

## EXHIBIT E

5 UNITED STATES OF AMERICA, )  
6 PLAINTIFF, )  
7 VS. ) No. CR 16-390 (A)-RGK-35  
8 (35) FRANK MARTINEZ, )  
9 DEFENDANT. )

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11                   REPORTER'S TRANSCRIPT OF SENTENCING  
12                   LOS ANGELES, CALIFORNIA  
13                   MONDAY, MARCH 5, 2018  
14                   10:08 A.M.

14 APPEARANCES:

15 FOR PLAINTIFF: OFFICE OF THE UNITED STATES ATTORNEY  
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1                   LOS ANGELES, CALIFORNIA; MONDAY, MARCH 5, 2018

2                   10:08 A.M.

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5                   THE CLERK: Calling calendar item No. 10, case  
6                   No. Criminal 16-390-(A)-RGK, United States of America versus  
7                   Frank Martinez.

8                   Counsel, please state your appearances.

9                   MS. DEGTYAREVA: Good morning, Your Honor. Victoria  
10                  Degtyareva and Jamie Lang on behalf of the United States.

11                  THE COURT: Counsel.

12                  MS. LANG: Good morning.

13                  MR. STAMBLER: Good morning, Your Honor. Errol  
14                  Stambler on behalf of Frank Martinez, present in court and in  
15                  custody.

16                  THE COURT: Good morning, Counsel.

17                  This is the date set for sentencing. Court has read and  
18                  considered many documents in this matter: The presentence  
19                  report, the amended -- or the response to the objection to the  
20                  presentence report, the defendant's papers, the position  
21                  papers, the government's position papers, reviewed the plea  
22                  agreement.

23                  Is there any other document you'd like me to take a look  
24                  at before sentencing that I haven't seen yet?

25                  MS. DEGTYAREVA: No, Your Honor.

THE COURT: Okay. Counsel, you wish to be heard as far as sentence is concerned?

MR. STAMBLER: Well, Your Honor, I think my position paper states it clearly. 15 years is a long time for Mr. Martinez under the mandatory minimum sentences. The government, and I believe the proba- -- I don't know what the under-seal recommendation from the probation department is, but it appears in that one line that I do cite in my position paper that anything above the 15 years is in itself punitive. So I would ask the Court to sentence Mr. Martinez, pursuant to my position paper and my arguments that are contained, to the mandatory minimum of 10 years for the drugs and 5 years for the gun.

THE COURT: Okay.

Counsel want to be heard?

MS. DEGTYAREVA: Yes, Your Honor.

I just wanted to address two factual issues from defense counsel's position papers. The first, in the sentencing papers, defendant states that he was not a member of the CRO gang, and I think there's some confusion in terminology there. The CRO is the Canta Ranas Organization, which is the racketeering enterprise that's charged in the indictment, and the CRO consists of members of the Canta Ranas gang as well as members of other gangs who owe their allegiance to the same Mexican Mafia member. So the government agrees that defendant