

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Criminal Number 1:21-CR-238

vs.

Joshua Kahle Bustle

Defendant

DEFENDANT'S POSITION PAPER WITH RESPECT
TO THE PRESENTENCE REPORT

The defendant, by and through counsel, with respect to the sentencing factors and material facts set forth in the presentence report dated July 6, 2021, prepared by Hana Field, U.S. Probation Officer, states there are no factual objections to the report.

18 USC 3553(a) factors

The 3553 factors support a sentence range of probation only. While the maximum punishment in this matter is confinement of up to 6 months in custody and a \$5000 fine, the Defendant reiterates the following factors:

1. The Defendant has no adult criminal record.
2. The Defendant is gainfully employed and is a participating member of society.
3. The Defendant caused no violence or damage to the US Capitol Building nor threatened any law enforcement officers during the January 6 2021 encounter.
4. A similarly situated Defendant, namely - US v. Anna Morgan-Lloyd received a probation only sentence for almost identical conduct.

