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10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,)	Case No. SA CR 08-110-AG
)	
13 Plaintiff,)	GOVERNMENT'S RESPONSE TO THE
)	PRESENTENCE REPORT FOR
14 v.)	DEFENDANT MARTIN SELF
)	
15 MARTIN SELF,)	
)	SENTENCING DATE: Nov. 17, 2008
16 Defendant.)	TIME: 3:30 p.m.
)	PLACE: Ctrm. 10-D
)	
)	

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 19 Plaintiff United States of America, by and through its
 20 counsel of record, Jennifer L. Waier, having received and
 21 reviewed the Presentence Report for defendant Martin Self

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1 in the above matter, submits the government's response to the
2 Presentence Report.

3 DATED: November 10, 2008 Respectfully submitted,

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 Defendant Martin Self pleaded guilty to a two-count
3 information charging violations of 18 U.S.C. § 78dd-2 (Foreign
4 Corrupt Practices Act).

5 The Probation Office has determined that defendant's total
6 offense level with acceptance of responsibility is 11 and
7 criminal history category is I. (PSR ¶¶ 18-31, 33-39). Thus,
8 the advisory guideline sentencing range is 8-14 months
9 imprisonment in Zone C, which states that in lieu of
10 imprisonment, half of the term can consist of community
11 confinement or home detention. The government concurs with the
12 calculation of defendant's offense level and criminal history
13 category in the Presentence Report.

14 Consistent with the plea agreement and Presentence Report,
15 the government moves, pursuant to U.S.S.G. § 3E1.1(b), that the
16 Court impose a sentence at the low-end of the applicable advisory
17 guideline range followed by a two-year term of supervised release
18 under the conditions noted in the Presentence Report.¹ In
19 addition, defendant should be ordered to pay a \$100 special
20 assessment.

21 This sentence is consistent with the applicable factors
22 delineated in 18 U.S.C. § 3553(a) and therefore is just
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24
25 ¹ Defendant was not the mastermind of the bribery scheme.
26 Leo Winston Smith had all communication with the UK-MOD official,
27 facilitated bribe payments for the lucrative contracts, and
launched money to England. As such, defendant was a minor role.
Therefore, the government believes that a sentence at the low-end
of the advisory guideline range is appropriate in this case.

1 punishment as it protects the public in light of defendant's
2 criminal history and instills the seriousness of the committed
3 offense.

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