

## APPENDIX C-1

Transcript Sentencing Hearing U.S. District Court Middle District of Florida  
(February 1, 2022).

1 UNITED STATES DISTRICT COURT  
2 MIDDLE DISTRICT OF FLORIDA  
3 JACKSONVILLE DIVISION

3 UNITED STATES OF AMERICA, Jacksonville, Florida  
4 Plaintiff, Case No. 3:19-cr-105-BJD-LLL  
5 -vs- February 1, 2022  
6 CORNELIUS MICHAEL TURNER, 11:03 a.m.  
7 Defendant. Courtroom 12C

---

8  
9 **TRANSCRIPT OF SENTENCING**  
10 **BEFORE THE HONORABLE BRIAN J. DAVIS**  
11 **UNITED STATES DISTRICT JUDGE**

12 **A P P E A R A N C E S**

13 **GOVERNMENT COUNSEL:**

14 **Ashley Washington, Esquire**  
15 United States Attorney's Office  
16 300 North Hogan Street, Suite 700  
Jacksonville, FL 32202

17 **DEFENSE COUNSEL:**

18 **Clyde Collins, Esquire**  
19 Clyde M. Collins Jr., PA  
20 233 East Bay Street, Suite 1133  
Jacksonville, FL 32202

21 **OFFICIAL COURT REPORTER:**

22 **Shelli Kozachenko, RPR, CRR, CRC**  
23 221 North Hogan Street, #185  
24 Jacksonville, FL 32202  
25 Telephone: (904) 301-6842

(Proceedings reported by stenography;  
transcript produced by computer.)

# T A B L E   O F   C O N T E N T S

## COMMENTS IN ALLOCUTION:

### Page No.

KEITH WRIGHT.....	22
ANTESHA WILLIAMS.....	24
CORTNEY TURNER.....	27
FELECIA RICHARDSON.....	28
LESLIE STEWART.....	30
DEFENDANT TURNER.....	32

## E X H I B I T S   R E C E I V E D

### GOVERNMENT EXHIBITS:

### Page No.

GOVERNMENT'S EXHIBITS 1 AND 2.....	9
------------------------------------	---

### DEFENDANT'S EXHIBITS:

### Page No.

DEFENDANT'S EXHIBIT 1.....	14
----------------------------	----

P R O C E E D I N G S

February 1, 2022

11:03 a.m.

- - -

COURT SECURITY OFFICER: All rise. United States District Court in and for the Middle District of Florida is now in session, the Honorable Brian J. Davis presiding.

Please be seated.

THE COURT: Good morning to all.

MS. WASHINGTON: Good morning.

MR. COLLINS: Good morning, Your Honor.

THE COURT: Court is convened today in connection with United States of America versus Cornelius Michael Turner. It's case 3:19-cr-105, and it's on the Court's calendar for sentencing today.

The record should reflect that Mr. Turner's present with counsel, Attorney Clyde Collins, and that the Government's represented today by Assistant United States Attorney Ashley Washington, who has with her Derek Pratico from the ATF agency. Welcome to you all.

Ms. Irish Anderson is here on behalf of the U.S. probation department.

Mr. Turner, I have received a number of items in connection with this sentencing hearing that you should be aware of. Your attorney filed both some objections to the guidelines that are applicable to this case and a memorandum

1 that asked for mitigation under your sentence -- or at the time  
2 of your sentencing and also a supplement that does those same  
3 things again.

4 I'm going to address the objections in just a moment,  
5 but I need to know whether you too received the other item that  
6 the Court received, which was a presentence investigation  
7 report.

8 Did you receive that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Very good.

11 Did you have an opportunity to review it with your  
12 attorney?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Were all your questions about it  
15 answered?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Very good.

18 Mr. Collins, you timely received the report on  
19 Mr. Turner's behalf, did you not?

20 MR. COLLINS: Yes, Your Honor, I did.

21 THE COURT: Very good.

22 And the Government, Ms. Washington, timely received  
23 the report as well?

24 MS. WASHINGTON: Yes, Your Honor.

25 THE COURT: Very good.

1 I'm going to take up these objections. Mr. Collins,  
2 you have cited two, I think, that deal with, one, first, the  
3 reckless engagement enhancement and then the armed career  
4 criminal enhancement.

5 MR. COLLINS: Thank you, Your Honor.

6 THE COURT: You're welcome to use the podium if you  
7 like. Wherever you're most comfortable.

8 MR. COLLINS: I think under the circumstances the  
9 enhancement for endangerment that we filed, as contained in the  
10 permanent or the final PSI, should just stand as presented  
11 because it does not really affect the outcome unless there was  
12 a departure from the mandatory minimum sentence in this case.

13 So I would prefer, in the absence of any questions by  
14 the Court, to reserve the time to address it.

15 THE COURT: Very good.

16 I have no questions.

17 And with respect to the armed career criminal  
18 enhancement, do you wish to make argument regarding its  
19 application or not?

20 MR. COLLINS: Yes, sir, I do.

21 THE COURT: Okay. Well, this would be the time to do  
22 that as well.

23 MR. COLLINS: Okay. Your Honor, on behalf of  
24 Mr. Turner, we would object to the enhanced offense level and  
25 the criminal history category based on the finding that he is

1 an armed career criminal, as defined under U.S. Sentencing  
2 Guideline 4B1.4 and United States Code 924(e).

3 Mr. Turner objects to the convictions, as the  
4 Government will present, in Duval County Case No.  
5 2011-CF-12585, that they were committed on occasions different  
6 from one another. We object to that and therefore argue that  
7 he does not qualify as a career offender.

8 The information provides that they occurred on  
9 separate dates. However, it is our position that they were in  
10 a connected chain of events, same undercover agents, same type  
11 of contraband. There was one information filed, not three.  
12 There was one sentence involved, not three. So that it's a  
13 connected chain of events, and it occurred -- all these  
14 occurred on three occasions but one.

15 With all due respect to the probation officer, who  
16 cites that they occurred on separate occasions, the statute  
17 does not provide for dates, and she interprets occasion to mean  
18 dates. The word occasion is broader than dates.

19 And I would suggest if you go to the mall and you go  
20 to one store, and you go to another store, and you go to  
21 another store, and then they don't have what you need, so you  
22 get in your car and go to another mall, all on the same  
23 occasion, on a Sunday on which you're shopping, that's one  
24 occasion separated by the -- one occasion.

25 If I were to repair my -- I'm doing my Sunday chores,

1 and I need a part and go to Home Depot, and then they don't  
2 have the one I really want or nothing works; I go to Lowe's and  
3 then go back to the house and then find that that part doesn't  
4 work, so I go to Ace, that's one occasion. One occasion.

5 If the statute wanted to say dates, I wouldn't be  
6 making that argument, but it says occasion, and we have to  
7 learn -- look to the definition of occasion, and that's what I  
8 would suggest it means.

9 If the career offender category is not applied, then  
10 his criminal history category would be a III [verbatim] instead  
11 of a VI. And the enhancement violates Mr. Turner's Fifth and  
12 Sixth Amendments because each of the statutory requirements,  
13 whether he has three prior convictions of a serious drug  
14 offense that were committed on occasions different from one  
15 another, were not proven to a jury beyond a reasonable doubt.

16 I understand that the Supreme Court has -- and the  
17 Eleventh Circuit has ruled separately. However, in the case of  
18 *United States versus Wooden*, the issue -- the specific issue is  
19 being raised. And it has been accepted for cert, and oral  
20 argument has been made, and I understand that a ruling is  
21 pending.

22 So that's -- that's where we are on our objections to  
23 the Armed Career Criminal Act, Your Honor.

24 And I'll answer any questions you might have.

25 THE COURT: All right. Thank you, Mr. Collins.

1           Let me hear from the Government.

2           MS. WASHINGTON: Your Honor, as it relates to the  
3 reckless endangerment enhancement, I think, as Mr. Collins  
4 indicated, it's moot if the armed career criminal enhancement  
5 is applied, but I do want to state for the record I do believe  
6 it's properly scored here.

7           I think the actions of Mr. Turner without a doubt  
8 created a reckless endangerment. It doesn't matter that people  
9 weren't actually harmed; there wasn't a car crash that actually  
10 occurred. It's a danger that was, in effect, happening as a  
11 result of his conduct, that he's traveling with a loaded  
12 firearm, so in and of itself, that certainly creates some risk.

13           But he's doing so while he's on a chase through a  
14 hotel parking lot, going the wrong direction in the parking  
15 lot, going the wrong way at one point in the roadway, swerving  
16 across lanes. And when he's pulled from the vehicle, his  
17 firearm is in his hands facing the officer.

18           I would surmise that based on all of these actions,  
19 and certainly together, he creates a reckless endangerment of  
20 flight through his actions where he could have hit any number  
21 of people, be it on foot, on a bicycle, in another vehicle.  
22 And simply by pure luck he happened not to hit anyone, but I  
23 don't think that makes his flight any less reckless or  
24 dangerous.

25           As relates to the armed career criminal enhancement,

1 Your Honor, I'd like to submit Exhibits 1 and 2 to the Court,  
2 which I provided that are certified copies of Mr. Turner's  
3 qualifying convictions.

4 THE COURT: Without objection?

5 MR. COLLINS: Those --

6 THE COURT: Other than those that have been stated  
7 for the record.

8 MR. COLLINS: I beg your pardon?

9 THE COURT: Other than those that may have been  
10 stated for the record as they apply to these judgments and  
11 sentences.

12 MR. COLLINS: As to -- under the rules of evidence,  
13 yes. Those certified copies do comply with the statute,  
14 subject to our objection, yes.

15 THE COURT: They'll be marked and admitted.

16 (Government's Exhibits 1 and 2 were received in evidence.)

17 MS. WASHINGTON: And, Your Honor, these would be  
18 qualified as *Shepard* documents, and they do indicate they  
19 occurred on different dates.

20 Mr. Collins takes issue as to whether these would be  
21 different occasions. And I submit to the Court that dates of  
22 one occurring -- the sale, manufacture, or delivery of cocaine,  
23 Count 1, which is in -- located in Exhibit 1, on October 20th,  
24 2011; Count 2, the sale, manufacture, or delivery of cocaine,  
25 occurring on November 9th, 2011; and in Count 3, possession

1 with intent to sell, manufacture, deliver cocaine, occurring on  
2 November 15, 2011, are separate occasions.

3 They're broken up by intervening days. These aren't  
4 things in which, you know, this was within an hour, a couple of  
5 different people on the street. These are different dates and  
6 occasions. I think it would be hard to describe things  
7 occurring on different dates, and here as many as, looks like,  
8 almost 19, 20 days apart, would be part of the same occasion.

9 While it may be part of the same drug trafficking  
10 operation, if these are multiple drugs, same person that are  
11 occurring, it doesn't in any way diminish the fact that these  
12 are different occasions, different dates on which this conduct  
13 occurs, and meets the qualifications in the statute to be  
14 considered different occasions to meet the requirements of the  
15 armed career criminal enhancement.

16 THE COURT: All right. Thank you, Ms. Washington.

17 MR. COLLINS: Your Honor, if I may have a moment,  
18 I -- I'm looking -- I would ask the Court to accept the arrest  
19 and booking report, which demonstrate -- unless the Government  
20 wants to concede -- that it was the same officers that  
21 conducted the undercover buy, that it was the same type of  
22 drugs on these occasions, that -- I think the documents that  
23 she submitted demonstrate it was one sentence. He was  
24 sentenced on the same day for all three counts.

25 That's what I would ask, if we can --

1 MS. WASHINGTON: Your Honor, that would be an  
2 improper document. It's not a *Shepard* document, to go off a  
3 police report. So that would be my objection, that it's not  
4 the proper document the Court may be able to consider for the  
5 purposes of the armed career criminal.

6 THE COURT: An arrest and booking report that's sworn  
7 to by a police officer is -- your position is not a proper  
8 *Shepard's* document?

9 MS. WASHINGTON: Yeah. I mean, certainly I don't  
10 have a problem with the Court considering it, but for the  
11 purpose of the armed career criminal enhancement, that is not  
12 one of the documents that's considered to be a *Shepard*  
13 document.

14 THE COURT: Well, I didn't -- I thought that  
15 Mr. Collins was offering it for purposes of enhancing the  
16 factual pattern. He may have been offering it for two  
17 purposes, enhancing the factual pattern that might be  
18 considered with respect to the reckless endangerment argument  
19 because it does describe --

20 MS. WASHINGTON: I have no problem with that, Your  
21 Honor.

22 THE COURT: All right.

23 MS. WASHINGTON: I took it as it related to --

24 THE COURT: But he also -- he asked for also the  
25 Court to consider a *Shepard* document as offered by the

1 Government with respect to the date of the conviction all being  
2 the same, and I certainly can do that. It's self-evident from  
3 the document that that is the case.

4 But I'm not sure if I misunderstood your proffer,  
5 Mr. Collins, or not.

6 MR. COLLINS: I think you articulated it accurate,  
7 Your Honor. Let me ...

8 (Pause in proceedings.)

9 MR. COLLINS: If I can just have another minute, Your  
10 Honor, to find it.

11 (Pause in proceedings.)

12 THE COURT: You know, I think I -- is it not attached  
13 as Exhibit B to your objections and additions to the PSR?

14 MR. COLLINS: There was -- that's as to the 2019  
15 arrest.

16 MS. WASHINGTON: It relates to the conduct in this  
17 case. That police report is tied to Mr. Turner's arrest from  
18 the original arrest in this case, Your Honor.

19 MR. COLLINS: Yeah, it --

20 THE COURT: Oh, okay.

21 MR. COLLINS: It does not address the prior -- here.  
22 I have it here.

23 Yeah.

24 (Pause in proceedings.)

25 MR. COLLINS: If I may, Your Honor, I'll proffer this

1 and offer into evidence the arrest and booking report from  
2 2011.

3 Mind you, it does mention the dates, but it also  
4 mentions that detectives were posing as drug users and buyers,  
5 the same detectives in each of the offenses, the same type of  
6 drugs in each of the offenses, for which there was one  
7 information filed, for which there was one sentence involved,  
8 one plea involved.

9 And I would present that as just Defendant's Exhibit  
10 No. 1, if I may approach the Court.

11 THE COURT: Very good.

12 Without objection, Ms. Washington?

13 MS. WASHINGTON: Your Honor, only as I related to  
14 earlier.

15 THE COURT: Meaning?

16 MS. WASHINGTON: Just as it relates -- I don't know  
17 quite what purpose it is, if he's trying, again, to use it as a  
18 claim that this is not separate occasions. And as I indicated  
19 before, it's not a *Shepard* document.

20 But certainly the Court's entitled to consider what  
21 it wants to consider in making its ruling. But I'd only make  
22 that point, that it is not a *Shepard* document.

23 THE COURT: All right. Very good.

24 I will mark and admit it as Defendant's Exhibit 1 and  
25 consider it at least as relevant conduct in connection with

1 the -- with the offenses that have been charged.

2 (Defendant's Exhibit 1 was received in evidence.)

3 THE COURT: Thank you, Ms. Washington and  
4 Mr. Collins, for your argument on this point.

5 Mr. Collins, I differ in your interpretation of the  
6 guidelines' use of the word occasion. I think your definition  
7 and its parameters are too narrow, given -- given the facts of  
8 this case.

9 The sale of cocaine on three different dates,  
10 separated by the amounts of time that exist between October  
11 20th, November 9th, and November 15th, despite the fact that  
12 they might have involved the same officers and the same  
13 substances, does not, in the Court's estimation, cause them not  
14 to have occurred on different occasions.

15 I believe your definition is too narrow, given those  
16 facts, and will overrule the objection so that the guidelines,  
17 as calculated, will be applicable to the Court's consideration  
18 of sentencing in this case.

19 I need to draw now Mr. Turner's attention to the  
20 guidelines, about which we have just had some legal argument,  
21 Mr. Turner, and share with you that they are designed to avoid  
22 the Court imposing extremely different sentences for people who  
23 are similarly situated, that is, who are charged as you are  
24 charged, regardless of where they might be in the country, and  
25 who bring the same criminal history or a similar criminal

1 history as you bring to the sentencing process. That's the  
2 purpose of the guidelines.

3 And in this case, as you might think, the more  
4 serious the offenses committed, the more serious the crimes and  
5 the punishment that flows from them and the more serious the  
6 guidelines recommend punishment. That's true for criminal  
7 history as well.

8 In this instance, as your attorney and the Government  
9 are well aware, it is your criminal history and its character  
10 that causes the guidelines to be as serious as they are, as  
11 punitive as they are.

12 I've had a chance to look at them. The possession of  
13 a -- there were actually -- you were actually charged with two  
14 offenses, and as a result of that, there were some  
15 manipulations within the guidelines, some adjustments in the  
16 guidelines as to which of those should be predominant.

17 You were charged, as you know, with the charge of  
18 possession of -- with intent to distribute detectable amounts  
19 of fentanyl and also possession of a firearm by a convicted  
20 felon. So under the guidelines those are grouped, and then  
21 there's a determination as to which should be predominant, and  
22 there are points assessed, or levels of punishment assessed,  
23 based on that calculation.

24 In this -- and in this instance, there were 20 levels  
25 of punishment recommended under the guidelines, and that

1 corresponds to a certain range of punishment under the  
2 guidelines. We haven't gotten to the range that's actually  
3 applicable yet, because there are some other adjustments that  
4 are made.

5           Because the firearm that you possessed was stolen,  
6 there are additional levels of punishment added, two in this  
7 instance, two additional levels. And because you possessed  
8 that firearm in connection with this drug trafficking of the  
9 fentanyl that you were -- fentanyl that you were also charged  
10 with, there are four more levels.

11           And the thinking is the intersection of firearms and  
12 drugs in society generally, and in our community specifically,  
13 just increase -- increases tremendously the risk of harm and  
14 injury and heartache and tragedy, if you will, associated with  
15 firearms and controlled substances.

16           There's an additional -- because of the reckless  
17 endangerment that you engaged in, that is, your flight from the  
18 police, about which there's been some argument but which the  
19 Court has found, in fact, resulted in some risk of serious  
20 injury or death, there are an additional two points added.

21           So if you do that math, there are 28 points involved,  
22 or 28 levels of punishment.

23           The armed career criminal status that we just had  
24 some argument about is also considered under the guidelines,  
25 and with their consideration, there are additional points

1 added. And actually the number of points added is six, as a  
2 result, enhancements of your levels of punishment. It goes  
3 from 28 and because of the armed career criminal status, up to  
4 34.

5 You do get credit for admitting your responsibility  
6 for the offense, so there is a deduction of that. And the fact  
7 that you entered a plea and avoided the expense and time  
8 associated with trial, you get a little credit for that.

9 So when you do that subtraction, now, to the levels  
10 of punishment, there are 31 levels of punishment.

11 One of the things that happens under the armed career  
12 criminal status is that you also get an enhancement of your  
13 criminal history. If I remember correctly, your criminal  
14 history, which started back at age 17 and continued through  
15 your 20s and 30s, resulted in a criminal history category of V.

16 But because of your armed career criminal status,  
17 there is a provision under the law that enhances your criminal  
18 history to the level of VI. There are six levels of criminal  
19 categories. You were next to the highest before the armed  
20 career criminal status was applicable, but with its application  
21 you go from V to a level VI.

22 When you consider those things, there is a  
23 recommendation under the guidelines that you receive between  
24 188 months' to 235 months' imprisonment, that you, on Count  
25 One, are placed on supervised release for between -- for at

1 least six years and, as to Count Two, between two and five  
2 years of supervised release following any periods of  
3 imprisonment. You are not eligible for probation, and there is  
4 a 30,000 to \$2 million fine associated with these offenses and  
5 a special assessment of \$200.

6 So those are the guidelines that the Court must take  
7 into consideration in fashioning a sentence in this case. You  
8 should know as well that the armed career criminal status --  
9 just a moment -- also results in -- it's a minimum mandatory  
10 sentence of 180 months.

11 Is that right, Madam Clerk -- I mean Madam  
12 Government?

13 MS. WASHINGTON: Yes, Your Honor.

14 THE COURT: So -- and that is a provision of law that  
15 the Court does not have the ability to ignore. It is, as it  
16 says, a mandatory sentence, given the status that you possess.

17 However, the Court is still obliged to and will  
18 entertain reasons for a mitigation of the guidelines in this  
19 case, which, in fact, are higher than the minimum mandatory  
20 sentence for the armed career criminal. 188 months to 235  
21 months are recommended.

22 You have an opportunity to offer testimony during the  
23 course of this hearing for the Court's consideration, and your  
24 attorney gets an opportunity to make argument, which he has  
25 done already, and he has another opportunity. And the

1 Government gets the same opportunity to offer argument and any  
2 additional evidence that they believe is appropriate.

3 Mr. Collins, I'll hear from you first and then from  
4 Mr. Turner, if he wishes to make any statements to the Court  
5 today, and then from the Government.

6 MR. COLLINS: Thank you, Your Honor.

7 As more specifically contained in our supplemental --  
8 as more specifically contained in our supplemental memorandum,  
9 sentencing memo, we are asking the Court to sentence him to the  
10 low end of the sentencing guidelines.

11 Mr. Turner did make effort to cooperate. He gave two  
12 proffers. We had scheduled a third, but it was considered moot  
13 in light of the time that he's been incarcerated.

14 Under these circumstances we think that there is an  
15 opportunity for the Court to recognize his cooperation with the  
16 Court -- with the Government and go to 180 months.

17 Mr. Turner -- and we have submitted to the probation  
18 officer and through the letters that we submitted to the  
19 Court -- had taken a number of classes and had received  
20 certificates for working on the docks. As the Court may be  
21 well aware, working on the docks is a very high-paying job for  
22 a convicted felon. It is unfortunate that after he -- his  
23 arrest, that he obtained the certificates of such achievement.

24 We also have a number of individuals who are here  
25 today to speak. They've submitted letters. They've come from

1 some long distances to speak.

2 I'd ask that the Court just recognize them and see if  
3 they have anything to add, and then Mr. Turner would like to  
4 address the Court also.

5 THE COURT: Very good.

6 MR. COLLINS: I have -- in the court today, I have  
7 Mr. Stewart, Leslie -- Leslie Stewart, who's a coworker with  
8 Mr. Turner at Duval Landscaping.

9 If you'd just stand to be recognized, please.

10 THE COURT: Welcome to you, Mr. Stewart.

11 MR. COLLINS: I have Felecia Richardson, who's an  
12 aunt who's here today.

13 THE COURT: Ms. Richardson, welcome to you.

14 MR. COLLINS: We have Cortney Turner, who's his  
15 sister, here today.

16 THE COURT: Ms. Turner, welcome to you.

17 MR. COLLINS: We also have Shaqueshia Wilson, who's  
18 a cousin.

19 THE COURT: Ms. Wilson.

20 MR. COLLINS: And all these individuals have  
21 submitted letters to the Court of the good work that Mr. Turner  
22 has done in the past. And I'm confident that once he serves  
23 his time, he'll continue to do good things.

24 We also have a fiancée and the mother of his child  
25 here today, I think. And we also have Keith --

1 THE COURT: Welcome.

2 MR. COLLINS: -- Wright, who's a longtime friend, and  
3 his letter is contained in the supplemental sentencing  
4 memorandum. I think it's the one I will point to first.

5 First of all, I retyped it because his handwriting --

6 THE COURT: And I appreciate that.

7 MR. COLLINS: In this modern day of scanning things,  
8 sometimes things go well; sometimes don't. But he's been a  
9 regular and faithful friend of Mr. Turner. Mr. Turner has  
10 assisted him throughout in taking him to hospital visits,  
11 doctors' visits, in -- in an effort to make his life as regular  
12 as possible.

13 Do you want to say anything more than your letter,  
14 Mr. Wright?

15 MR. WRIGHT: Yes, sir.

16 MR. COLLINS: You want to come forward?

17 THE COURT: You're welcome to. Any persons present  
18 who wish to offer comments to the Court for its consideration  
19 are welcome to do so at this time.

20 MR. COLLINS: Do you have a portable mike?

21 THE COURT: No. Well, we may have one. I take that  
22 back. Mr. Wright should be able to come forward.

23 MR. COLLINS: Can he be observed from there?

24 THE COURT: I can see him from there, yeah. I know  
25 that the gates will open wide enough for him to come forward,

1 but he should probably stop about right there because I can see  
2 him, and he may be hidden behind the podium.

3 Is the microphone working, sir?

4 MR. WRIGHT: Um --

5 THE COURT: It is.

6 MR. WRIGHT: -- I'm not sure.

7 THE COURT: It is. I can hear you.

8 Would you please tell the Court your name for the  
9 record.

10 MR. WRIGHT: My name is Keith Wright for the record.

11 THE COURT: Mr. Wright, and what is your relationship  
12 to Mr. Turner?

13 MR. WRIGHT: Friend and godbrother.

14 THE COURT: Very good.

15 What would you have the Court know today?

16 MR. WRIGHT: That I understand that the charges are  
17 severe and everything for what he's done, but he's not a menace  
18 to society. He's actually a good, upstanding citizen that just  
19 got hisself in a bad situation.

20 And if the Court could grant leniency and not have  
21 him just rot away for whatever time he's sentenced to so that  
22 way he can come home and rehabilitate himself and not miss out  
23 on the rest of his life for, you know, decisions that was  
24 made -- even though we do understand that they were wrong and,  
25 you know, the consequences that goes with them, just not

1 to just let him be another person that comes home at a later  
2 time in life and then it's hard for him to start over.

3 Because who wants to try to rebuild a life at least,  
4 like, 50, 55? It's hard. It's hard to get out and, you know,  
5 want to do something like that without -- with being a  
6 convicted felon, it's going to be hard.

7 It's hard for, you know, African Americans already.  
8 So at the time when he would get home, he'd basically almost be  
9 a senior citizen.

10 With, you know, his extensive work history, you know,  
11 he could live off of Social Security, but who wants to -- you  
12 know, you want -- as a man you want to be able to provide. You  
13 want to be able to do things, and you don't want to be a  
14 burden. You don't want to be someone that is just relying on  
15 the system to help you for the rest of your life because of  
16 some bad choices you made when you was younger.

17 So I'm just hoping that, you know, the Court will at  
18 least take that in consideration, as well as his character. I  
19 know his record says that he's, you know, a bad person, but  
20 just don't judge him off his record. Kind of take everything  
21 that the people has written on his behalf into consideration  
22 for him also.

23 That's all I would like to say.

24 THE COURT: All right. Thank you, Mr. Wright.

25 MR. COLLINS: And also we have Antesha Williams.

1 Do you want to come forward and talk to the judge?  
2 Speak into the mike if you would.

3 THE COURT: Good morning, ma'am.

4 MS. WILLIAMS: Good morning, Your Honor.

5 THE COURT: For the record, would you tell us your  
6 name?

7 MS. WILLIAMS: Antesha Williams.

8 THE COURT: Ms. Williams, what is your relationship  
9 to Mr. Turner?

10 MS. WILLIAMS: His fiancée and the mother of his  
11 children.

12 THE COURT: Very good.

13 What would you have the Court know today?

14 MS. WILLIAMS: Your Honor, I do understand that you  
15 guys don't know him, none of you, so you have to go by what you  
16 see on paper. You know, that's -- that's just the bottom line.

17 And I know that it says he's a career armed criminal,  
18 but who he actually is, he used to get up every morning and  
19 make the kids breakfast, took them to school.

20 He volunteered to be an assistant coach for my  
21 daughter's basketball team. He cried when one of our dogs got  
22 sick, and I hate to embarrass him like that in front of the  
23 court. He cried when Joey got sick.

24 All you got is what you see on paper, and I  
25 understand that, but he is so much more than just a career

1 criminal. I will never forget the day when he graduated from  
2 that program to be a merchant marine. He came home. He was so  
3 happy. He was like, "I finally did something right with my  
4 life. I finally got a chance to be something." He was so  
5 happy. That's who he really is.

6 Nobody's making excuses for his mistakes, you know  
7 what I mean, nobody. There was a lot of mistakes made by all  
8 of us, so I'm definitely not trying to make any excuses for it.  
9 But he's more than just a armed career criminal. He's a very  
10 good person for real. I've seen him do some very caring  
11 things.

12 There was a lady that lived in our neighborhood, and  
13 she was up there. I think it was 20 -- what year was that? I  
14 don't know what year, but she was trying to sell her kids'  
15 Christmas stuff, basically. She was at the corner store.  
16 Everyone knows her. She lives in the neighborhood. She's on  
17 drugs.

18 I was sitting in the car, and when he got out the  
19 car, he handed her money, and he got the bag and brought it  
20 back to the car.

21 So I was like, "What are you doing? Why would you  
22 buy that?" I told him, "You already know what she doing," da,  
23 da, da, da.

24 He was like, "You done?" After I went on this long  
25 rant, he was like, "You done?"

1                   And I was like, "Yeah, I'm done."

2                   He was like, "I'm going to take this stuff back  
3 around to her kids on Christmas, because if she don't sell it  
4 to me, somebody else will buy it and somebody won't care about  
5 her kids having Christmas." He said, "So I'm just going to  
6 wait for Christmas and take it around there and give it to her  
7 kids because somebody's going to buy it and not care two craps  
8 about her kids." That was one of the sweetest things I ever  
9 seen.

10                  Armed career criminal? I understand he got caught,  
11 you know what I mean, but that's not something an armed career  
12 criminal does. He made a mistake.

13                  I'm asking for mercy from the Court for me and my  
14 children. Our daughter has had continuous health issues since  
15 she's been born. Her sister did not make it.

16                  I'm not trying to make excuses, but please, just give  
17 him a second chance. You know what he does on the phone with  
18 me right now when he calls? "Baby, make sure you have my red  
19 book so I can keep up with my merchant marine stuff because  
20 when I get out of here, I still got to try to do something with  
21 my life. At the end of the day, I can't come back to this."

22                  I mean, the amount of time he's facing is a long  
23 time. So in my mind I'm kind of like, "It's a little soon to  
24 be -- it's a little too soon to be worried about that," but  
25 that's all he talks about, what he's going to do with his life.

1           He's considering truck driving school. I mean, these  
2 are the conversations he's having on the phone with me, and we  
3 all know what he's facing.

4           You know, please, I'm just asking for mercy from the  
5 Court. He's not a bad person. He was there -- that was just  
6 one kind of act. This boy has done a lot of good. And that's  
7 all.

8           THE COURT: All right. Thank you, Ms. Williams.

9           MS. WILLIAMS: Thank you.

10          THE COURT: Anyone else briefly?

11          MS. TURNER: Good morning.

12          THE COURT: Good morning. Tell me your name, please.

13          MS. TURNER: Courtney Turner.

14          THE COURT: Turner?

15          MS. TURNER: Uh-huh.

16          THE COURT: Ms. Turner, what's your relationship to  
17 Mr. Turner?

18          MS. TURNER: I'm his only sister.

19          THE COURT: Very good.

20          What would you have the Court know today?

21          MS. TURNER: I just want to say that I love you, and  
22 I'm sorry that you've (unintelligible).

23                It's only us. We don't have a mom. Our mom passed  
24 when I was eight, so the last couple years it's just been us.  
25 He's more of a dad to me than a brother.

1           My brother -- I mean, my dad wasn't the type to stay,  
2 and after my mom passed he -- you know, he did his own thing,  
3 so he was more of a dad to us than a big brother.

4           He did do the merchant marine thing with my other  
5 brother that's older than me. He's gone right now, so he's on  
6 a boat, and he's supposed to be with him.

7           Our mom's birthday just passed. We get together  
8 every year, put flowers on her grave, as well as my  
9 grandmother's. And I've been doing it by myself every year  
10 because he's locked up, and my other brother's on a boat.

11           So it's just me. You know, I don't have nobody. I  
12 don't have a mom; I don't have a dad. So I just pray that he  
13 get a low sentence so I can have any brother back.

14           I'm closer to him than my other brother. He's always  
15 been there for me. He's -- he was there when I graduated. I  
16 just hope he get another chance.

17           THE COURT: All right. Thank you, Ms. Turner.

18           MS. TURNER: Thank you.

19           MS. RICHARDSON: Good morning, everybody.

20           THE COURT: Good morning.

21           MS. RICHARDSON: I'm Felecia Richardson. I'm  
22 Cornelius Turner's aunt.

23           THE COURT: Very good.

24           I'm sorry. I didn't --

25           MS. RICHARDSON: Felecia Richardson.

1 I know y'all heard stuff over and over. I know  
2 there's consequences to what my nephew did. I know all of  
3 this.

4 Right now our family is going through a lot of  
5 problems. I have a brother that was found unresponsive in his  
6 apartment Sunday. His girlfriend just died Monday of a heart  
7 attack, which I know y'all not looking at that. Like  
8 Ms. Williams said, y'all looking at what's in front of y'all.

9 This man is a good man. He just got stirred up in  
10 life and got caught up. When he signed up for merchant seaman  
11 school, that inspired his brother, his brother best friend.

12 He take care -- he took care of his friend from when  
13 he first got in this horrific accident. He has a lot more good  
14 in him, like Ms. Williams said, than the child y'all see on  
15 paper. But I beg mercy of the Court to please show mercy on my  
16 nephew because he's more relevant and needed in our family than  
17 locked up.

18 As my niece stated, my sister passed when she was  
19 eight, and it always been them and me and my kids. We all do  
20 family things. We all go out to eat. We all sit down and, you  
21 know, do things, family time.

22 But right now my nephew's locked up. Like my niece  
23 said, she feel alone right now because around January when --  
24 my mom and my sister pass in January, you know, and both of  
25 their birthday in January. So it's hard, as a family, to try

1 to keep family traditions going when you have the main two was  
2 the rock, and everybody else, you know, you -- I'm basically  
3 stuck in the middle.

4 I just pray that God give mercy on the Court for my  
5 nephew because my niece is soon to be married, and she would  
6 like for him to be there. And like she said, her father's  
7 not -- he wasn't there in her life like that. That's who she  
8 know. That's who took on responsibility for her and her  
9 brother after their mom passed.

10 And myself, I'm having health issues as well. I just  
11 want to -- I know he have to pay his dues or whatever. I just  
12 want to know would the Court give him mercy so I can see him  
13 when he come home.

14 Thank y'all.

15 THE COURT: Thank you, Ms. Robinson [verbatim].

16 MR. COLLINS: And now I think Mr. Turner would like  
17 to address the Court.

18 THE COURT: No. Apparently there's another family  
19 member in back.

20 MR. COLLINS: On, okay. Sorry. I didn't see you.  
21 Speak into the microphone.

22 MR. STEWART: Good morning, Your Honor. My name is  
23 Leslie Stewart.

24 THE COURT: Mr. Stewart, welcome to you.  
25 What's your relationship to Mr. Turner?

1 MR. STEWART: Coworker at Duval Landscaping.

2 THE COURT: Very good.

3 MR. STEWART: Armed career criminal put you in a mind  
4 of a gunslinger, somebody out there killing and shooting and  
5 doing this and doing that.

6 I was Mr. Turner one time. I had four sales of crack  
7 cocaine. I was facing 60 years, got habitualized. But I got  
8 sentenced to five years, got an opportunity to come back out  
9 here. I own two businesses now. Never broke -- ain't broke  
10 another crime since then.

11 He made a mistake. Armed career criminal make you  
12 look at him like he's a thug, you know, like he's out there, he  
13 got houses, he sell drugs, he this. Okay. We all did that  
14 because we from the ghetto.

15 He made a mistake. He had a opportunity to make the  
16 money, and he got caught up, Your Honor. But he's sorry. I'm  
17 going to say it to his face, he's sorry. He's not a thug. He  
18 ain't never get in a fight around us because it was always  
19 stuff going on at the job.

20 He was always the one in the back, on the phone with  
21 the supervisor, the bossman, trying to kill the situation.  
22 He's soft. He just had an opportunity to get out and get some  
23 money, Your Honor. He made a mistake.

24 But his name never been in the street as shooting at  
25 somebody or got somebody killed, because that's what's going on

1 now in Jacksonville. That man ain't do that, Your Honor. He's  
2 soft. And that's all I got to say, and I'm saying it in the  
3 hood way because that's where I'm from.

4 That man is soft. He ain't no killer. That's all I  
5 got to say.

6 THE COURT: All right. Thank you, sir.

7 MR. COLLINS: Ready?

8 Now Mr. Turner would like to address the Court.

9 THE COURT: Very good.

10 Mr. Turner?

11 THE DEFENDANT: How you doing, Your Honor?

12 THE COURT: I'm okay, Mr. Turner. How are you today?

13 THE DEFENDANT: I'm doing all right.

14 Good morning, Your Honor. I would like to take this  
15 time to apologize to the community for my crimes I committed,  
16 and I take full responsibility for my actions.

17 I would also like to apologize to my family for  
18 abandoning them and taking them through this abrupt moment.  
19 The decisions I made not only affect my life, but they affect  
20 the lives of the people who I love and who look up to me.

21 I also would like to apologize to the courts for  
22 taking up your valuable time because of my poor decisions.

23 Given the nature of my crimes, things could have  
24 ended in a far worse way, and I thank the Lord they didn't. I  
25 made some terrible decisions in my life that had led up to this

1 exact moment, and I regret making such terrible decisions.

2 I had some positive things going on in my life that  
3 would allow me to have a promising future, and I allowed one  
4 distraction to alter my plans for a promising future as a  
5 merchant marine, and all -- and all I had to do was be patient.

6 Patience is the key to a successful life, and great  
7 things are worth waiting for. I allowed drugs to hinder my  
8 life and cloud my judgment for years after difficult times in  
9 my life.

10 I'm not a violent offender, and I never intended on  
11 harming anyone in any way. And trouble is easy to get into and  
12 very hard to get out of, Your Honor. And I just ask with deep  
13 regard if you can forgive me for my poor decisions.

14 Thank you, please.

15 THE COURT: All right. Thank you, Mr. Turner.

16 Mr. Collins?

17 MR. COLLINS: No further witnesses, Your Honor.

18 THE COURT: All right. Any further argument?

19 MR. COLLINS: We'll stand on what we've already  
20 presented, sir.

21 THE COURT: Very good.

22 Ms. Washington?

23 MS. WASHINGTON: Your Honor, it's clear you very  
24 thoroughly read the PSR so I won't repeat what you've clearly  
25 read through.

1           The only thing I will highlight is that Mr. Turner's  
2 criminal history shows this progression, certainly in age and  
3 severity of crime, but what's notable for this specific case  
4 too is certainly severity in the drugs.

5           It started with cannabis, moved to cocaine. There is  
6 a reference to heroin, cocaine, and amphetamine from one  
7 arrest. But here it involved fentanyl, along with other drugs,  
8 which, as the Court is aware, you know, is certainly part of an  
9 epidemic and particularly in the severity of, you know, very  
10 minimal amounts of fentanyl being dangerous.

11           And what's especially relevant here and relates to  
12 this issue about cooperation that came up with Mr. Turner,  
13 despite what Mr. Collins suggested, we did not move forward  
14 with any further proffers because of him being in custody  
15 longer, but instead, it is related to information we received  
16 that Mr. Turner's been linked to several overdoses.

17           I'm not going to prove those up today. I simply want  
18 to correct the record that that is the reason that the proffers  
19 did not move forward. It was not through his information. It  
20 is not because we deemed he had given us sufficient  
21 information.

22           It is specifically due to that information that we  
23 had received related to that, as well as information we  
24 received that he may have been involved in drug trafficking  
25 while in custody awaiting sentencing in this case and trial at

1 one point.

2 And so he did receive some credit up front, as the  
3 PSR notes. The original indictment included a 924(c) charge,  
4 which we initially had required him to plea to when he was  
5 represented by Ms. Yazgi. But we did drop that and it was the  
6 superseding information plea agreement Mr. Turner pled to, so  
7 he did receive that in terms of the front end.

8 So the United States would be seeking a guideline  
9 sentence, given the danger here. Certainly, he's engaging in  
10 drug trafficking, something he has done in the past. He's  
11 received minimal punishment in the past.

12 But he -- as Mr. Turner said today, he was on the  
13 right path. He knew better, and yet he is engaging in the  
14 danger posed by the drugs themselves but also with this  
15 firearm. I mean, it is lucky that night that neither  
16 Mr. Turner nor anyone else was injured by that firearm or his  
17 actions.

18 But certainly, the use of fentanyl, something that  
19 was -- apparently something he was using, but also it was so  
20 dangerous to this community to be selling fentanyl. And the  
21 report indicates that there was fentanyl residue and scales, so  
22 it doesn't appear to be something, you know, he just went out  
23 that night and tried but was something he was actively engaged  
24 in doing.

25 I mean, despite knowing and being on that better

1 path, he went back to something that really risked so many  
2 lives in addition to his own. He had a history of being  
3 involved in drugs and knew the consequences but did it anyway.

4 So it's the United States' position that a guideline  
5 sentence here is appropriate. It would reflect the seriousness  
6 of the offense, promote respect for the law, provide just  
7 punishment for the offense, and afford adequate deterrence to  
8 criminal conduct.

9 THE COURT: All right. Thank you, Ms. Washington and  
10 Mr. Collins, for your presentations to the Court.

11 Is there any legal reason why sentence should not now  
12 be imposed?

13 MR. COLLINS: No legal cause, Your Honor.

14 MS. WASHINGTON: No, Your Honor.

15 THE COURT: Thank you.

16 Mr. Turner, let me make some observations about your  
17 crime and its punishment.

18 One of the things that I didn't discuss earlier was  
19 the presentence investigation report's sharing of your personal  
20 history. I told you -- we talked about your criminal history,  
21 and we talked about the calculation of the guidelines, but we  
22 didn't talk about your personal history.

23 And your family and friends here may have heard me  
24 refer to your criminal history and come to the conclusion that  
25 the papers, as you-all have described them, that the Court is

1 considering dealt only with his criminal history. It did not.

2 It talked about his family history, talked about your  
3 personal history, your employment history, your financial  
4 history, your health history, your mental health history, your  
5 substance abuse history. It is a comprehensive over-time  
6 examination of who you are, up until the time that you got  
7 arrested.

8 So I was aware of the good things. Some of them are  
9 mentioned in the presentence investigation report and the  
10 papers that it contains. For example, I was aware that perhaps  
11 the motivation for these series of sales was a financial crisis  
12 that Mr. Turner faced. By his words, he returned to what he  
13 knew.

14 And as -- I forget the gentleman's name, his friend,  
15 his coworker says --

16 MR. COLLINS: Mr. Stewart?

17 THE COURT: Huh?

18 MR. COLLINS: Mr. Stewart.

19 THE COURT: Mr. Stewart.

20 As Mr. Stewart says, you know, he -- he's not a  
21 gunslinger. But the truth of the fact is, is that he is and  
22 was dealing in fentanyl, which is a poison. It's -- I  
23 shouldn't say it's a poison. It's a legal drug that's used to  
24 treat the pain of cancer patients when they can't bear it  
25 anymore, but it has been modified so that it's become a street

1 drug that's killing people.

2           So I also, from the letters that were written, from  
3 his -- I was aware of and actually was proud of the fact that  
4 he had become certified to be a merchant seaman. I knew that  
5 before any of you stood up and told me about it.

6           So I -- and I thought of it as a wonderful indication  
7 of the fact that he was moving in the right direction. It's  
8 consistent with where he is in his life. And statistically  
9 people at the age around 30 start realizing, "This life of  
10 crime is not going to work. I can't retire doing this."

11           And they become more law abiding; they become more  
12 diligent in seeking lawful means of supporting themselves and  
13 their families. And that's the road that this Court believes  
14 that Mr. Turner was on. He made a horrible and poorly timed  
15 decision.

16           And I am prepared to afford him as much mercy as I  
17 can under the law. I'm going to vary down from the guidelines,  
18 which require him to have 180 months minimally, 235 maximum.  
19 But I do not have the authority to not impose the minimum  
20 mandatory sentence of 15 years that is required under the law,  
21 and that's simply where we are today.

22           His attorney has made some arguments that perhaps an  
23 appellate court will look at and make a decision that will  
24 change the outcome or change this Court's ability at  
25 sentencing, because I agree. I agree with you-all that I think

1 the minimum mandatory is too harsh. But that doesn't matter  
2 because the law, as I am obliged to apply it, requires that he  
3 be sentenced to that amount of time.

4 So I hear you.

5 And, Mr. Turner, I'm sorry that the timing of your  
6 decision was what it was. And I also want to say -- that's not  
7 to say -- and I don't want you or he to leave here believing  
8 that he would not be punished for violating the law, because  
9 the distribution of fentanyl and the possession of firearms in  
10 this community are serious crimes that require a serious  
11 response.

12 But I don't think that -- given his history and his  
13 progression in the criminal justice system and the amount of  
14 time that he served before, I don't think that this sentence is  
15 one that is required. But I am -- I am obliged, under the law,  
16 to apply it, so that will be the sentence that he receives  
17 today.

18 And my hope is that he will continue to look toward  
19 improving himself during the time that he's incarcerated. If  
20 your certification continues to be valid, you'll be in a better  
21 position than many returning citizens, as they are called, when  
22 you leave the prison system with the possibility of becoming a  
23 merchant seaman.

24 So I hope that that is ultimately what you decide to  
25 turn your life toward, something productive, and that you

1 continue to be a good friend, a good worker, and the good  
2 supporter of your family.

3 Having shared that with you, I'll have you stand  
4 before the Court for sentencing.

5 You need to stand before the Court for sentencing.

6 Cornelius Michael Turner, on October 21st, 2021, you  
7 entered a plea of guilty to Count One of a superseding  
8 information charging you with possession with intent to  
9 distribute a mixture and substance containing a detectable  
10 amount of fentanyl and Count Two of a superseding information  
11 charging you with possession of a firearm by a convicted felon.

12 The Court has determined that there is no legal  
13 reason for sentence not now to be imposed and has considered  
14 the argument of counsel for the Government, your attorney, your  
15 testimony, the testimony of family and friends, and those  
16 matters required by Title 18, United States Code, Sections 3551  
17 and 3553.

18 It is the judgment of the Court that you, Cornelius  
19 Michael Turner, be committed to the custody of the Bureau of  
20 Prisons to be imprisoned for a term of 180 months. This term  
21 consists of 180 months as to Count One and Count Two, all such  
22 terms to run concurrently.

23 Upon release from imprisonment, you shall serve a  
24 six-year term of supervised release. This term consists of a  
25 six-year term as to Count One and a five-year term as to Count

1 Two, all such terms to run concurrently.

2 While on supervised release you shall comply with the  
3 mandatory and standard conditions adopted by the Court in the  
4 Middle District of Florida.

5 In addition, you shall comply with the following  
6 special conditions:

7 You shall participate in a substance abuse program,  
8 outpatient and/or inpatient, and follow your probation  
9 officer's instructions regarding the implementation of this  
10 Court directive.

11 Further, you shall contribute to the cost of these  
12 services not to exceed an amount determined reasonable by your  
13 probation officer's sliding scale for substance abuse treatment  
14 services.

15 During and upon completion of the program, you're  
16 directed to submit to random drug testing.

17 You shall submit to a search of your person,  
18 residence, place of business, any storage units under your  
19 control, or vehicles conducted by the United States probation  
20 officer at a reasonable time and in a reasonable manner, based  
21 upon reasonable suspicion of contraband or evidence of a  
22 violation of a condition of release.

23 You shall inform any other residents that the  
24 premises may be subject to search pursuant to this condition,  
25 and your failure to submit to a search may be grounds for

1 revocation.

2           Having been convicted of a qualifying felony, you  
3 must cooperate in the collection of DNA, as directed by your  
4 probation officer.

5           You must refrain from any unlawful use of controlled  
6 substances. You must submit to one drug test within 15 days of  
7 placement on supervision and at least two periodic drug tests  
8 thereafter, as directed by your probation officer.

9           You must submit to random drug testing not to exceed  
10 two tests per week.

11           Based on your financial status, the Court waives  
12 imposition of any fines.

13           Are there any forfeiture matters to be considered,  
14 Ms. Washington?

15           MS. WASHINGTON: No, Your Honor.

16           THE COURT: You're further ordered to pay to the  
17 United States a special assessment totaling 2,000 -- excuse me,  
18 \$200, which is due immediately.

19           After considering the advisory sentencing guidelines  
20 and all of the factors identified in Title 18, United States  
21 Code, Sections 3553(a)(1) through (7), the Court finds that the  
22 sentence imposed is greater than necessary but does comply with  
23 the current law applicable to this cause.

24           The Court has accepted your plea agreement because  
25 it's satisfied that the agreement adequately reflects the

1   seriousness of the actual offense behavior and that by  
2   accepting the plea agreement, the Court will not and did not  
3   undermine the statutory purposes of sentencing.

4           The Court will affirm the convictions that were  
5   submitted by the Government in Exhibits 2 as to be those  
6   applicable to this case, sale, manufacture, and delivery of  
7   cocaine in a judgment filed on January 17th, 2012.

8           Under the plea agreement the Court [verbatim] has  
9   entered a guilty plea of Counts -- to Counts One and Two of the  
10   superseding information in return for the dismissal of Counts  
11   Three in both the indictment and superseding indictment.

12           In accordance with the plea agreement, does the  
13   Government so move?

14           MS. WASHINGTON: Yes, Your Honor.

15           THE COURT: So to the motion and to the plea  
16   agreement, it's ordered that the Court's -- that the three  
17   counts in the indictment and superseding indictment be  
18   dismissed.

19           Mr. Turner, you're hereby remanded to the custody of  
20   the United States Marshals to await designation by the Bureau  
21   of Prisons.

22           And are there any requests for judicial  
23   recommendations to the Bureau of Prisons?

24           MR. COLLINS: Your Honor, the defendant would request  
25   he be sentenced -- or the Court make a recommendation that he

1 be housed in a facility as close as possible to Jacksonville.

2 THE COURT: All right.

3 MR. COLLINS: And he also has a request regarding  
4 his -- the credit for time served. I advised him that once he  
5 reaches the classification officer, if he's not satisfied with  
6 that calculation -- because he's been in custody about two  
7 years now.

8 THE COURT: Very good.

9 MR. COLLINS: 13 months. Yeah, 13 months.

10 THE COURT: And let me ask Mr. Turner, for the  
11 record, do you affirm, Mr. Turner, that you were, in fact,  
12 convicted of sale, manufacture, and delivery of cocaine in the  
13 Duval County Circuit Courts in three counts -- actually, one  
14 count of sale, manufacture, delivery of cocaine; another count  
15 of sale, manufacture, and delivery of cocaine; possession with  
16 intent to sell, manufacture, or deliver cocaine; and possession  
17 of more than 20 grams of cannabis, all on January 17th of 2012?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Very good.

20 To the extent permitted by your plea agreement, you  
21 have the right to appeal from the judgment and sentence of this  
22 Court within 14 days from the entry of judgment. Your failure  
23 to appeal within the 14-day period shall be a waiver of your  
24 right to appeal.

25 The Government may also file an appeal from this

1 sentence.

2 You're entitled to an attorney for purposes of taking  
3 an appeal, and if you cannot afford one, one will be provided  
4 for you.

5 If you can't afford the filing fee associated with  
6 filing a notice of appeal, the clerk will be directed to accept  
7 your notice without a plea -- or without a fee, I should say.

8 I will make a recommendation to the Bureau of Prisons  
9 that you be placed in the facility closest to Jacksonville and  
10 that you also be permitted to avail yourself of any vocational  
11 and/or substance abuse treatment programs for which you might  
12 qualify during the course of your incarceration.

13 And there was one other that you requested.

14 MR. COLLINS: The credit for time served.

15 THE COURT: Is something that the Bureau of Prisons  
16 will calculate.

17 MR. COLLINS: Yes, sir.

18 THE COURT: Very good.

19 The Court having pronounced sentence, does counsel  
20 for the defendant or the Government have any objections to the  
21 sentence or the manner in which the Court pronounced sentence,  
22 other than those previously stated for the record?

23 MS. WASHINGTON: No, Your Honor.

24 THE COURT: Mr. Collins?

25 MR. COLLINS: No, Your Honor.

1 THE COURT: Thank you.

2 Mr. Turner, as I said, I hope your time goes quickly  
3 and productively and that you will return to the community  
4 prepared to rejoin it as a contributing member of our -- of our  
5 city.

6 We're in recess. Thank you.

7 COURT SECURITY OFFICER: All rise.

8 (The proceedings were concluded at 12:08 p.m.)

9 - - -

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF OFFICIAL COURT REPORTER

2  
3  
4 UNITED STATES DISTRICT COURT )

5 MIDDLE DISTRICT OF FLORIDA )

6  
7 I hereby certify that the foregoing transcript is a  
8 true and correct computer-aided transcription of my stenotype  
9 notes taken at the time and place indicated therein.

10  
11 DATED this 1st day of April, 2022.

12  
13 s/Shelli Kozachenko  
14 Shelli Kozachenko, RPR, CRR, CRC  
15 Official Court Reporter  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25