

## EXHIBIT E

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

HONORABLE R. GARY KLAUSNER, U.S. DISTRICT JUDGE

UNITED STATES OF AMERICA, )  
 )  
 PLAINTIFF, )  
 )  
 vs. ) No. CR 16-390(A)-RGK-35  
 )  
 (35) FRANK MARTINEZ, )  
 )  
 )  
 DEFENDANT. )

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

APPEARANCES:

FOR PLAINTIFF: OFFICE OF THE UNITED STATES ATTORNEY  
BY: VICTORIA DEGTYAREVA and JAMIE LANG  
ASSISTANT UNITED STATES ATTORNEYS  
312 NO. SPRING STREET  
LOS ANGELES, CALIFORNIA 90012  
213.894.7635; 213.894.2652

FOR DEFENDANT: LAW OFFICES OF ERROL H. STAMBLER, PLC  
BY: ERROL H. STAMBLER, ATTORNEY AT LAW  
10880 WILSHIRE BOULEVARD, SUITE 1050  
LOS ANGELES, CALIFORNIA 90024  
310.473.4525

---

SANDRA MacNEIL, CSR 9013, RPR, CRR, RMR  
Official Court Reporter, U.S. District Court  
255 East Temple Street, 12th Floor  
Los Angeles, CA 90012; 213.894.5949

1 LOS ANGELES, CALIFORNIA; MONDAY, MARCH 5, 2018

2 10:08 A.M.

3 - - - -

4  
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.

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

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

14 THE COURT: Okay.

15 Counsel want to be heard?

16 MS. DEGTYAREVA: Yes, Your Honor.

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