

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

TRIAL COURT OF MASSACHUSETTS  
JUVENILE COURT DEPARTMENT

COMMONWEALTH

v.

J.G.,  
A.L., and  
S.V.,

Defendants.

Docket Nos. [REDACTED]

SUBJECT TO IMPOUNDMENT  
ORDER

**SENTENCING MEMORANDUM OF  
DEFENDANT S.V.**

Subject to the Court's approval (which has already been conditionally provided), the Commonwealth and defendant S.V. ("S.V.") have entered into a plea agreement pursuant to which Mr. S.V. shall plead guilty to all three counts of Youthful Offender Indictment No. 1581 YO0009 charging him with manslaughter, armed robbery, and assault and battery with a dangerous weapon causing serious bodily injury, all in connection with the death of T.T. which occurred on or about August 18, 2014. Under the terms of the plea agreement between the Commonwealth and Mr. S.V., and subject only to modifications that may be required as a result of the separate sentence the Court imposes on co-defendant J.G., the parties shall jointly recommend that Mr. S.V. receive the following sentence on each of the three counts of his youthful offender indictment, with all three sentences to run concurrently: (i) Mr. S.V. shall be committed to the custody and supervision of the Massachusetts Department of Youth Services ("DYS") [REDACTED]

[REDACTED] *i.e.*, a period of over three full years; and (ii) he shall serve a ten year period of probation

from and after his release from DYS custody. It is further agreed that S.V.'s conditions of probation will include the following requirements: (i) No new arrests or criminal charges; (ii) no restraining or harassment prevention orders issued against him; (iii) obtain a high school diploma or GED if he has not already done so; (iv) mental health evaluation; (v) mental health treatment if deemed necessary by the evaluation; (vi) enrollment in a full time educational program and/or job skills training program, or full time employment, or a combination of full time work and education/training; (vii) prohibited from contacting the family of T.T..

The parties' plea agreement is, if anything, unduly harsh and punitive as to Mr. S.V.. Nevertheless, Mr. S.V. has agreed to it, regards it as an appropriate disposition under the circumstances, and asks the Court to accept it and impose the jointly recommended sentence.<sup>1</sup> The jointly recommended sentence is more than sufficient, and certainly not greater than necessary, to achieve the purposes of sentencing, including just punishment, promotion of respect for the law, specific and general deterrence, protection of the public, and rehabilitation of the defendant. Mr. S.V. submits this sentencing memorandum, including two attachments, in support of the parties' agreement, including the recommended sentence. The memorandum is submitted subject to a motion to impound as it includes sensitive and private information concerning Mr. S.V., including the results of a forensic, psychiatric evaluation (attached as Ex. 1) and because Mr. S.V.'s safety would be at risk if the memorandum were included on the public docket.<sup>2</sup>

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<sup>1</sup> Consistent with his agreement with the Commonwealth, Mr. S.V. reserves the right to request a more lenient sentence if co-defendant J.G. receives a sentence that is in any part less punitive than the sentence to which Mr. S.V. has agreed.

<sup>2</sup> Mr. S.V.'s safety concerns are real. In the days immediately after Mr. T.S.'s death, Mr. S.V. received specific threats from Mr. Tullus's relatives and/or friends.

## STATEMENT OF BACKGROUND FACTS

Before explaining the reasons why we believe the parties' agreement and recommended sentence should be accepted by the Court, we provide background factual information regarding Mr. S.V., his record of accomplishment while on bail (*see, e.g.*, Ex 2, [REDACTED]), the results of his forensic psychiatric evaluation (*see* Ex. 1, Psychiatric Evaluation of S.V. by [REDACTED], M.D. ("Report")), and his role in the crime to which he is prepared to plead guilty.<sup>3</sup>

### **A. Mr. S.V. Was a Sixteen Year Old Juvenile At the Time of the Crime.**

As of August 18, 2014, the date when the incident that has brought us here occurred, Mr. S.V. was 16 years old and scheduled to start his sophomore year at [REDACTED] High School in a few weeks. His hobbies included skate-boarding, playing video games, playing basketball, and reading. Family, friends, and teachers all described Mr. S.V. as kind, sweet, gentle, polite, considerate, thoughtful, respectful, and shy. The crime in which he participated was a total aberration. Prior to his arrest in this case, Mr. S.V. had never previously been in trouble with the law. He had no record. He had never been arrested and had never spent any time in jail or in any detention facility. The conduct at issue here was out of keeping with everything he had previously done, and everything he has done since.

### **B. Mr.S.V.'s Family and Upbringing.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

<sup>3</sup> Additional factual background regarding Mr. S.V. that goes well beyond the information supplied in this memorandum may be found in the Barnum Report at 5-17.

[REDACTED]

[REDACTED]

[REDACTED] Spanish is Mr. S.V.'s first language, and is still the language spoken in his home.

**C. S.V.'s Release on Bail and His Relative Lack of Culpability.**

Mr. S.V. was arrested on August 21, 2014, and charged initially with the armed robbery of Mr. T.T.. It was the first time in his life he had ever been arrested. On September 10, 2014, after an evidentiary hearing conducted over the course of two days in August and September, your Honor ordered Mr. S.V. released to the custody of his mother on \$7,500 cash bail. In ordering Mr. S.V.'s release, your Honor noted, among other things, that Mr. S.V. was the least culpable of the three young men who had then been charged with the armed robbery of T.T. Neither of Mr. S.V.'s co-defendants, I.G. and A.L.

A.L., was released. The Court ordered J.G. held without bail, and it ordered A.L. released on \$50,000 bail (later reduced to \$15,000) which he was unable to meet.

**D. S.V.'s Perfect Record While on Bail Awaiting Trial.**

Several days after your Honor issued his bail order, [REDACTED] Mr. S.V. was released. He has been on house arrest with electronic monitoring ever since – a period of over eleven months – without incident. He has attended church, [REDACTED] [REDACTED] But aside from church and school, Mr. S.V. has been locked at home, helping his mother, reading, playing video games, [REDACTED] [REDACTED] He has not socialized with anyone outside of his family, and he has had no interactions with his peers. His existence has been extraordinarily lonely, especially for a young man like Mr. S.V. who is a sociable, friendly, 17 year old adolescent. Yet Mr. S.V. has endured it all with good humor and without a single complaint. He has not complained at all, and no one has complained about him. If anything, it is an understatement to say he has been a model citizen while out on bail. He has more than lived up to the faith this Court placed in him when the Court released him on bail.

**E. Mr. S.V.'s Record of Accomplishment in School While on Bail Awaiting Trial.**

Prior to this year, [REDACTED] [REDACTED] [REDACTED]

But, while out on bail this past year, all that changed.

[REDACTED]

[REDACTED] School officials were far from optimistic about S.V.'s prospects, but S.V. surprised them all. [REDACTED]

[REDACTED]

[REDACTED]

We were legally bound to provide S.V. with services, but I was not sanguine. Far from it. In light of the charges pending against him, I was nervous that he might be a violent and dangerous young man. And I doubted that he would be motivated to make up the ground he had lost missing over a full semester, [REDACTED] But S.V. surprised me, and he surprised everyone else with whom he has worked.

He arrived for his first day of tutoring ready to work and learn, and he has never looked back. [REDACTED]

[REDACTED]

[REDACTED] He has shown us, and

more importantly himself, that he has real potential to learn and grow. He started with us as a young boy in trouble with the law who had never shown any ambition or promise, but in the short time we've known him he has turned himself around. He has matured, steadied himself, and genuinely accepted responsibility for his wrongdoing. We now see him as a young man with college potential, and he sees and carries himself the same way.

Mr. S. V. 's turnaround was dramatic. Not only did he achieve good grades for the first time in his life, he became someone who was punctual and genuinely interested in his studies and in learning. Indeed, undersigned counsel can attest to the pride Mr. S. V. has taken in his school accomplishments. He simply glows when he talks about school and the work he has done and hopes to continue doing. He is proud of his grades, as he should be, but more importantly he now thinks of himself as a smart person with real potential to do something with his life well beyond drudge work. Mr. S. V. made up the ground he had lost in school in record time, because he is intelligent, but more so because he cared. In a word, he became a student. So much so, that his teachers, those who worked with him on a daily basis in March, April, May, and June, came to adore him, [REDACTED] The reports they wrote at year end included the following remarks about S. V. [REDACTED]

(Ex. 2) at p. 2):

"He is a courteous young man and was eager to learn the curriculum at great depth. He is one of the most punctual, inquisitive, conscientious, meticulous, and thoughtful students I have worked with in the 18 years that I have been a teacher. . . [REDACTED] and contribute positively to the greater community. I wish him all the best [REDACTED]"

"[H]e did an amazing job. I am happy to have been able to work with a student like S. V. . He is a smart, thoughtful and a star [REDACTED]"

"As a student he is a hard worker. He arrives on time, has his work completed, and behaves in a gentlemanly manner. He shows

the drive and determination to complete all his work. S.V. speaks well, demonstrates proper manners, and is highly respectful to his teachers. I feel that if S.V. is given the opportunity, he will become a positive contributing member of the community.”

[REDACTED]

[REDACTED] But over the course of the school year, S.V.s showed them that he is not defined by the worst thing he ever did. He showed them the wonderful person he is, [REDACTED]

[REDACTED]

says (Ex. 2 at p. 2):

Despite the crimes he committed, S.V. is a good young man, who has clearly learned from his poor prior choices. He is ready to move forward, and we are ready to help him. [REDACTED]

[REDACTED]

**F. Mr. S.V.'s Forensic Psychiatric Evaluation**

In February and early March of this year [REDACTED]

[REDACTED] he was evaluated by Dr. [REDACTED]. Dr. [REDACTED], whose CV is attached to the report (Ex. 1) he prepared about S.V., is without question the most experienced and one of if not the most highly respected child and adolescent psychiatrists in Massachusetts. Dr. [REDACTED] has conducted forensic psychiatric evaluations of many hundreds of adolescent criminal offenders during his career, and has testified countless times for the prosecution as well as the defense. He served as a psychiatrist at the Boston Juvenile Court Clinic for 25 years, 21 of which were as Director of the Clinic.



Although Dr. [REDACTED]'s evaluation was prepared for a purpose other than sentencing,<sup>4</sup> his Report includes substantial information that bears directly on the sentencing calculus. For current purposes, we simply highlight certain conclusions reached by Dr. [REDACTED], all of which were arrived at prior to Mr. S. V. having demonstrated, through his school accomplishments, just how much he has learned from the experience of this case, and just how much potential he really has. Among many other positive opinions regarding Mr. S. V. , Dr. [REDACTED] concluded that:

- "S. V. poses extremely low risk for any future violent or other criminal conduct."
- "S. V. has already experienced such compellingly negative consequences from this event that it is very unlikely that further aversive sanctions would add any effective force to deter him from similar conduct in the future. He has learned his lesson. In my opinion, it is very unlikely that he would engage in illegal conduct, let alone assaultive or violent conduct, in the future."
- "S. V. has virtually no risk factors suggesting that he would need to be confined for protection of the public."
- S. V. 's involvement in the criminal conduct at issue "was completely at variance with all his previous behavior. . . . [H]e is overwhelmed with disgust with himself for having taken part in this activity."
- "S. V. 's conduct during the incident is best understood as impulsive undertaken in response to peer pressure, which escalated out of his control, and to which he has responded with tremendous distress and guilt."

- [REDACTED]

**G. Mr. S.V.'s Role in the Underlying Offense**

In this Factual Background section of Mr. S. V. 's sentencing memorandum, we leave our discussion of the offense for last. The offense is summarized in the Commonwealth's Statement of the Case, and Dr. [REDACTED] recounts Mr. S. V. 's account of the offense at pages

<sup>4</sup> The Report was prepared in aid of undersigned counsel's effort to persuade the District Attorney's Office to be lenient toward S.V. in its charging decision.

17-19 of his Report. We will not go back through the details here. For current purposes, let it suffice to say that the offense was ugly and truly offensive, and it cost a man his life. There is no excusing it, and Mr. S.V. offers no excuse. We do, however, note the following for the Court's consideration:

- Unlike his co-defendants, Mr. S.V. had no prior relationship with the victim, Mr. T.T.. Mr. S.V. had once met Mr. T.T. through co-defendant J.G., but he had never spoken or communicated with Mr. T.T. in any way. Mr. S.V. had no animus toward Mr. T.T., and no personal motive to harm him.
- Mr. T.T., who was 34 years old, appears to have had what could most generously be described as an unusual relationship with Mr. J.G. prior to August 18, 2014. The evening before August 18, *i.e.*, on August 17, 2014, Mr. T.T. appears to have kidnapped Mr. J.G., who was then 15 years old, and released him only after receiving some assurance that Mr. J.G.'s friend, co-defendant A.L., another 15 year old, would have sexual relations with Mr. T.T.. Whatever may have literally transpired between and among Mr. T.T., Mr. J.G., and Mr. A.L. on August 17, and whatever arrangements may have been made with regard to getting together on August 18, it is clear that Mr. S.V. was not involved.
- It appears as if Mr. J.G. and Mr. A.L. formed a plan to pretend that A.L. was going to have sexual relations with Mr. T.T. so as to lure him to a secluded area where they would beat him up. During the afternoon of August 18, 2014, J.G. and A.L. recruited S.V. to join them. Mr. Tullus was presented to Mr. S.V., as a dangerous "pedophile." S.V. agreed to join his friends and "have their back" as they sought to do what they saw as justice. The plan was to beat up Mr. Tullus, but nothing more. There was no intent to kill.
- Mr. S.V. participated in the August 18 assault on Mr. T.T.. On a signal from Mr. J.G. and Mr. A.L., he threw the first punch, and then threw additional punches and also kicked Mr. T.T.. According to Mr. S.V., Mr. A.L. also kicked and punched Mr. T.T., and Mr. J.G. stomped on Mr. T.T., and also, unbeknownst to either Mr. S.V. or Mr. A.L., picked up a rock and hit Mr. T.T. in the head with it. Neither Mr. S.V. nor Mr. A.L. saw Mr. J.G. pick up or use the rock. They only later learned about the rock from Mr. J.G..
- Mr. S.V. recorded a very short, 10-15 second, video of the ongoing incident on his cell phone. According to Mr. S.V., the video depicted Mr. J.G. hitting Mr. T.T., with Mr. A.L. in the background. Together with Mr. J.G. and/or Mr. A.L., Mr. S.V. showed the video to two other friends. He did not electronically send the video to anyone. Rather, on his own initiative, he deleted the video on Wednesday, August 20, 2014, before learning that Mr. T.T. had died. He deleted it out of personal shame and remorse. *See, e.g.*, [REDACTED] Report at 22 (S.V.'s "own description of deleting the video indicates that his motivation in doing this was only that he was so upset and

disgusted with himself for his participation in the beating that he could not stand to have a reminder of it on his phone. As S.V. recounted his involvement in the event, he exhibited increasing affective distress, even progressing to crying openly about it. His natural, involuntary affective response helped confirm in my opinion the genuineness and authenticity of the disgust he reported having with himself.”).

- The three young men stole various items from Mr. T.T., including credit cards. Mr. J.G. and Mr. A.L. used Mr. T.T.’s credit cards at Wendy’s and elsewhere. Mr. S.V. did not.
- When the young men left Mr. T.T., he was alive and talking. His body was found in his car on Wednesday, August 20, 2014, approximately 500 yards from the spot where the young men left him. The young men first heard that Mr. T.T. had died on August 20th. S.V. was shocked and deeply saddened to learn of Mr. T.T.’s death.

### ARGUMENT

Mr. S.V. requests that the Court consider and accept the parties’ plea agreement, including the proposed sentence outline above, based on among other reasons: (i) S.V.’s youth; (ii) the fact that his intent here, though wrong-headed, was to right a wrong, not to commit a crime, and certainly not to kill; (iii) the fact, as already recognized by your Honor at the conclusion of the dangerousness/bail hearing, that S.V. is the least culpable of the three young men who participated in the criminal conduct; (iv) S.V.’s deep remorse and very real acceptance of responsibility; (v) the lack of danger S.V. poses to the community, as demonstrated by his conduct while on bail, including his educational accomplishments; and (vi) the fact that the interests of specific and general deterrence will be more than adequately served by the recommended sentence, to the extent that they have not already been achieved.

**A. S.V.’s Youth is an Important Mitigating Factor.**

At the time of the offense, S.V. was very much a child. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] All of the characteristics of children that have

led to the sea-change in federal and state juvenile law over the past decade are true of S.V.. See *Roper v. Simmons*, 543 U.S. 551 (2005); *Graham v. Florida*, 560 U.S. 48 (2010); *Miller v. Alabama* 132 S. Ct. 2455 (2012); *Diatchenko v. District Attorney for Suffolk District*, 466 Mass. 655 (2013); *Commonwealth v. Brown*, 476 Mass. 676 (2013). S.V. engaged in the conduct that resulted in Mr. T.T.'s death out of immaturity, peer pressure, wanting to be accepted, loyalty to friends, and a false sense of bravado. See [REDACTED] Report at 21-22 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**B. Mr. S.V.'s Intent Was Not to Do Wrong, and Certainly Not to Kill Mr. T.T.**

It is noteworthy, that S.V., who had never previously engaged in any criminal activity, was spurred to get involved here after being told by his friends that Mr. T.T. was a “pedophile,” who had purportedly kidnapped J.G. the night before and purportedly wanted to have sex with A.L.. Whether accurate or not, this is what S.V. was told, and it affected his mindset and his willingness to come to the protection of his friends. The fact that, on August 18, S.V. observed Mr. T.T. purchase alcohol for the young men, and willingly accompany them to a secluded spot, only confirmed in his mind a picture of Mr. T.T. as a bad man. Of course, none of this excuses S.V.'s eventual conduct, but it gives the conduct perspective, and we ask that it be taken into account by the Court. The impression S.V.'s adolescent brain

formed of Mr. T.T. helped convince this otherwise good young man that it would be acceptable and even justifiable to engage in conduct the likes of which he had never participated in previously.

Simply put, though ill conceived, S.V.'s motivation here was to do right, not to commit a crime. He certainly never intended to kill Mr. T.T.. S.V. did not and could not have foreseen that the conduct in which he had agreed to participate could result in Mr. Tullus's death. S.V. did not foresee that J.G. would hit Mr. T.T. with a rock. Further, S.V. did not even know that J.G. had used a rock in the assault on Mr. T.T.. He only learned about that after the fact from J.G..

**C. Mr. S.V. Was the Least Culpable of the Three Co-Defendants.**

S.V. was the least culpable of the three young men who participated in the assault on Mr. T.T.. He had no motive to harm Mr. T.T.. He did not form the plan. He joined a plan that Mr. J.G. and Mr. A.L. had made. He did not communicate with Mr. T.T., either by phone or otherwise. He did not hit Mr. T.T. with a rock or any other external dangerous weapon. He did not stomp on T.T.. And he did not cavalierly use Mr. T.T.'s stolen credit cards following the assault. It was no accident and no mistake that in releasing S.V. on bail, your Honor found that S.V. was the least culpable of the three young men. S.V. was in fact the least culpable. This is not to excuse S.V.. He is still culpable. Just less so than his co-defendants.

**D. Mr. S.V. Is Genuinely Remorseful and Has Accepted Full Responsibility for His Conduct.**

S.V. is genuinely remorseful for his conduct and for Mr. T.T.'s death. S.V.'s remorse is not fake or phony or opportunistic. It is real, and it manifested itself in real time. Even before learning that Mr. T.T. had died, S.V. had stopped eating, stopped sleeping, and

stopped talking. After stupidly joining Mr. J.G. and Mr. A.L. in showing the short video he had taken to two friends, S.V. deleted it on his own. No one urged him to delete it. He did not delete it to get rid of evidence or out of any consciousness of legal guilt. He deleted it before learning that Mr. T.T. had died. And he did so because of shame and remorse. See [REDACTED] Report at 22.

**E. Mr. S.V. Poses No Danger or Risk to the Community.**

S.V. is not a danger to others. He is not just a kid, he is a good kid. The awful event of August 18, 2014 was an aberration in S.V.'s life. He had no prior record. Everyone who knows S.V. describes him as polite, considerate, respectful, and gentle. Following two days of evidence in S.V.'s dangerousness hearing, your Honor found that S.V. was not dangerous and let him out on bail. S.V. has not disappointed your Honor. As discussed above, over the eleven months that he has been out on bail, he has behaved perfectly. He has abided by every condition of his release, without so much as a foot fault. Furthermore, he has shown, through his behavior and accomplishments in school, that he is ready to be a fully functioning member of the community.

[REDACTED]  
[REDACTED] This is not a dangerous young man. Quite the opposite. He has already more than learned his lesson. [REDACTED]

*See also* [REDACTED] Report at 23 ("S.V. has virtually no risk factors suggesting that he would need to be confined for protection of the public. The only aspect of his life that suggests any risk for violent behavior is his participation in this offense, which was entirely at his friends' initiative, with impulsive behavior, little foresight, and no actual prior intention to do violence."). If anything, the recommended sentence, which will bring with a period of incarceration of up 38

months, and potentially far more, is far too harsh. This is not a young man who needs to be incapacitated. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**F. The Proposed Resolution Will More than Serve the Purpose of Deterrence.**

Even without any further punishment, there is little doubt that S.V. will never again engage in criminal conduct. As Dr. [REDACTED] put it back in March, even before S.V. had made the strides he accomplished in school:

S.V. has already experienced such compellingly negative consequences from this event that it is very unlikely that further aversive sanctions would add any effective force to deter him from similar conduct in the future. He has learned his lesson. In my opinion, it is very unlikely that he would engage in illegal conduct, let alone assaultive or violent conduct, in the future.

Barnum Report at 22.

The weeks Mr. S.V. served in DYS detention following his August 20th arrest, which were the first days he had ever spent in government custody, were a wake-up call. He knows in his bones that he never wants to return to any prison or detention facility, and he is determined to make sure that after he serves his sentence here, he never does. Plus, the long ten year probation period that is frankly too long but which we are jointly recommending as part of Mr. S.V.'s sentence, will be a deterrent hammer hanging over S.V.'s head [REDACTED]

[REDACTED] The recommended terms of probation, with the hellacious consequence of adult prison time if those terms are violated, will serve as a constant, ten year

reminder to Mr. S.V. of his crime. The probation period will also be a persistent, even if unnecessary, deterrent to any future misstep by Mr. S.V.. As everyone, including undersigned counsel, who have worked with Mr. S.V. over the past year can attest, this is a young man who gets it. He doesn't need any additional deterrence. But, still, out of a recognition that what he did was wrong, and with full acceptance of responsibility, Mr. S.V. joins the Commonwealth in recommending the lengthy probationary period that is part of his plea agreement.

With regard to general deterrence, there should likewise be no question that the punishment Mr. S.V. has already received and that he will receive through the recommended disposition will send a powerful deterrent message. Mr. S.V. agreed to help two friends beat up a man who had, from what Mr. S.V. had been told, expressed a desire to have sexual relations with one of the friends. Mr. S.V. then participated in beating up the man, with no intent to cause serious or lasting bodily harm. As a result of this conduct, Mr. S.V., who had never previously had any involvement with law enforcement, has already been punished and through the recommended disposition would continue to be punished. Collectively, his past and agreed-upon future punishments, include: (i) having already served, for the first time in his life, weeks in a locked juvenile facility; (ii) by virtue of the proposed sentence, serving up to 38 additional months in a locked juvenile facility; (iii) having already spent nearly a full year of his adolescence on house arrest, without any ability to socialize with peers or friends; (iv) [REDACTED] (v) being isolated from all friends and acquaintances; (vi) per the proposed sentence, serving a long ten-year period of probation with strict conditions. It is difficult to believe that this series of punishments, those already completed along with those being recommended, would not deter



most if not all adolescents and others from engaging in anything approaching the conduct in which S.V. participated. In effect, the jointly recommended sentence would have S.V., a first time offender, under the watchful thumb of law enforcement for more than the next thirteen years. If this sentence won't serve the interest of general deterrence, nothing will.

### **CONCLUSION**

For all of the foregoing reasons, including the reasons set forth in the [REDACTED] Report, and for the additional reasons that will be presented in Court at the time of change-of-plea and sentencing, Mr. S.V. asks the Court to accept the parties' plea agreement, and impose the sentence being jointly recommended by the Commonwealth and Mr. S.V..

Dated: August 5, 2015

Respectfully submitted,

S.V., By his attorneys,

[REDACTED]

### **CERTIFICATE OF SERVICE**

I, [REDACTED], hereby certify that I will, on this date, August 5, 2015, serve a copy of Defendant's Sentencing Memorandum, by overnight mail and email to [REDACTED].