

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

No. 21 CR 00342

v.

Hon. Paul L. Friedman

JERAMIAH CAPLINGER

Defendant.

DEFENDANT'S SUPPLEMENTAL SENTENCING MEMORANDUM

In January 2022, the parties filed comprehensive sentencing memoranda in this case. This memorandum is to update the Court on Mr. Caplinger's progress over the last six months. When his first sentencing memorandum was filed, Mr. Caplinger had just begun working at Kuka Robotics after his girlfriend was injured at work. Over the last six months, Mr. Caplinger has maintained employment at Kuka Robotics and has become a valuable member of his build team. Counsel received an email from Charles Carree, the lead builder on Mr. Caplinger's team. He describes how Mr. Caplinger is a good worker with a good personality on the right path with a good future ahead of him. Attachment A (email of Charles Carree).

Because of his girlfriend's injury, Mr. Caplinger is the primary breadwinner for his family. He is working 50-60 hours a week. Despite his hours, he remains involved with his children. Attachment B (letter of Samantha Marcott). Mr. Caplinger and his girlfriend own a small home in a working-class suburb of Detroit

that they share with their daughter and Ms. Marcott's child from a previous relationship. While they are able to support themselves on Mr. Caplinger's \$19 per hour salary, they have minimal savings at this time and a custodial sentence would be financially devastating for his family.

In addition to maintaining stable employment, Mr. Caplinger has also been able to abstain from marijuana use after repeated positive drug tests. All-in-all he seems to be making significant positive forward progress in living a more productive life than he was a year ago. This Court has ruled that a split sentence of probation and incarceration is statutorily permissible. While continuing to disagree with this legal ruling, Mr. Caplinger asks that any split sentence imposed result in no more than seven days incarceration. A sentence of seven days or fewer will allow Mr. Caplinger to take one week off work and return to his job without losing the job entirely.

As noted in the original memorandum filed on his behalf, Mr. Caplinger's employment is beneficial not only to his family, but to his community. By being involved with a diverse workforce, Mr. Caplinger is learning to temper his harsh political rhetoric and becoming a member of a broader community with differing views. This is an important development that will make him a better citizen.

Mr. Caplinger was not a leader on January 6th. He followed others into the Capitol and while there, engaged in no violent or destructive behavior. Any sentence of incarceration for these actions sends a strong message that this behavior will not be tolerated. A very short sentence allows him to continue his forward progress and care

for his family.

Respectfully Submitted,

FEDERAL DEFENDER OFFICE

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Dated: July 22, 2022

CERTIFICATE OF SERVICE

Counsel certifies that on the above date, the foregoing paper was filed with the clerk of the Court using the ECF system, which will send notification to opposing counsel.

S/ James R. Gerometta