

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

LAWRENCE LOUIS AMBROSE

Defendant.

:
:
:
:
:
:
:
:
:

**Case No.: 22-CR-00302-DLF
The Hon. Dabney L. Friedrich
Sentencing Date: March 13, 2023**

DEFENDANT’S MEMORANDUM IN AID OF SENTENCING

Defendant, LAWRENCE AMBROSE, by and through his counsel of record, Marc B. Geller, A.P.C., hereby files the defendant’s sentencing memorandum in the above-captioned manner. For the reasons discussed below, Mr. AMBROSE respectfully submits that a sentence of 12 months of probation is sufficient but not greater than necessary to achieve the purpose of sentencing.

I. THE INDIVIDUAL BEFORE THE COURT

LAWRENCE AMBROSE is a 55-year-old, single, United States citizen, born in Royal Oak, Michigan. He has never been married and has no children. His father died due to heart disease in 2017. During the pendency of this case, Mr. AMBROSE was providing in-home care, and ultimately, hospice care for his mother who passed away in May 2022. Mr. AMBROSE has resided in San Diego, California since 1999. Mr. AMBROSE has no prior law enforcement contacts with the exception of minor traffic offenses. He currently suffers from type II diabetes and is obese. He has previously been diagnosed with depression and anxiety. He has never used any federally controlled substances, without a prescription. He has been compliant with pretrial release and supervision.

Mr. AMBROSE has been gainfully employed since 2013 at the Sheraton San Diego Hotel and Marina, where he works full-time as a shuttle driver. The instant offense is his only conviction. He is remorseful for his conduct on January 6, 2021, and fully appreciates the stupidity and severity of his actions on January 6, 2021. He currently believes that the last election was not rigged or stolen, and that President Biden legitimately won the election. Mr. AMBROSE has reviewed the recommended conditions of supervision set forth in the presentence report and believes they are fair, just, and appropriate. Mr. AMBROSE has the ability to pay the stipulated amount of restitution, in full, immediately after sentencing.

II. THE ADVISORY SENTENCING RANGE

The applicable sentencing statutes provide that a sentencing court “shall impose a sentence sufficient, but not greater than necessary to accomplish the objectives of sentencing.” 18 U.S.C. § 3553(a), 3582(a) and 3661. In arriving at the appropriate sentence, section 3553(a) directs sentencing courts to consider: (1) the nature and circumstances of the offense; (2) the history and characteristics of the offender; (3) the need to impose to reflect the seriousness of the offense, to promote respect for the law and to provide just punishment for the offense; (4) the need to impose adequate deterrence; (5) to protect the public from further crimes; (6) and the need to avoid unwarranted sentencing disparities, among other things. 18 U.S.C. § 3553.

A. THE NATURE AND CIRCUMSTANCES OF THIS OFFENSE

Mr. AMBROSE acknowledges that the insurrection at the capital on January 6, 2021, was serious. It is noteworthy, however, that he has no prior criminal history.

B. IMPOSITION OF A SENTENCE THAT IS SUFFICIENT, BUT NOT GREATER THAN NECESSARY TO COMPLY WITH THE PURPOSES OF 18 U.S.C. § 2553(a)

1. The need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense:

Mr. AMBROSE personally appreciates the serious nature of his conduct but submits that a noncustodial sentence is justified by his misdemeanor conduct. He did not threaten anyone or damage property.

2. The need for the sentence imposed to afford adequate deterrence to criminal conduct and protect the public from further crimes of the defendant:

On three separate occasions, Mr. AMBROSE was debriefed at the FBI in San Diego, California. He answered all questions posed by agents and the Assistant United States Attorney. Although he was in the Speaker's lobby, he was unaware that he was in the lobby of the Speaker of the House of Representatives. Although he was close to where an individual was killed, he was unaware of that at the time. He is 55 years of age and has no prior criminal history, with the exception of minor traffic offenses.

3. The kinds of sentences available and the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct:

Mr. AMBROSE did not plan to enter the capital on January 6, 2021. He traveled to Washington D.C. to attend the rally, to show his support for Donald Trump. After listening to Mr. Trump instruct the individuals at the rally to go to the capital, he followed other individuals to the Capitol. There are no allegations that Mr. AMBROSE engaged in or encouraged any violence. There are no allegations that Mr. AMBROSE damaged any property. There is no evidence that the defendant destroyed evidence. Mr. AMBROSE made no statements on social media. Mr. AMBROSE fully cooperated with the FBI and law enforcement. Additionally, he has accepted responsibility and is remorseful for his conduct.

III. CONCLUSION

Pursuant to U.S.S.G. § 1 B1.9, the United States sentencing guidelines do not apply. Pursuant to 18 U.S.C. § 3663(a)(3). Mr. AMBROSE will pay the stipulated \$500.00 as restitution. As is set forth in the presentence report, pursuant to 18 U.S.C. section 3553(a), it is respectfully submitted that a sentence of probation for 12 months is sufficient, but not greater than necessary, to reflect the seriousness of the offense, to promote respect for the law and to provide just punishment for the offense. Additionally, it is adequate for general deterrence and to protect the public from further crimes of the defendant.

DATED: February , 2023

Respectfully submitted,

/s/ Marc B. Geller

MARC B. GELLER

Attorney for Defendant

LAWRENCE LOUIS AMBROSE