

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

]	
UNITED STATES OF AMERICA]	
]	Criminal No. 21-578 (01)
v.]	
]	Judge Mehta
ZACHARY WILSON]	
]	

SENTENCING REPLY

The government requests that this Court sentence Mr. Wilson to a sentence of 14 days incarceration, three years probation, and \$500 restitution. ECF 49, p. 3.

A sentence of both imprisonment and probation after a plea to a petty offense here [40 USC § 5104(e)(2)(G)] is not authorized under 18 U.S.C. § 3561(a)(3) and 18 U.S.C. § 3551(b). The government acknowledges that the Honorable Colleen Kollar-Kotelly recently stated in United States v. Spencer, Docket 21-cr-174, ECF 70, p. 5: “[A] plain reading of the statutory sections at issue – 3551(b) and 3561– leads to the conclusion that a district court must choose between probation and imprisonment when imposing a sentence for a petty offense.”

Judge Kollar-Kotelly’s full opinion is attached, Exhibit A1-6.

Respectfully submitted,

_____/s/_____
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