## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

:

•

v. : Case No. 21-CR-178 (APM)

:

SHELLY STALLINGS, et al.,

•

Defendants

## DEFENDANT STALLINGS' SUPPLEMENTAL OBJECTIONS TO PRESENTENCE REPORT

Comes the defendant, Shelly Stallings, by counsel, and objects to the presentence report herein as follows:

## ¶73. Defendant's Criminal History

Defendant objects to the assessment of 1 criminal history point for her convictions on June 4, 2013, for misdemeanor public intoxication (Kentucky Revised Statute 222.202(1)) and misdemeanor second degree disorderly conduct (Kentucky Revised Statute 525.060). Said convictions are excluded under U.S.S.G. §4A1.2(c). Defendant should be deemed to have a total of 1 criminal history points and be a criminal history category I.

In the alternative, defendant moves the Court pursuant to U.S.S.G. §4A1.3(b) to downward depart 1 criminal history point from a criminal history category II to a criminal history category I.

Defendant attaches hereto and incorporates herein as Exhibit A the record of the Henderson District Court concerning said convictions.

/s/ Scott T. Wendelsdorf (Ky. Bar. No. 75790) Federal Defender 629 Fourth Avenue 200 Theatre Building Louisville, Kentucky 40202

(502) 584-0525 Scott\_Wendelsdorf@fd.org

Counsel for Defendant.

## **CERTIFICATE**

I hereby certify that on March 1, 2023, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Scott T. Wendelsdorf