

The Basics of Handling a Federal Criminal Case

Where are the Courthouses?

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- San Diego
 - Edward J. Schwartz Building
 - Carter/Keep Building
- El Centro

The Most Common Cases

- 8 U.S.C 1326
 - Illegal Re-Entry of Deported Aliens

The Most Common Cases

- 21 U.S.C. 952 and 960
 - Importation of a Controlled Substance

The Most Common Cases

- 8 U.S.C 1324
 - Bringing Aliens to the United States
 - Transportation of Unlawful Aliens

Less Common Cases

- **18 U.S.C 1343: Wire Fraud**

Less Common Cases

- **18 U.S.C. 2252: Possession of Child Pornography**

Less Common Cases

- 21 U.S.C. 846: Drug Conspiracies

Less Common Cases

- **18 U.S.C. 1962: Racketeering Activity**

Less Common Cases

- 18 U.S.C. 641: Theft of government property

The Players

- US Attorney's Office
- Federal Defenders
- CJA Panel
- Material witness panel
- Appellate Panel
- US Probation
- Pretrial Services
- Marshals Service
- Clerk's Office

The Practice

- Proactive Cases

The Practice

- Proactive Cases
- Reactive Cases

The Practice

- Proactive Cases
- Reactive Cases
- Motion Practice

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- Proactive Cases
- Reactive Cases
- Motion Practice
- Trial Practice

The Practice

- Proactive Cases
- Reactive Cases
- Motion Practice
- Trial Practice
- Sentencing

Sentencing Guidelines Chart

SENTENCING TABLE
(in months of imprisonment)

Criminal History Category (Criminal History Points)

Offense Level	I (0 or 1)	II (2 or 3)	III (4, 5, 6)	IV (7, 8, 9)	V (10, 11, 12)	VI (13 or more)
1	0-6	0-6	0-6	0-6	0-6	0-6
2	0-6	0-6	0-6	0-6	0-6	1-7
3	0-6	0-6	0-6	0-6	2-8	3-9
4	0-6	0-6	0-6	2-8	4-10	6-12
5	0-6	0-6	1-7	4-10	6-12	9-13
6	0-6	1-7	2-8	6-12	9-13	12-18
7	0-6	2-8	4-10	8-14	12-18	15-21
8	0-6	4-10	6-12	10-16	15-21	18-24
9	4-10	6-12	8-14	12-18	18-24	21-27
10	6-12	8-14	10-16	15-21	21-27	24-30
11	8-14	10-16	12-18	18-24	24-30	27-33
12	10-16	12-18	15-21	21-27	27-33	30-37
13	12-18	15-21	18-24	24-30	30-37	33-41
14	15-21	18-24	21-27	27-33	33-41	37-46
15	18-24	21-27	24-30	30-37	37-46	41-51
16	21-27	24-30	27-33	33-41	41-51	46-57
17	24-30	27-33	30-37	37-46	46-57	51-63
18	27-33	30-37	33-41	41-51	51-63	57-71
19	30-37	33-41	37-46	46-57	57-71	63-78
20	33-41	37-46	41-51	51-63	63-78	71-87
21	37-46	41-51	46-57	57-71	71-87	77-96
22	41-51	46-57	51-63	63-78	78-96	84-105
23	46-57	51-63	57-71	71-87	87-105	92-115
24	51-63	57-71	63-78	77-96	92-115	100-125
25	57-71	63-78	70-87	84-105	105-125	110-137
26	63-78	70-87	78-97	92-115	115-137	120-150
27	70-87	78-97	87-108	105-125	125-150	130-162
28	78-97	87-108	97-121	115-137	137-162	140-175
29	87-108	97-121	108-135	125-150	150-175	155-188
30	97-121	108-135	121-151	137-166	166-188	180-210
31	108-135	121-151	135-168	151-188	188-210	195-235
32	121-151	135-168	151-188	188-210	210-235	215-262
33	135-168	151-188	168-210	188-235	210-262	235-293
34	151-188	168-210	188-235	210-262	235-293	262-327
35	168-210	188-235	210-262	235-293	262-327	293-365
36	188-235	210-262	235-293	262-327	293-365	334-405
37	210-262	235-293	262-327	293-365	324-405	368-450
38	235-293	262-327	293-365	324-405	368-450	398-500
39	262-327	293-365	324-405	368-450	405-500	438-550
40	293-365	324-405	368-450	405-500	450-550	480-600
41	324-405	368-450	405-500	450-550	500-600	540-675
42	368-450	405-500	450-550	500-600	550-675	600-750
43	life	life	life	life	life	life

Other Sentencing Considerations

- 18 U.S.C 3553(a)
 - Nature and Circumstances of the Offense
 - History and Characteristics of the Defendant
 - Need to reflect the seriousness of the offense and to provide just punishment
 - Provide general and specific deterrence
 - Protect the public
 - Provide the defendant with educational or vocational training, medical care or other treatment

The Practice

- Proactive Cases
- Reactive Cases
- Motion Practice
- Trial Practice
- Sentencing
- Probation and Supervised Release Violations

Logistics

- The Jails
 - MCC
 - GEO
 - CoreCivic
 - El Centro Detention Center
 - San Luis Detention Center
 - Santa Ana Jail
 - Victorville

Logistics

- The Clerks Office
- ECF/PACER

Special Courts

- Military Diversion

Special Courts

- Military Diversion
- Minor Offense Calendar

Get Involved!!