

DEFENDANT:  
CASE NUMBER:  
DISTRICT:

## STATEMENT OF REASONS

### VI. COURT DETERMINATION FOR A VARIANCE (If applicable)

A. **The sentence imposed is:** (Check only one)

- above the guideline range  
 below the guideline range

B. **Motion for a variance before the court pursuant to:** (Check all that apply and specify reason(s) in sections C and D)

1. **Plea Agreement**

- binding plea agreement for a variance accepted by the court  
 plea agreement for a variance, which the court finds to be reasonable  
 plea agreement that states that the government will not oppose a defense motion for a variance

2. **Motion Not Addressed in a Plea Agreement**

- government motion for a variance  
 defense motion for a variance to which the government did not object  
 defense motion for a variance to which the government objected  
 joint motion by both parties

3. **Other**

- Other than a plea agreement or motion by the parties for a variance

C. **18 U.S.C. § 3553(a) and other reason(s) for a variance** (Check all that apply)

- The nature and circumstances of the offense pursuant to 18 U.S.C. § 3553(a)(1)  
 Mens Rea  Extreme Conduct  Dismissed/Uncharged Conduct  
 Role in the Offense  Victim Impact  
 General Aggravating or Mitigating Factors (Specify) \_\_\_\_\_

The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)

- Aberrant Behavior  Lack of Youthful Guidance  
 Age  Mental and Emotional Condition  
 Charitable Service/Good Works  Military Service  
 Community Ties  Non-Violent Offender  
 Diminished Capacity  Physical Condition  
 Drug or Alcohol Dependence  Pre-sentence Rehabilitation  
 Employment Record  Remorse/Lack of Remorse  
 Family Ties and Responsibilities  Other: (Specify) \_\_\_\_\_  
 Issues with Criminal History: (Specify) \_\_\_\_\_

To reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense (18 U.S.C. § 3553(a)(2)(A))

To afford adequate deterrence to criminal conduct (18 U.S.C. § 3553(a)(2)(B))

To protect the public from further crimes of the defendant (18 U.S.C. § 3553(a)(2)(C))

To provide the defendant with needed educational or vocational training (18 U.S.C. § 3553(a)(2)(D))

To provide the defendant with medical care (18 U.S.C. § 3553(a)(2)(D))

To provide the defendant with other correctional treatment in the most effective manner (18 U.S.C. § 3553(a)(2)(D))

To avoid unwarranted sentencing disparities among defendants (18 U.S.C. § 3553(a)(6)) (Specify in section D)

To provide restitution to any victims of the offense (18 U.S.C. § 3553(a)(7))

Acceptance of Responsibility  Conduct Pre-trial/On Bond  Cooperation Without Government Motion for Departure

Early Plea Agreement  Global Plea Agreement

Time Served (not counted in sentence)

Waiver of Indictment  Waiver of Appeal

Policy Disagreement with the Guidelines (Kimbrough v. U.S., 552 U.S. 85 (2007): (Specify) \_\_\_\_\_

Other: (Specify) \_\_\_\_\_

D. **State the basis for a variance.** (Use Section VIII if necessary)