

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

vs.)

David Morillo Cruz)

) PRESENTENCE INVESTIGATION REPORT

) Docket No.: 0313 2:13CR00197-002

Prepared for: The Honorable Paul S. Diamond
U.S. District Court Judge

Prepared by: Brett A. White
U.S. Probation Officer
Philadelphia, PA
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Retained

Sentence Date: August 30, 2016 3:00 PM

Offense: Count 1: Attempted possession with intent to distribute 1 kilogram
or more of heroin
21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(A)
10 years to life imprisonment/\$10,000,000.00 fine

Release Status: In federal custody since federal arrest on March 27, 2013

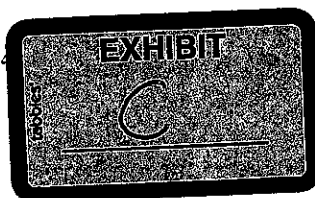
Detainers: Bureau of Immigration and Customs Enforcement (Active Warrant of
Removal)

Codefendants: Wilher Alexander Pena Diaz - 0313 2:13CR00197-1, Pending Sentencing
Fernando Guzman - 0313 2:13CR00197-3, Pending Sentencing

Related Cases: None

Date Report Prepared: 1/9/14

Report Revised: 4/7/2014 and 6/21/2016

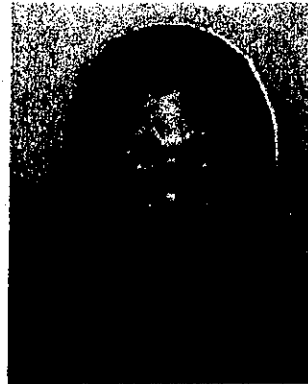


RE: DAVID MORILLO CRUZ

Identifying Data:

Date of Birth: December 22, 1976
Age: 39
Race: Black
Hispanic Origin: Hispanic origin
Sex: Male

SSN#: None
FBI#: 988317LB8
USM#: 69067-066
State ID#: PA29531960
ICE#: A077626378
PACTS#: 38109



Education: No HS Diploma or GED
Dependents: 6
Citizenship: Citizen of Another Country
Immigration Status: Illegal Alien
Country of Birth: Dominican Republic
Place of Birth: Santo Domingo, Dominican Republic

Legal Address: To Be Determined

Residence Address: To Be Determined

Alias(es): Also Known As: Guzman-Valenzuela, Eleuterio
Also Known As: Morillo-Ramirez, Ramon
Also Known As: Morillo, David
Also Known As: Rodriguez, Luis M
Also Known As: Rodriguez, Leonel
Also Known As: Marcano-Vazquez, Jose Rafael
Also Known As: Marcano, Jose Rafael

Alternate IDs: State ID Number: AL02515093
State ID Number: TX50024995
Alias DOB: 12/22/1978
Alias DOB: 12/12/1976
Alias DOB: 10/9/1975
Alias DOB: 10/12/1973
Alias DOB: 9/23/1972

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Restrictions on Use and Redislosure of Presentence Investigation Report. Disclosure of this presentence investigation report to the Federal Bureau of Prisons and redislosure by the Bureau of Prisons is authorized by the United States District Court solely to assist administering the offender's prison sentence (i.e., classification, designation, programming, sentence calculation, pre-release planning, escape apprehension, prison disturbance response, sentence commutation, or pardon) and other limited purposes, including deportation proceedings and federal investigations directly related to terrorist activities. If this presentence investigation report is redislosed by the Federal Bureau of Prisons upon completion of its sentence administration function, the report must be returned to the Federal Bureau of Prisons or destroyed. It is the policy of the federal judiciary and the Department of Justice that further redislosure of the presentence investigation report is prohibited without the consent of the sentencing judge.

RE: DAVID MORILLO CRUZ

PART A. THE OFFENSE

Charge(s) and Conviction(s)

1. On April 24, 2013, a two-count Indictment was returned in U.S. District Court for the Eastern District of Pennsylvania charging Wilher Alexander Pena Diaz, a/k/a "Luis Lugo Salazar," "Yaro Morales Caraballo," "Jose Cabrera;" David Morillo Cruz, a/k/a "Jose Rafael Marcano," and Fernando Guzman with one count of attempted possession with intent to distribute 1 kilogram or more of heroin; aiding and abetting, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A) and 18 U.S.C. § 2 [Count 1], and one count of illegal reentry after deportation, in violation of 8 U.S.C. §§ 1326(a) and (b)(2) [Count 2].
2. A Notice of Forfeiture, pursuant to 21 U.S.C. § 853, accompanied the Indictment as to all three defendants.
3. Specifically, the defendant was named in Count 1 of the Indictment. On November 19, 2013, the defendant entered an open plea of guilty to Count 1 of the Indictment.
4. There is no written plea agreement in this case.
5. The instant offense occurred between March 26, 2013, and March 27, 2013; therefore, both the Sentencing Reform Act of 1984 and the Antiterrorism and Effective Death Penalty Act of 1996 apply. The edition of the Sentencing Guidelines Manual used to calculate the guidelines in the report is that incorporating amendments effective November 1, 2014, as there are no ex post facto concerns.
6. The defendant has been detained since his arrest on March 27, 2013.

The Offense Conduct

7. On March 26, 2013, U.S. Postal Inspectors intercepted a suspicious parcel mailed on March 25, 2013, from Clovis, California. The U.S. Postal Inspectors requested a canine sniff of the parcel to determine if the parcel contained narcotics. A Bensalem Township Police Department Detective's canine, "Kirby," made positive alerts on the parcel for the presence of narcotics.
8. Pursuant to a search warrant, U.S. Postal Inspectors opened the parcel and found inside two bricks of heroin. As a result, U.S. Postal Inspectors repackaged the parcel with two sham bricks, which included a representative sample from one of the original bricks of heroin and included an electronic surveillance device.

The Controlled Delivery and Arrests

9. On March 27, 2013, U.S. Postal Inspectors conducted the controlled delivery of the parcel to 553 E. Wyoming Avenue with the assistance of DEA agents. At approximately 9:07 a.m., surveillance agents observed a white Honda Accord (NJ Tag Z94-CXX) parked on Wyoming Avenue, directly across from the target residence, with Fernando Guzman, sitting in the driver's seat. At approximately 10:00 a.m., surveillance agents

RE: DAVID MORILLO CRUZ

observed Guzman exit the white Honda Accord and enter 553 E. Wyoming Avenue. Guzman stayed in the residence for a short time and then exited and returned to the driver's seat of the vehicle.

10. At approximately 11:00 a.m., a U.S. Postal Inspector posing as a U.S. Postal Office letter carrier delivered the parcel containing the sham bricks to 553 E. Wyoming Avenue. The parcel was accepted by a second male who initially identified himself as "Ramon Diaz." This male later identified himself to law enforcement as Luis Lugo Salazar, but law enforcement finally determined his real name was Wilher Pena Diaz. After signing for the package, Pena Diaz took the parcel into the residence.
11. At approximately 11:05 a.m., law enforcement observed a third male who identified himself to law enforcement as Jose Rafael Marcano, enter 553 E. Wyoming Avenue. This male was later positively identified as David Morillo Cruz. At approximately 11:07 a.m., law enforcement observed Guzman exit the white Honda Accord again and enter a convenience store at the corner of Wyoming and Whitaker Avenues. Minutes later, Guzman exited the store and entered 553 E. Wyoming Avenue. At approximately 11:09 a.m., after Guzman entered the residence, law enforcement received a signal from the electronic surveillance equipment indicating that the parcel had been opened.
12. Shortly thereafter, U.S. Postal Inspectors entered the front of the residence. Guzman, who was standing at the top of the stairs, surrendered immediately. Law enforcement agents securing the rear entrance of the residence observed Pena Diaz attempt to climb out of the second floor bedroom window. Pena Diaz threw one of the sham bricks of heroin onto the roof of an adjacent building. Morillo-Cruz and Pena Diaz were subsequently apprehended in a back bedroom where the other sham brick was lying on the floor.
13. The bricks of heroin were submitted to the United States Postal Service Forensic Lab for analysis. The substance tested positive for the presence of heroin with a net weight of 1879.2 grams.

Immigration Violation as to Pena Diaz

Once law enforcement learned the true identity of Wilher Alexander Pena Diaz, it was discovered that he had reentered the United States illegally after being deported in June 2012. Pena Diaz provided a written statement of admission to authorities from the Department of Homeland Security, Department of Immigration and Customs Enforcement. In that statement, Pena Diaz admitted that he had been deported in June 2012 after being convicted of felony narcotics violations. He reentered the United States illegally in December 2012, by crossing the United States/Mexico border in Arizona.

Defendant's Statements

14. Subsequent to arrest, Morillo-Cruz stated that he arrived at the location after the parcel was opened and did not know anything else about it. He stated that Pena Diaz had asked him to come to the residence to pick him up. Morillo-Cruz then admitted that he did not have a car and arrived at the location by taxi. Law enforcement did not observed Morillo-

RE: DAVID MORILLO CRUZ

Cruz arrive in a taxi. Law enforcement observed Morillo-Cruz enter the residence two minutes prior to the signal going off notifying that the package was opened.

Victim Impact

15. This is a Title 21 offense and there is no identifiable victim.

Adjustment for Obstruction of Justice

16. The probation officer has no information indicating the defendant impeded or obstructed justice.

Adjustment for Acceptance of Responsibility

17. Halfway through trial, the defendant decided to enter an open guilty plea. Although he accepted responsibility, he did not do so in a timely fashion. As a result, the government had to prepare for trial. A two-level reduction for acceptance of responsibility, pursuant to USSG §3E1.1(a) is applicable. The government will not be filing a motion for the third point, pursuant to USSG §3E1.1(b).

Offense Level Computation

18. The 2014 Guidelines Manual, incorporating all guideline amendments, was used to determine the defendant's offense level. USSG §1B1.11.

Count 1: Attempted possession with intent to distribute 1 kilogram or more of heroin

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|-----|---|-----------|
| 19. | Base Offense Level: The guideline for 21 U.S.C. § 846 offenses is found in USSG §2D1.1 of the guidelines. That section provides that an offense involving the trafficking of between 1 and 3 kilograms of heroin has a base offense level of 30. USSG §2D1.1(c)(5). | <u>30</u> |
| 20. | Specific Offense Characteristics: None. | <u>0</u> |
| 21. | Victim Related Adjustment: None. | <u>0</u> |
| 22. | Adjustment for Role in the Offense: None. | <u>0</u> |
| 23. | Adjustment for Obstruction of Justice: None. | <u>0</u> |
| 24. | Adjusted Offense Level (Subtotal): | <u>30</u> |
| 25. | Chapter Four Enhancement: None. | <u>0</u> |
| 26. | Acceptance of Responsibility: The defendant has clearly demonstrated acceptance of responsibility for the offense. Accordingly, the offense level is decreased by two levels. USSG §3E1.1(a). | <u>-2</u> |

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27. **Total Offense Level:**

28

PART B. THE DEFENDANT'S CRIMINAL HISTORY

Juvenile Adjudication(s)

28. None.

Adult Criminal Conviction(s)

29. **NOTE:** Pennsylvania Rules of Criminal Procedure, Rule 316: Since 11/29/72, legal representation has been provided for indigent offenders in cases where imprisonment was likely to be imposed. This law was originally enacted in 1964.

30. **NOTE:** Texas Code of Criminal Procedure, Article 26.04: The right to legal representation for indigent defendants has been mandated for any case in which imprisonment is likely to be adjudged. This law went into effect in 1966. Since September 1, 1987, Texas Law provides that all defendants accused of a criminal offense are entitled to legal representation unless they intelligently waive such right to the Court's satisfaction. Unless otherwise indicated, the defendant had legal representation or waived legal representation for all of the following conviction.

	<u>Date of Arrest</u>	<u>Conviction/Court</u>	<u>Date Sentence Imposed/Disposition</u>	<u>Guideline</u>	<u>Pts</u>
31.	05/25/2002 (Age 25)	Aggravated assault/ Court of Common Pleas, Philadelphia, PA; Docket No.: CP-51- CR-0705101-2002	10/10/2002: guilty plea; sentenced to not less than 9 months nor more than 23 months under house arrest with passive monitoring until electronic monitoring is available.	4A1.1(c) ¹	1

According to the criminal complaint, on May 19, 2002, the defendant, while at 459 E. Wyoming Avenue, assaulted another by cutting the victim with a bottle, causing injury requiring medical treatment. According to the police report and victim statement, the victim received over 100 stitches to close the laceration caused by the defendant.

¹ As the defendant did not spend any time in prison, as the court records do not reflect any credit for time served, this sentence does not meet the definition of a "sentence of imprisonment."

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32.	03/11/2012 (Age 35)	Theft from person/ 248th District Court, Houston, TX; Docket No.: 021120311262	08/28/2012: guilty verdict; sentenced to 6 months state confinement and court costs.	4A1.1(b)	2
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The probation officer received the court dockets for this offense. The details of the offense have been requested but not yet received.

33.	06/26/2013 (Age 36)	Conspiracy to distribute and possess with intent to distribute 5 kilograms or more of cocaine and 1 kilogram or more of heroin; and distribution and possession with intent to distribute 5 kilograms or more of cocaine and 1 kilogram or more of heroin/ United States District Court, Southern District, NY; Docket No.: 1:13-cr- 00070	03/07/2014: guilty plea. 7/20/2016: sentence scheduled.	4A1.1(c) 4A1.2(a)(4)	1
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According to the Superseding Information, the defendant, along with others, conspired to distribute five kilograms or more of cocaine and one kilogram or more of heroin from 2001 through 2013 in the Southern District of New York. The defendant was represented by court-appointed counsel.

There are open motions for consolidation of this case with the instant offense.

Criminal History Computation

34. The criminal convictions above result in a subtotal criminal history score of four.
35. The total criminal history score is four. According to the sentencing table in USSG Chapter 5, Part A, a criminal history score of four establishes a criminal history category of III.

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Other Criminal Conduct

	<u>Date of Arrest</u>	<u>Charge</u>	<u>Agency</u>	<u>Disposition</u>
36.	12/07/1999 (Age 22)	Illegal entry into U.S.; Conspiracy to Distribute Heroin;	Drug Enforcement Administration (DEA) and former United States Immigration and Naturalization Services (INS)	12/8/1999: Dismissed/Declined. Removal proceedings scheduled. 1/12/00: Warrant of removal issued for failure to appear. This warrant remains active.

The circumstances for this case are not available.

Pending Charges

37. None.

Other Arrests

	<u>Date of Arrest</u>	<u>Charge</u>	<u>Agency</u>	<u>Disposition</u>
38.	01/13/2001 (Age 24)	Receiving Stolen Property; Unauthorized Use of Auto And Vehicles; Docket No.: MC-51- CR-01194321-2001	Municipal Court of Philadelphia County, Philadelphia, PA	01/22/2001: Withdrawn

The circumstances for this case are not available.

PART C. OFFENDER CHARACTERISTICS

39. On December 17, 2013, the probation officer interviewed the defendant at the Federal Detention Center, Philadelphia, Pennsylvania with the assistance of a Spanish-speaking interpreter. Defense counsel waived his presence at the interview. Verification of this information was requested from third party sources, some of which has been received.

Personal and Family Data

40. David Morillo-Cruz was born on December 22, 1976, in Santo Domingo, Dominican Republic. The defendant has used various aliases. As seen in the instant offense, the defendant used the alias Jose Rafael Marcano. This is the name given by the defendant

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for most of his criminal history. The defendant's immigration record is under the name Ramon Morillo-Ramirez with an alias of Jose Rafael Marcano-Vazquez. The defendant has used the following aliases: Ramon Morillo-Ramirez, Leonel Rodriguez, Luis M. Rodriguez, Luis Rodriguez, and Eleuterio Guzman-Valenzuela.

41. The defendant's immigration file lists his parents' first names as Ramon and Ramona. The defendant, during the presentence interview, reported that he was raised by his parents, Ramon Morillo (age 83) and the late Carmen Cruz, in La Vega, Dominican Republic.
42. The defendant reported a "normal" childhood in a middle class family. His father worked managing and renting land while his mother was a homemaker. The defendant had all the basic needs provided. He reported no major problems in the home during his upbringing.
43. The defendant has ten siblings: Maximo Ramon Morillo-Nunez (age 54); Felix Francisco Cruz (age 52); Anna Maria Morillo-Nunez (age 49); Antigua Morillo-Cruz (age 47); twins Esteban Morillo-Cruz (age 46) and Marco Morillo-Cruz (age 46); Jane Nunez (age 43); Jorge Morillo-Cruz (age 41); Modesto Morillo Nunez (age 39); and Norberto Morillo-Nunez (age 34). Although some of his siblings have different names, the defendant stated that these are all biological siblings.
44. Maximo, a farmer, is single with four children. Felix, a farmer, is married with three children. Anna, an office clerk, is single with four children. Antigua, a construction worker, is single with nine children. Esteban, a farmer is married with ten children. Marco, a farmer, is married with two children. Janet, is married with two children. Jorge, a parking authority employee, is married with one child. Modesto, a construction worker, is single with three children. Norberto, a farmer, is single with four children. Antigue resides in Wyoming. Janet resides in Spain. Jorge resides in Queens, New York. Modesto is incarcerated somewhere in the United States. All of the defendant's other siblings reside in the Dominican Republic.
45. The defendant stated that his parents were together during most of his childhood, although his father lived with another women at times. The defendant's mother died of kidney and heart conditions on August 26, 2013. She was 79 years old and was residing with her son, Antigua in Wyoming at the time of her death. The defendant's father resides in the Dominican Republic with his wife, Felicita Burgos. The defendant's father reportedly fathered 27 children, 11 with the defendant's mother. The defendant knew some of his paternal half-siblings but did not grow up with them.
46. According to the defendant and verified via immigration records, the defendant first entered the United States on November 16, 1998. He resided in Queens, New York, with his brother Jorge. According to the defendant, he stayed in the United States for two years before returning to the Dominican Republic. The defendant stated that he illegally returned to the United States eight months ago and was renting a house at 1825 N. 5th Street, Philadelphia, Pennsylvania, until his federal arrest. He resided at this location with a girlfriend, Yastrenski Ulloa (age 30). Since his arrest, the defendant believes Ms. Ulloa moved to Clementon, New Jersey, with her father, Rafael Ulloa. The defendant stated

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that Ms. Ulloa does not speak English. It is noted that the defendant was arrested in 2001, 2002, and 2012 in the United States.

47. Subsequent to a drug trafficking arrest in December 1999, the defendant was ordered deported from the United States. However, due to a failure to report, a warrant for removal was issued and remains outstanding.
48. The defendant reported that he has one child together with Ms. Ulloa, Yaeden David Morillo (age 4), who has a learning disability, attends therapy, and suffers from a heart murmur and asthma. The defendant also reportedly fathered five additional children: Luis David Morillo (age 18), Davidali Morillo (age 12), Daviel Morillo (age 10), Yadiel Morillo (age 7), and John David Morillo (age 3).
49. Luis David reportedly resides in New York with the defendant's brother, as Luis David's mother, Wanda Veronica Rodriguez, returned to Puerto Rico. Davidali and Daviel reside in Philadelphia, Pennsylvania, with their mother, Jandi Beguero. Yadiel resides in the Dominican Republic with his mother, Charlotte Ortiz. John David resides in the Dominican Republic with his mother, Juana Francisco Marco. The defendant also stated that he helped raise Ms. Beguero's daughter, Nuorca Begiero (age 13). The defendant reportedly had contact with his children and supported them when able.

Physical Condition

50. The defendant is a 37-year-old male with brown eyes and black hair. At the time of the presentence report, the defendant had a black beard. He stands five feet, eight inches tall and weighs approximately 170 pounds. The defendant has no distinguishing body marks such as scars or tattoos. Other than a hernia repair, the defendant reported no history of health issues or illness.

Mental and Emotional Health

51. The defendant reported no history of mental or emotional problems. He reported no history of suicidal ideation. The defendant stated that he went through some mild depression and sadness when his mother passed away.

Substance Abuse

52. The defendant reported the occasional consumption of alcohol and no history of drug use or substance abuse treatment.

Educational, Vocational and Special Skills

53. The defendant reportedly withdrew from school during the 6th grade to help support the family. He reported skills in automobile mechanics, auto body work, and construction.

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Employment Record

54. The defendant reported limited employment history. He worked in construction. He also purchased automobiles and repaired them for resale. The defendant reported no employment in the United States.

Financial Condition: Ability to Pay

55. On December 17, 2013, the defendant submitted a signed financial affidavit revealing no assets, liabilities, or cash flow. A credit history profile revealed no account history for the defendant.
56. No public records were found in the defendant's reported true name. However, public records under his alias, Jose Rafael Marcano (SSN 596-20-9976), revealed most recent residence in Orlando, Florida, and Chicago, Illinois. These records revealed no real property in this name and revealed two lawsuits filed with Orange County, Florida, Circuit Court, and Broward County, Florida, Circuit Court with no reported amount.
57. Despite revealing no employment history in the United States and no assets or cash flow, the defendant retained counsel in the instant matter.
58. Due to his pending deportation proceedings and probable deportation, a fine does not seem reasonable in this matter.

PART D. SENTENCING OPTIONS

Custody

59. **Statutory Provisions:** The minimum term of imprisonment is 10 years and the maximum term is life. 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(A).
60. **Guideline Provisions:** Based upon a total offense level of 28 and a criminal history category of III, the guideline imprisonment range is 97 months to 121 months. However, the statutorily authorized minimum sentence of 10 years is greater than the minimum of the guideline range; therefore, the guideline range is 120 months to 121 months. USSG §5G1.1(c)(2).

Impact of Plea Agreement

61. None.

Supervised Release

62. **Statutory Provisions:** The Court must impose a term of supervised release of at least five years on Count 1. 21 U.S.C. § 841(b)(1)(A).

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63. **Guideline Provisions:** The guideline range for a term of supervised release in Count 1 is five years. USSG §5D1.2(c).

Probation

64. **Statutory Provisions:** The defendant is ineligible for probation on Count 1 because it is expressly precluded by statute. 21 U.S.C. § 841(b)(1)(A).
65. **Guideline Provisions:** The defendant is ineligible for probation on Count 1 because probation has been expressly precluded by statute. USSG §5B1.1(b)(2).

Fines

66. **Statutory Provisions:** The maximum fine for Count 1 is \$10,000,000.00. 21 U.S.C. § 841(b)(1)(A).
67. A special assessment of \$100.00 is mandatory for Count 1. 18 U.S.C. § 3013.
68. **Guideline Provisions:** The fine range for this offense is \$12,500 to \$10,000,000. If the defendant is convicted under a statute authorizing (A) a maximum fine greater than \$250,000, or (B) a fine for each day of violation, the Court may impose a fine up to the maximum authorized by the statute. USSG §5E1.2(c)(4).
69. In determining whether to impose a fine and the amount of such fine, the Court shall consider, among other factors, the expected costs to the government of any term of probation, or term of imprisonment and term of supervised release imposed. USSG §5E1.2(d)(7) and 18 U.S.C. § 3572(a)(6). These costs may include drug and alcohol treatment, electronic monitoring, and/or contract confinement costs. The most recent advisory from the Administrative Office of the United States Courts, dated June 24, 2014, provides the following monthly cost data:

	<u>Bureau of Prisons Facilities</u>	<u>Community Correction Centers</u>	<u>Supervision by Probation Officer</u>
Daily	\$79.31	\$73.78	\$9.17
Monthly	\$2,412.33	\$2,244.17	\$278.95
Annually	\$28,948.00	\$26,930.00	\$3,347.41

Restitution

70. **Statutory Provisions:** Restitution is not applicable in this case. 18 U.S.C. § 3663.
71. **Guideline Provisions:** Restitution is not applicable in this case.

RE: DAVID MORILLO CRUZ

PART E. FACTORS THAT MAY WARRANT DEPARTURE


72. The probation officer has not identified any factors that would warrant a departure from the applicable sentencing guideline range.

**PART F. FACTORS THAT MAY WARRANT A SENTENCE OUTSIDE OF THE
ADVISORY GUIDELINE SYSTEM**

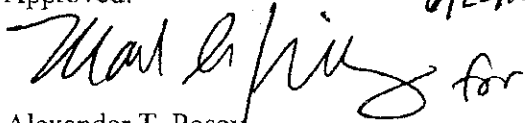
73. The probation officer has not identified possible grounds for a sentence outside of the advisory guidelines system.

Respectfully Submitted,

Matthew R. MacAvoy
Chief U.S. Probation Officer

By: 
Brett A. White
U.S. Probation Officer

Approved:

 6/23/16
Alexander T. Posey
Supervising U.S. Probation Officer

RE: DAVID MORILLO CRUZ

ADDENDUM TO THE PRESENTENCE REPORT

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
UNITED STATES V. DAVID MORILLO CRUZ, DKT. 0313 2:13CR00197-002

REVISIONS

Subsequent to the submission of the first amended report of April 7, 2014, the defendant was convicted in the United States District Court for the Southern District of New York. Therefore, he has been awarded one additional criminal history point which increases his criminal history category, as seen in Paragraphs 33-35. Also, due to the drug amendments to the 2015 Guideline Manual, the offense level has been reduced by two levels, as seen in Paragraphs 19, 24, and 27. These changes to the criminal history score and offense level affect the guideline calculations as seen in Paragraphs 60 and 68.

OBJECTIONS

By the Government

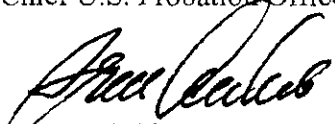
The government has not submitted any objections to the draft presentence report.

By the Defendant


Defense counsel has not submitted any objections to the draft presentence report.

Respectfully Submitted,

Matthew R. MacAvoy
Chief U.S. Probation Officer

By: 
Brett A. White
U.S. Probation Officer

Approved:

 8/23/16
Alexander T. Posey
Supervising U.S. Probation Officer