

**THE HONORABLE ELIZABETH A. KOVACHEVICH  
THIRTY-SECOND ANNUAL NATIONAL SEMINAR  
ON FEDERAL SENTENCING**

proudly presented by

The Tampa Bay Chapter of the Federal Bar Association,  
The National Association of Criminal Defense Lawyers,  
in cooperation with  
The Criminal Justice Section of the American Bar Association

**Wednesday - Friday  
May 31-June 2, 2023**

**Hilton Orlando Lake Buena Vista  
Orlando, Florida**

**WEDNESDAY  
MAY 31, 2023**

2:00 - 5:00 p.m.

**BASIC GUIDELINES TRAINING  
(Optional Session)**

The Basic Federal Sentencing Guidelines Training is designed to provide an introduction to the Federal Sentencing Guidelines for those with limited federal sentencing experience. This session may be taken alone or in connection with the remainder of the seminar.

- **Jim Skuthan, Esq.**  
*First Assistant Federal Defender  
Middle District of Florida*

**THANK YOU TO OUR SPONSORS!**

**LAURO & SINGER**  
FLORIDA ♦ NEW YORK

 **COZEN  
O'CONNOR**

 **GreenbergTraurig**

**KYNES MARKMAN & FELMAN**

ATTORNEYS AT LAW

**KEVIN J.  
NAPPER P.A.**



**ZUCKERMAN  
SPAEDER**

**THURSDAY  
JUNE 1, 2023**

7:30-8:15 a.m.

**REGISTRATION & CONTINENTAL BREAKFAST**

8:30 a.m.

**WELCOMING REMARKS**

8:45-10:00 a.m.

**A VIEW FROM THE BENCH PLENARY SESSION**

Federal judges will discuss their personal views on federal sentencing policy and procedure. The panel will also discuss current events and topics in federal sentencing law.

- **The Honorable Fernando Gaitan, Jr.**  
*Senior Judge, United States District Court  
Western District of Missouri*
- **The Honorable Algenon Marbley**  
*Chief Judge, United States District Court  
Southern District of Ohio*
- **The Honorable Thomas Parker**  
*United States District Court  
Western District of Texas*
- **The Honorable Zahid Quraishi**  
*United States District Court  
District of New Jersey*

Moderator:

- **Morris "Sandy" Weinberg, Jr., Esq.**  
*Zuckerman Spaeder, LLP  
Tampa, FL*

10:00-10:15 a.m.

**BREAK**

10:15-11:30 a.m.

**UPDATE ON FEDERAL SENTENCING LAW AND POLICY PLENARY SESSION**

This session will provide information regarding legislative developments in the criminal justice system. Panelists will discuss federal sentencing law and policy, including new precedent, changes in policies and procedures, and their personal opinions on sentencing issues.

- **Elizabeth Blackwood, Esq.**  
*Counsel and Director, First Step Act Resource Center  
National Association of Criminal Defense Lawyers*
- **Kevin Ring**  
*President, FAMM  
Washington, DC*
- **Patricia Richman, Esq.**  
*Assistant Federal Public Defender  
Federal Public Defender for the District of Maryland*

Moderator:

- **James E. Felman, Esq.**  
*Kynes, Markman & Felman, PA  
Tampa, FL*

11:30-1:00 p.m.

**LUNCH ON YOUR OWN**

## THURSDAY (CONT.)

JUNE 1, 2023

1:00-2:00 p.m.

### CONCURRENT SESSIONS

#### FIREARMS OFFENSES

Panelists will focus on guideline application issues related to firearms offenses along with a discussion of relevant case law.

- **Cal Albritton, Esq.**  
*Assistant United States Attorney  
Middle District of Florida*
- **Christina Woehr, Esq.**  
*National Sentencing Resource Counsel  
Federal Public and Community Defenders  
District of Arizona*
- **TBD**

#### ECONOMIC CRIMES

This panel will address the Sentencing Guidelines and their implications, as well as practical considerations for loss calculation, determining actual versus intended loss, and valuing benefits the government received. The panelists' diverse background and experience will allow a discussion across many substantive areas, including health care, tax and securities cases.

- **Natalie Hirt Adams, Esq.**  
*Foley & Lardner, LLP  
Tampa, FL*
- **The Honorable John Antoon, II**  
*Senior United States District Court Judge  
Middle District of Florida*
- **Vincent A. Citro, Esq.**  
*Law Offices of Horwitz & Citro, P.A.  
Tampa, FL*

#### Moderator:

- **Matthew Mueller, Esq.**  
*Fogarty Mueller Harris, PLLC  
Tampa, FL*

2:10-3:10 p.m.

### CONCURRENT SESSIONS

#### DRUG OFFENSES

Panelists will discuss strategies and case law regarding sentencing in cases involving drug offenses, as well as the Sentencing Commission's continued work in the area of drug offenses.

- **Jayne Feldman, Esq.**  
*Assistant Federal Defender  
Federal Defender Sentencing Resource Counsel*
- **Shauna Hale, Esq.**  
*Assistant United States Attorney  
Middle District of Florida*
- **Kaleena Roy**  
*Senior United States Probation Officer  
Middle District of Florida*

#### Moderator:

- **A.J. Kramer, Esq.**  
*Federal Defender  
District of Columbia*

#### ETHICS IN SENTENCING

The Ethical Issues at Sentencing panel will discuss and explore issues (from the prosecution and defense perspective) that arise when clients want to present "evidence" at sentencing which is untrue or ethically challenged, what to do when the Presentence Report has "factual" items which are inaccurate or untrue, what to do when the prosecution backs up on a previously agreed upon plea agreement and many other ethical issues at sentencing.

- **Natalie Hirt Adams, Esq.**  
*Foley & Lardner, LLP  
Tampa, FL*
- **A. Lee Bentley, III, Esq.**  
*Bradley  
Tampa, FL*
- **Carlton Gammons, Esq.**  
*Assistant United States Attorney  
Middle District of Florida*
- **Roger Handberg, Esq.**  
*United States Attorney  
Middle District of Florida*
- **John Lauro, Esq.**  
*Lauro & Singer  
New York, NY*

#### Moderator:

- **Kevin J. Napper, Esq.**  
*Kevin J. Napper, P.A.  
Tampa, FL*

## THURSDAY (CONT.) JUNE 1, 2023

3:25-4:25 p.m.

### CONCURRENT SESSIONS

#### IT'S NOT JUST "COMPASSIONATE" RELEASE ANYMORE

If Congress does not act, November 1 will mark a sea change in post-sentence judicial discretion. Panelists will fill you in on major changes to §1B1.13, the policy statement governing reductions in sentence (aka "compassionate release") submitted by the Commission to Congress on May 1. New grounds range from BOP medical neglect and sexual and physical abuse to unusually long sentences that can no longer be imposed. Panelists will talk about what you can look forward to in §1B1.13 practice and how you can prepare right now to hit the ground running on November 1.

- **Adeel Bashir, Esq.**  
*Assistant Federal Public Defender  
Middle District of Florida*
- **Professor Meredith Esser, Esq.**  
*Incoming Director, Defender Aid Clinic  
University of Wyoming College of Law  
Laramie, WY*
- **Dwayne R. White**  
*Formerly Incarcerated Person  
Chicago, IL*
- **Professor Erica Zunkel, Esq.**  
*Associate Director, Federal Criminal Justice Center  
University of Chicago Law School, Chicago, IL*

#### Moderator:

- **Mary Price, Esq.**  
*General Counsel, FAMM  
Washington, DC*

#### HOW THE PSI CAN LEAD TO BETTER SUPERVISION AND TREATMENT OUTCOMES FOR DEFENDANTS AND REDUCE RECIDIVISM

This presentation will cover the presentence process, mandatory and district rules that probation officers are bound to follow, opportunities where defense counsel can assist probation and their client for a better, more balanced report, and great things that defense counsel can do which is valuable to probation.

- **Shannon Bohlken**  
*Supervisory United States Probation Officer  
District of New Mexico*

4:35-5:35 p.m.

### CONCURRENT SESSIONS

#### CHILD PORNOGRAPHY/SEX OFFENSES

This presentation focus on child pornography offenses and section 2G2.2 of the federal sentencing guidelines. Section 2G2.2 has been the focus on intense criticism during the past 15 years and has one of the lowest within-range rates of any sentencing guideline. The presentation will address recurring legal issues concerning that guideline and common bases for variances from the guideline.

- **Troy Stabenow, Esq.**  
*Assistant Federal Defender  
Western District of Missouri*

#### DEPARTURES AND VARIANCES

The panel will walk attendees through the process of preparing a strong, persuasive sentencing memorandum and sentencing presentation to the court.

- **Odessa Baker**  
*Supervisory United States Probation Officer  
Middle District of North Carolina*
- **Tiffany Fields, Esq.**  
*Assistant United States Attorney  
Middle District of Florida*
- **Harry Sandick, Esq.**  
*Patterson Belknap Webb & Tyler LLP  
New York, NY*

#### Moderator:

- **Gus M. Centrone, Esq.**  
*Kynes, Markman & Felman, P.A.  
Tampa, FL*

**FRIDAY  
JUNE 2, 2023**

7:30-8:30 a.m.

**CONTINENTAL BREAKFAST**

8:30-9:30 a.m.

**CONCURRENT SESSIONS**

**MENTAL DISABILITIES AT SENTENCING**

This presentation will address statistics on defendants with diagnosed mental disabilities and mitigating factors. The panelists will also discuss ways the defense and probation office can work together to assist with appropriate recommendations at sentencing.

- **Jack Donson**  
*My Federal Prison Consultant, LLC*  
*Dingmans Ferry, PA*
- **Elizabeth Kelley, Esq.**  
*Attorney at Law*  
*New York, NY*

**THE VIOLATION PROCESS**

This panel will discuss the probation officer's response managing non-compliance with the conditions of supervision as well as revocation proceedings including sentencing factors, Chapter 7 of the U.S. Sentencing Manual, and re-imposition of a supervised release term.

- **Erin DeSilva**  
*Senior United States Probation Officer*  
*District of New Jersey*
- **Patrick Hattersley**  
*Supervising United States Probation Officer*  
*District of New Jersey*

9:40-10:40 a.m.

**CONCURRENT SESSIONS**

**CRIMES OF VIOLENCE**

This panel will address topics related to sentencing of crimes of violence, including recent developments in the law affecting the treatment of crimes of violence.

- **Jeffrey Brown, Esq.**  
*Brown Doherty & Little*  
*St. Petersburg, FL*
- **Diego Fontes Noveas, Esq.**  
*Assistant United States Attorney*  
*Middle District of Florida*

Moderator:

- **Brian Shrader, Esq.**  
*Shrader, Mendez & O'Connell*  
*Tampa, FL*

**PLEA BARGAINING**

Panelists will discuss issues arising in plea bargaining, including DOJ policy, appeal waivers, Rule 11(c)(1)(C) plea agreements, stipulations, substantial assistance and Early Disposition Programs.

- **Arlo Devlin-Brown, Esq.**  
*Covington & Burling, LLP*  
*New York, NY*
- **David Gerger, Esq.**  
*Gerger Hennessy & Martin, LLP*  
*Houston, TX*
- **A. Jeff Ifrah, Esq.**  
*Ifrah Law*  
*Washington, DC*
- **John Taddei, Esq.**  
*U.S. Department of Justice*  
*Public Integrity Section*  
*Washington, DC*

Moderator:

- **Barry Boss, Esq.**  
*Cozen O'Connor*  
*Washington, DC*

**FRIDAY  
JUNE 2, 2023**

10:40-11:00 a.m.

**COFFEE BREAK**

11:00 a.m.-12:15 p.m.

**BUREAU OF PRISONS ISSUES PLENARY**

This presentation will focus on practical aspects related to federal inmates. Topics to be discussed include security designations and classifications, the importance of the presentence report in the BOP, and sentence computation.

- **Walt Pavlo**  
*Prisonology, LLC*  
*North Palm Beach, FL*
- **Shannon Rodriguez**  
*Prisonology, LLC*  
*North Palm Beach, FL*

**For additional information visit [www.federalbartampa.org](http://www.federalbartampa.org)**