

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

LANDON MITCHELL (2)

Case No. 1:21CR508(BAH)

DEFENDANT LANDON MITCHELL'S RESPONSE TO MINUTE ORDER

Mr. Landon Mitchell, through counsel, hereby respectfully responds to the Court's Minute Order directing the parties to submit "their positions regarding whether each defendant needs to be apprised as to the applicable sentencing guidelines range for each offense at the December 2, 2022 stipulated trial, and if so, setting out the estimated guidelines calculations and sentencing ranges that will apply as to each count of offense." Minute Order, November 22, 2022.

Counsel has discussed the potential guideline range with Mr. Mitchell. Specifically, counsel has advised that the estimated guideline range is likely to be consistent with that set forth in the attached plea letter. Namely, under U.S.S.G. § 2J1.2(a) the Base Offense Level is 14 with a three-level enhancement for substantial interference with the administration of justice under U.S.S.G. § 2J1.2(b)(2)¹ and a three-level reduction for Mr. Mitchell's acceptance of responsibility, resulting in an overall offense level of 14. Mr. Mitchell is estimated to be in criminal history category IV, resulting in a guideline range of 27 to 33 months. Counsel has further advised that counts two and three would group with count one and that the guidelines do not apply to counts two and three and four because the guidelines do not apply to Class B and C misdemeanors.

In short, counsel has advised Mr. Mitchell that the guideline range for count one (obstruction of justice) will determine the applicable guideline range and has advised Mr. Mitchell of potential enhancements under U.S.S.G. § 2J1.2(b)(2) that could apply. Counsel has advised Mr. Mitchell as to the currently-calculated criminal

¹Mr. Mitchell does not concede that the three-level enhancement for substantial interference with administration of justice applies. However, counsel has advised Mr. Mitchell that the Court could find that it applies.

