

## EXHIBIT D

## ADDENDUM TO THE PRESENTENCE REPORT

**Sentencing Judge:** Honorable R. Gary Klausner

**Defendant:** Martinez, Frank

**Docket No.** 0973 2:16CR00390-35

**Sentencing Date:** 3/5/2018

**Defense Counsel:** Errol H. Stambler  
310-473-4525

The presentence report (PSR) and confidential recommendation letter (CL) were disclosed to the parties on January 29, 2018. This addendum is based on documents filed as of February 26, 2018, at 9:00 am.

### **OBJECTIONS**

#### **By the Government**

The following document was filed by the Government on February 2, 2018: **GOVERNMENT'S RESPONSE TO PRESENTENCE INVESTIGATION REPORT AND SENTENCING POSITION FOR DEFENDANT FRANK MARTINEZ**. There were no objections to the PSR.

#### **By the Defendant**

The following document was filed by the defendant on February 17, 2018: **POSITION PAPER**. There were no objections to the guideline calculations of the PSR.

1. The defendant notes that in one paragraph, Martinez is incorrectly described as a member of the CRO.

#### **Probation Officer's Response**

Martinez is identified as an associate of CRO. Throughout the plea agreement and the Indictment, the phrase "members and associates of CRO" was used. As Martinez is initially identified as an associate, and the issue has no bearing on sentencing, the PSR will not be revised.

2. The defendant states that there may be an overstatement of his criminal history category, given that some of his criminal history points are from misdemeanor convictions for driving on a suspended license.