

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

v.

SENTENCING MINUTES

SCOTT BUCHANAN MACKENZIE

Case No. 1:19CR309

HONORABLE LIAM O'GRADY presiding
Proceeding Held: February 21, 2020
Deputy Clerk: Amanda

Time Called: 9:22 a.m.
Time Concluded: 10:41 a.m.
Court Reporter: Contractor –
Janice Salas

Appearances:

UNITED STATES OF AMERICA by:
SCOTT MACKENZIE in person and by:

John Taddei, William Gullotta, Kimberly Pedersen
Andrea Moseley

INTERPRETER: None

☐ Interpreter Sworn

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- | | |
|---|---|
| <input type="checkbox"/> The parties have no objections to the factual statements in the PSR | <input type="checkbox"/> The parties have no objections to the application of the guidelines in the PSR |
| <input checked="" type="checkbox"/> Objections/corrections to factual statements in PSR by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant | <input checked="" type="checkbox"/> Objections/corrections to application of guidelines by <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant |
-

- | | |
|--|---|
| <input checked="" type="checkbox"/> The government presents sentencing argument: Recommends 30 months. | <input checked="" type="checkbox"/> The defendant presents sentencing argument: Requests no more than 6 months. |
| <input checked="" type="checkbox"/> Defendant exercises right of allocution. | <input checked="" type="checkbox"/> The court imposes sentence. |
| <input type="checkbox"/> The government dismisses count(s) _____. | <input checked="" type="checkbox"/> Defendant advised of appeal rights. |
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SENTENCING GUIDELINES:

Offense Level: 19

Criminal History: I

Imprisonment Range: 30-37 months

Supervised Release Range: 1-3 years

Fine Range: \$10,000.00 - \$100,000.00

Restitution: \$172,200.00

SA: \$100.00

- Ms. Moseley presents argument on enhancements and factual information in the PSR.
- Court finds that defendant was in a position of trust and the enhancement does apply as well as the sophisticated means enhancement.
- Court finds the enhancement for number of victims applies.
- Ms. Moseley requests a role reduction. Government objects.
- Court does not think role reduction is appropriate and does not modify the PSR.

CONDITIONS OF SUPERVISED RELEASE/PROBATION

Special Conditions

- | | |
|---|---|
| <input type="checkbox"/> Drug Testing – Special Condition | <input type="checkbox"/> Home Confinement for _____ days |
| <input type="checkbox"/> Drug Testing – Standard Condition | <input type="checkbox"/> Home Confinement with Alcohol Testing for _____ days |
| <input type="checkbox"/> Drug Testing – Waived | <input type="checkbox"/> Community Correctional Center: _____ days |
| <input checked="" type="checkbox"/> Monthly Restitution Payment: \$ 200.00 | <input type="checkbox"/> Residential Re-Entry Center: _____ days |
| <input type="checkbox"/> Monthly Fine Payment: \$ _____ | <input type="checkbox"/> Cooperate with Bureau of Immigration/Customs |
| <input type="checkbox"/> Repay Buy Money – Total: \$ _____. | <input type="checkbox"/> Cooperate with IRS |
| <input type="checkbox"/> Repay Buy Money: \$ _____/month | <input type="checkbox"/> Cooperate with Child Support |
| <input type="checkbox"/> No New Lines of Credit | <input type="checkbox"/> Participate in mental health treatment program |
| <input checked="" type="checkbox"/> Financial Disclosure | <input type="checkbox"/> Participate in sex offender assessment/treatment |
| <input type="checkbox"/> Submit to search by USPO | <input type="checkbox"/> Waive confidentiality – sex offender treatment |
| <input type="checkbox"/> No tavern employment or patronization | <input type="checkbox"/> No sexually-explicit materials w/minors |
| <input type="checkbox"/> No employment with fiduciary responsibilities | <input type="checkbox"/> No possession/viewing of pornography or erotica |
| <input type="checkbox"/> No gambling | <input type="checkbox"/> Obtain GED or HSED |
| <input type="checkbox"/> No transfer of assets in excess of \$500.00 | <input type="checkbox"/> No contact – unrelated children under 18 |
| <input type="checkbox"/> No possession/use of computer – on-line access | <input type="checkbox"/> No contact with victim(s) |
| <input type="checkbox"/> No possession/use of data encryption/erasure | <input type="checkbox"/> No contact with gang members |
| <input type="checkbox"/> Provide computer passwords and logons | <input type="checkbox"/> Perform community service: _____ hours |
| <input type="checkbox"/> Consent to computer searches | <input checked="" type="checkbox"/> Not participate as a treasurer |
| <input checked="" type="checkbox"/> Apply all monies to court-ordered financial obligations | |