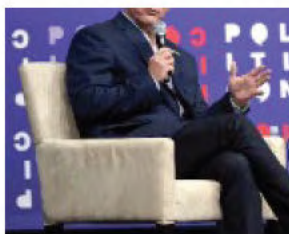
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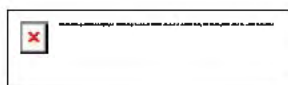
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From: (b) (6) @gmail.com>
Sent: Wednesday, July 10, 2024 8:25 PM
To: USPardon Attorney
Subject: [EXTERNAL] Pardon Hunter Biden before the 2024 Presidential Election

From: (b) (6) @outlook.com>
Sent: Thursday, August 15, 2024 7:48 AM
To: USPardon Attorney
Subject: [EXTERNAL] ROBERT HUNTER BIDEN PARDON

I MAILED PETITION ADDRESSED TO PRESIDENT BIDEN UPON BEHALF I CITED CONSTITUTIONAL AUTHORITY MY POSITION IS PRESIDENT HAS NO AUTHORITY DELEGATE HIS PARDON POWER UNDER THE CONSTITUTION I SUSPECT SENT TO YOUR OFFICE. NOW EXPEDITIOUS PROCESS NEEDED PRESIDENT BIDEN KNOW HIS SONS UNLAWFUL PROSECUTIONS AS IS BECAUSE POLITICAL PRESSURE DAVID WEISS SPECIAL COUNCIL TARGETED HIS SON WEISS IS A TRUMP APPOINTEE THE CONSTITUTION DOES NOT BAR PRESIDENTIAL POWER ISSUE PARDON OF HIS SON SUFFERING YEARS OF INVESTIGATIONS NOW 2 POLITICAL PROSECUTIONS BY TRUMP APPOINTEE PRESIDENT BIDEN MUST PROMPTLY REVIEW AND GRANT PARDON EXPLAIN FACTS TO AMERICAN DADS AND MOMS HE IS ALLOWING BY DELAYS THE PETITION I MAILED TO WHITE HOUSE AND ASK YOUR OFFICE TAKE NEEDED PROMPT ACTION PUT PETITION ON HIS DESK FOR ACTIONS

Sent from [Outlook](#)

From: (b) (6) @yahoo.com>
Sent: Monday, July 22, 2024 4:56 PM
To: USPardon Attorney
Subject: [EXTERNAL] Support for pardon of Hunter Biden

I'm writing ask President Biden to pardon his son Hunter.

I feel he's been punished disproportionately because he is the presidents son. His prosecution and hounding of him was for political optics. Having had my own substance abuse issues I know the difficulty in cleaning up and getting your life back on track. The republicans hounding him is not how you treat mental health and substance abuse issues compassionately.

And NO ONE should be subjected to Marjory Taylor Green holding up naked pictures of you at your lowest point in life in front of congress and the country. That was punishment enough.

I know there will be criticisms about this pardon but the response is simple, he's your son and you are the president.

(b) (6)