

No.

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In The  
**Supreme Court of the United States**

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**KAREN ALTAGRACIA PEREZ,**

*Petitioner,*

v.

**UNITED STATES,**

*Respondent.*

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**On Petition for a Writ of Certiorari to the  
United States Court of Appeals For the Eleventh Circuit**

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**APPENDIX**

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FOR PUBLICATION  
In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-12336

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

KAREN ALTAGRACIA PEREZ,

*Defendant-Appellee.*

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Appeals from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-2

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No. 23-12977

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

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Opinion of the Court

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JOVAN RIVERA RODRIGUEZ,

*Defendant-Appellee.*

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Appeals from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-3

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Before WILLIAM PRYOR, Chief Judge, and BRANCH and ABUDU, Circuit Judges.

WILLIAM PRYOR, Chief Judge:

This appeal requires us to decide whether a district court, on a motion to depart from a statutory minimum sentence for substantial assistance, *see* 18 U.S.C. § 3553(e), may depart further from the statutory minimum based on the general sentencing factors, *id.* § 3553(a). Karen Perez and Jovan Rivera Rodriguez were convicted of conspiracy to possess with intent to distribute vast quantities of fentanyl. Because of the quantity involved, they each faced mandatory sentences of ten years in prison. The government moved to reduce their sentences based on the substantial assistance they offered, but it opposed any reduction based on other factors. In both cases, the district court granted the substantial-assistance motion, and it reduced each sentence further based on the factors in section 3553(a). The government appealed both sentences. Because the text of section 3553(e) and our precedents make clear that departures for substantial assistance may be based only on the assistance factors, we vacate the sentences and remand to the district court to resentence Perez and Rivera Rodriguez.

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## I. BACKGROUND

A federal grand jury indicted Karen Perez and Jovan Rivera Rodriguez for their role in a conspiracy to distribute fentanyl throughout the Orlando area. Perez and Rivera Rodriguez, along with their co-conspirators, distributed counterfeit pharmaceutical pills containing small amounts of fentanyl. Rivera Rodriguez picked up packages containing fentanyl and delivered them to his co-conspirators. Perez assisted her partner in unpacking the fentanyl pills at their house and sending them out to distributors. Both Rivera Rodriguez and Perez played minor roles in the conspiracy. But the quantity of drugs they distributed was not minor: both were responsible for possession or distribution of multiple kilograms of fentanyl.

Perez and Rivera Rodriguez pleaded guilty. Possession with intent to distribute more than 400 grams of fentanyl carries a minimum sentence of ten years. 21 U.S.C. § 841(b)(1)(A)(vi). The same minimum applies to drug conspiracies. *See id.* § 846. Because the amounts of fentanyl Perez and Rivera Rodriguez individually trafficked exceeded 400 grams, they each faced a minimum ten-year sentence.

Soon after she pleaded guilty, Perez and the prosecution began to dispute the appropriate sentence. Perez submitted a memorandum to the district court requesting two years of home confinement followed by supervised release, without reference to the statutory minimum. She relied on both sections 3553(a) and (e) as independent bases for a below-minimum sentence.

The prosecution filed a substantial-assistance motion under both section 5K1.1 of the Sentencing Guidelines and section 3553(e). The motion requested a two-level reduction in Perez's calculated offense level. It also argued that the district court could not depart further below the statutory minimum based on the general sentencing factors in section 3553(a).

The district court granted the prosecution's substantial-assistance motion and calculated a guideline range of 97 to 121 months. The district court asked the prosecutor what his position was on "the constraint on the Court of the minimum mandatory in light of the Government's 5K motion." The prosecutor reiterated the position taken in its motion: that the district court could not "vary below [the reduced sentence] based on noncooperation factors." After stating that it believed "the law is unsettled on that point," the district court asked defense counsel his opinion. Perez's counsel responded that, when the government files a substantial-assistance motion, "that resolves the minimum mandatory." The district court agreed with Perez and stated that "until the Eleventh Circuit tells me otherwise," it would "take into account all of the 3553 factors in fashioning a sentence," regardless of the mandatory minimum. It then sentenced Perez to 66 months in prison based on the factors in section 3553(a).

At Rivera Rodriguez's sentencing, the prosecution filed another substantial-assistance motion and again requested a two-point reduction in Rivera Rodriguez's offense level. The prosecution again objected to reducing the statutory minimum sentence

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further based on section 3553(a). Rivera Rodriguez’s sentencing memorandum stated in a footnote only that he “expects that [the minimum] will not apply in this case.” The district court told the parties at the hearing that when “the Government files a 5K motion, in my view I then have discretion to impose any sentence that I think is warranted.” After considering the section 3553(a) factors, the district court imposed a 60-month prison sentence.

## II. STANDARD OF REVIEW

“We review *de novo* the legality of a sentence.” *United States v. Hall*, 64 F.4th 1200, 1202 (11th Cir. 2023).

## III. DISCUSSION

Federal courts may reward defendants for substantial assistance to the prosecution in three ways. First, section 5K1.1 of the Sentencing Guidelines allows the government to move to reduce a defendant’s guideline range based on substantial assistance. *United States Sentencing Guidelines Manual* § 5K1.1 (Nov. 2024). That section lists five non-exhaustive factors a district court might consider in determining the extent of the reduction, each assistance-related. *See id.* Second, Federal Rule of Criminal Procedure 35(b) allows the government to move to reduce a criminal sentence to reward a defendant’s post-conviction assistance. FED. R. CRIM. P. 35(b). This rule allows the sentencing court to “reduce the sentence to a level below the minimum sentence established by statute.” *Id.* R. 35(b)(4). Third, section 3553(e)—titled “Limited Authority to Impose a Sentence Below a Statutory Minimum”—allows the sentencing court, “[u]pon motion of the Government,” to

sentence below a statutory minimum. 18 U.S.C. § 3553(e). This departure is “to reflect a defendant’s substantial assistance” in investigating or prosecuting another defendant. *Id.*

The district court erred. Section 3553(e) does not grant district courts authority to sentence a defendant below a statutory minimum based on non-assistance factors. That conclusion follows directly from the text and structure of section 3553(e), as made clear in several of our precedents.

We begin with the text. Subsection (e) neither obviates the statutory minimum nor allows a departure based on non-assistance factors. First, the subsection allows district courts to “impose a sentence below [the] level established by statute,” not to impose any sentence they desire. *Id.* And it tells us why departures from the statutory minimum are allowed: “so as to reflect a defendant’s substantial assistance.” *Id.* This clause establishes that the purpose of the reduction is to “‘reflect’ a defendant’s assistance.” *United States v. Winebarger*, 664 F.3d 388, 392 (3d Cir. 2011). Any further reduction based on non-assistance factors would not reflect a defendant’s substantial assistance and would “exceed[] the limited authority granted by [section] 3553(e).” *United States v. Williams*, 474 F.3d 1130, 1132 (8th Cir. 2007).

If the correct answer is not apparent from the text of subsection (e), the context leaves no doubt. Subsection (e) is paired with subsection (f) as the “only two circumstances in which a court can depart downward” from a minimum sentence in section 3553. *United States v. Simpson*, 228 F.3d 1294, 1304 (11th Cir. 2000). Where

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Congress includes language in one section and omits it elsewhere, “it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion.” *Russello v. United States*, 464 U.S. 16, 23 (1983) (citation and internal quotation marks omitted). Unlike subsection (e), subsection (f) expressly allows a district court to sentence a defendant “without regard to any statutory minimum sentence.” 18 U.S.C. § 3553(f). It allows the district court to sentence as it pleases and to consider all the subsection (a) factors. In contrast, subsection (e) “retains the mandatory minimum.” *United States v. Ahlers*, 305 F.3d 54, 59 (1st Cir. 2002). Comparison with subsection (f) underscores what is clear from the text of subsection (e): a substantial-assistance motion does not eliminate the mandatory minimum. Instead, it allows “for a specific, carefully circumscribed type of departure.” *Id.*

If the whole text of the statute failed to settle the issue, this Court has left no doubt. Our precedents recognize each premise in this chain and its inevitable conclusion. In *United States v. Williams*, we held that section 3553(e), unlike subsection (f), leaves the statutory minimum in place. 549 F.3d 1337, 1341 (11th Cir. 2008). In *United States v. Castaing-Sosa*, we held that section 3553(a) provides no authority to vary below a statutory minimum. 530 F.3d 1358, 1361 (11th Cir. 2008). And in *United States v. Mangaroo*, we instructed a district court to “consider *only* substantial assistance factors” in determining the extent of the departure from the statutory minimum. 504 F.3d 1350, 1356 (11th Cir. 2007) (emphasis added). In so doing, we reaffirmed our decision in *United States v. Aponte* that a motion under section 3553(e) could “accord[] [the defendant]

full credit *only* for the ‘substantial assistance’ he had rendered.” 36 F.3d 1050, 1052 (11th Cir. 1994) (emphasis added). These precedents settle that section 3553(e) grants no authority to depart from a statutory minimum except based on assistance factors and that a district court cannot vary further downward based on the factors in section 3553(a).

All our numbered sister circuits agree. The First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Circuits have each held that a departure under section 3553(e) must be based on assistance factors alone. See *Ahlers*, 305 F.3d at 55; *United States v. Richardson*, 521 F.3d 149, 159 (2d Cir. 2008); *Winebarger*, 664 F.3d at 392–93; *United States v. Spinks*, 770 F.3d 285, 287 (4th Cir. 2014); *United States v. Desselle*, 450 F.3d 179, 182 (5th Cir. 2006); *United States v. Williams*, 687 F.3d 283, 286 (6th Cir. 2012); *United States v. Johnson*, 580 F.3d 666, 672 (7th Cir. 2009); *Williams*, 474 F.3d at 1131–32; *United States v. Lee*, 725 F.3d 1159, 1168 (9th Cir. 2013); *United States v. A.B.*, 529 F.3d 1275, 1285 (10th Cir. 2008). That unanimous consensus confirms our interpretation.

Perez and Rivera Rodriguez argue that the “mandatory principles” of “just sentencing” embedded in section 3553(a) must govern sentences under subsection (e). But this argument is foreclosed by *Castaing-Sosa*. Subsection (a) “merely lists the factors the district court must consider in determining an appropriate sentence.” *Castaing-Sosa*, 530 F.3d at 1361. A sentencing judge may still consider the section 3553(a) factors in deciding whether to grant a departure from the statutory minimum. This limited discretion does

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not override Congress's determination that a particular minimum sentence is warranted. Perez and Rivera Rodriguez also fail to discuss the limiting clause of subsection (e) or the stark differences in how statutory minimums are treated in subsections (e) and (f). And they cannot deny the unanimous weight of circuit authority.

Perez and Rivera Rodriguez suggest that the government relies on dicta from inapposite cases, but we disagree. The holdings of *Williams*, *Mangaroo*, and *Castaing-Sosa* alone dictate our decision. Neither Perez nor Rivera Rodriguez address *Aponte*. Although they argue that *Mangaroo* confronted a narrower issue, they ignore that we instructed the district court to “consider only substantial assistance factors” in determining the defendant’s sentence pursuant to a section 3553(e) motion. 504 F.3d at 1356. “Specific instructions to a trial court, which limit what it may consider or hold on remand, are not dicta.” *Morales v. Zenith Ins. Co.*, 714 F.3d 1220, 1225 n.9 (11th Cir. 2013).

The extent of any departure from a statutory minimum under section 3553(e) must be based only on substantial-assistance factors. District courts may not vary downward based on section 3553(a). If this Court has not yet squarely held it, we do so now.

#### IV. CONCLUSION

We **VACATE** the sentences and **REMAND** with instructions to resentence Perez and Rivera Rodriguez in accordance with this opinion.



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ABUDU, J., Concurring

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ABUDU, Circuit Judge, Concurring:

I join the Court’s opinion in full as the text and our precedent make clear that a district court cannot invoke the general sentencing factors in 18 U.S.C. § 3553(a) to reduce a sentence below a statutory mandatory minimum once that minimum applies. Section 3553(e) permits departures only “to reflect a defendant’s substantial assistance” in investigating or prosecuting another offender, and nothing more. As the district court here relied on Section 3553(a) factors to go further below the statutory minimum, vacatur and remand are required. I write separately to highlight broader concerns about how this framework operates in practice.

Our Court has long held that statutory mandatory minimums remain binding absent a narrow statutory exception. Our decision today reinforces what this Court and every other numbered sister circuit has repeatedly said: a statutory minimum cannot be displaced by reference to the general Section 3553(a) factors. In *United States v. Castaing-Sosa*, 530 F.3d 1358, 1361 (11th Cir. 2008), we explained that Section 3553(a) provides no authority to vary below that minimum. In *United States v. Mangaroo*, 504 F.3d 1350, 1356 (11th Cir. 2007), we instructed the district court to “consider only substantial assistance factors” when departing under Section 3553(e), reaffirming what we said in *United States v. Aponte*, 36 F.3d 1050, 1052 (11th Cir. 1994): a defendant is entitled to credit for assistance rendered, but not to a broader reconsideration of all Section 3553(a) factors.

Taken together, these precedents create a one-directional sentencing regime. A district court may always look upward, guided by Section 3553(a), to impose a harsher sentence than the Sentencing Guidelines recommend. However, when a statutory minimum applies, a district court cannot look downward—except to the extent permitted under Section 3553(e) for substantial assistance, or under Section 3553(f) when the safety-valve provision applies.

This asymmetry warrants reflection.<sup>1</sup> Under the Guidelines, Section 1B1.1 itself directs that the Section 3553(a) factors are always to be considered last in calculating a sentence. District courts use these factors to vary above and below guideline sentences based on a range of factors, including the nature and circumstances of the offense, the history and characteristics of the defendant, and the need for the sentence to afford adequate deterrence to criminal conduct and provide just punishment. Yet when a statutory minimum applies, the district court cannot use the Section 3553(a) factors to vary downward. Instead, the factors give way, and in the context of a Section 3553(e) motion, any departure must be solely based on the defendant’s “substantial assistance.” Notably, a judge may still increase a sentence to reflect the seriousness of an offense or the need for deterrence, but she cannot decrease it to reflect a

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<sup>1</sup> The Supreme Court in *United States v. Booker*, 543 U.S. 220, 245 (2005), emphasized that the Guidelines should be “effectively advisory,” designed both to promote national uniformity and to preserve individualized sentencing. In *United States v. Henry*, 1 F.4th 1315, 1323–24 (11th Cir. 2021), we confirmed that courts err when they treat any Guidelines provision as binding.

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ABUDU, J., Concurring

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defendant's minor role, personal history, or other Section 3553(a) considerations once the floor is re-set.

This restriction means that defendants with markedly different levels of culpability, personal histories, or prospects for rehabilitation may nonetheless receive identical sentences, or the defendant who played a greater role may receive a lower sentence, based entirely on the assistance rendered, the prosecutor's willingness to bring a motion, and how the district court measures such assistance.<sup>2</sup> See, e.g., *United States v. Crisp*, 454 F.3d 1285, 1292 (11th Cir. 2006) (holding that, when granting a U.S.S.G § 5K1.1 substantial-assistance departure, a district court may base the extent of the reduction only on assistance-related factors and may not consider other Section 3553(a) factors such as restitution, underscoring that cooperation—not culpability or personal circumstances—drives the reduction); *United States v. Livesay*, 525 F.3d 1081, 1092–93 (11th Cir. 2008) (explaining that a district court's Section 5K1.1 departure must be based solely on the defendant's assistance, and may not consider other factors such as culpability or personal history,

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<sup>2</sup> See Sonja B. Starr & M. Marit Rehani, *Mandatory Sentencing and Racial Disparity: Assessing the Role of Prosecutors and the Effects of Booker*, 123 YALE L.J. 2, 6–7 (2013) (finding that prosecutorial charging decisions interact with mandatory minimums in ways that heighten disparity, even in the post-*Booker* era); see also Shana Knizhnik, *Failed Snitches and Sentencing Stitches: Substantial Assistance and the Cooperator's Dilemma*, 90 N.Y.U. L. REV. 1722, 1755 n.205 (2015) (“It is for this reason that under the current sentencing regime, prosecutors must specifically make motions . . . in order for a judge to sentence below a mandatory minimum, rather than motions pursuant to § 5K1.1 of the Sentencing Guidelines.”).

meaning that defendants with differing roles or histories could receive similar sentences if their cooperation is assessed similarly).

The present case illustrates the consequences. Ms. Perez and Mr. Rivera Rodriguez were minor participants in a conspiracy involving large quantities of fentanyl. The district court found both had provided assistance, and it sought to impose sentences that accounted not only for that cooperation but also for their limited culpability and other statutory factors. In many other sentencing circumstances, we trust district courts with that discretion. However, in the current framework, that is not allowed under Section 3553(e). See *Castaing-Sosa*, 530 F.3d at 1361; *Mangaroo*, 504 F.3d at 1356. Restricting the district court’s discretion here heightens the risk of unwarranted disparities among defendants whose circumstances are materially different. As a matter of public policy, and perhaps due process,<sup>3</sup> a sentencing framework that allows wide discretion to increase one’s sentence while barring comparable discretion for downward departures warrants reevaluation.

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<sup>3</sup> Cf. *United States v. Kikumura*, 918 F.2d 1084, 1119 (3rd Cir. 1990) (Rosenn, J., concurring) (reasoning that a defendant's due process rights may be violated by sentencing system that “replace[s] judicial discretion over sentencing with prosecutorial discretion”).

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-12336

ERRATA

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

KAREN ALTAGRACIA PEREZ,

*Defendant-Appellee.*

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Appeal from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-2

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Opinion of the Court

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No. 23-12977

ERRATA

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

JOVAN RIVERA RODRIGUEZ,

*Defendant-Appellee.*

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Appeal from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-3

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The opinion of the court has been changed as follows:

On page 4, “the position taken in its motion” has been changed to  
“the position taken in the motion.”

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-12336

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

KAREN ALTAGRACIA PEREZ,

*Defendant-Appellee.*

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Appeals from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-2

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No. 23-12977

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UNITED STATES OF AMERICA,

*Plaintiff-Appellant,*

*versus*

JOVAN RIVERA RODRIGUEZ,

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23-12336

*Defendant-Appellee.*

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Appeals from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 6:22-cr-00204-RBD-DCI-3

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### JUDGMENT

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: December 2, 2025

For the Court: DAVID J. SMITH, Clerk of Court

ISSUED AS MANDATE: February 9, 2026

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA

Case No. 6:22-cr-204-RBD-DCI-2

UNITED STATES OF AMERICA

Plaintiff,

v.

KAREN ALTAGRACIA PEREZ

Defendant,

SENTENCING MEMORANDUM OF DEFENDANT  
KAREN ALTAGRACIA PEREZ

The Defendant, KAREN ALTAGARCIA PEREZ, submits this sentencing memorandum for this Honorable Court's consideration of the factors in 18 U.S.C. §3553A in formulating a sentence that is sufficient, but not greater than necessary, to meet the goals of sentencing. Ms. Perez respectfully requests this Honorable Court, having previously adjudicated Ms. Perez of a felony, to place her on home confinement followed by a period of supervised release. At the time of sentencing, Ms. Perez will have served 58 days in the Orange County Correctional Institution.

STATEMENT OF THE FACTS

*I. Procedural History*

1. The Defendant Ms. Perez was arrested on January 20, 2023 for the offenses of 1) Drug Conspiracy and 2) Money Laundering Conspiracy. Following her arrest and a detention hearing, Ms. Perez was released without bond and an order setting conditions of release was entered on January 25, 2023. On April 10, 2023 this Honorable Court required the Defendant to voluntarily surrender herself as a result of being adjudicated guilty, having entered a plea to both Counts 1

and 2 of the Indictment. The Defendant Ms. Perez complied with this Court's order and surrendered to the United States Marshall's Office on April 10, 2023 at 1:30 p.m.

2. While on pretrial release, Ms. Perez fully complied with her conditions of release which included seeking and getting employment, drug testing and weekly calls to the pretrial release office.

3. At the Defendant's request, her undersigned counsel contacted the U.S. Attorney's Office in order to initiate a U.S.S.G. 3-level deduction for acceptance of responsibility. Furthermore, the Government has agreed that Ms. Perez should receive a 2-point deduction for her role in the offense in that they classify her role as being a minor participant in the criminal activity. It is anticipated that a motion for departure will be filed by the Government pursuant to U.S.S.G. 5K1.1 for substantial assistance. A sentencing agreement was constructed as a result of the Defendant's substantial assistance and acceptance of responsibility after a lengthy proffer that the Defendant participated in at the U.S. Attorney's Office. This lengthy proffer was extremely grueling for Ms. Perez at the time, and during said proffer shed many tears. This is to be expected because of the fact that Ms. Perez has never been subject to anything like this in her life or had never been arrested or charged with a crime. She has worked all her life and has been a very supportive mother of 3 children as the Court would see by the summary of the attached character reference letters of her children.

## ***II. Objections to Presentence Report***

Ms. Perez has originally objected to the computation on the presentence report on Page 16, Item No. 64 where she was not awarded any points for her role in the offense. The Defense, in a letter to the probation department, requested an adjustment in that Ms. Perez should receive at least a 3-point deduction for her participation in the criminal activity. The Government

responded and has agreed to a 2-point deduction for Ms. Perez' minor role in the criminal activity. See. USSG §3B1.2(a).

The reason for the requested adjustment for the Defendant's role in the offense is because of her limited participation and knowledge of "the offense conduct" contained in Paragraphs 15 through 51 of the presentence report.

### *III. Sentencing Considerations*

1. Ms. Perez is a changed person in the wake of her arrest and awaiting sentencing by this Court, with a young life to be given the opportunity to prove herself worthy of a return to her place in the community. She is willing to prove herself without burdening the Bureau of Prisons and the Government with a great cost of incarceration. Ms. Perez poses no threat of recidivism.

2. The Defendant Perez immediately met with the Government and agreed to cooperate and made herself available at the Government's request confirming every detail of the charge of the conspiracies. Her cooperation facilitated the contemporaneous decision of various co-defendants including her fiancé Jason Omar Perez-Quinones to cooperate. Her cooperation has played a large part in the entries of pleas of guilty by the remaining defendants.

3. Due to her very early consistent and continuing truthful cooperation, Ms. Perez anticipates the Government will file for departure in the otherwise applicable sentence pursuant to USSG 5K1.1 based on her "substantial assistance" to this prosecution including her agreement to the various forfeitures sought by the Government which included the house wherein she raised her 3 children.

4. The Defendant respectfully requests the Court impose a reasonable sentence below the advisory guideline range with special conditions that satisfy all factors set forth in 18 USC §3553(a). The Defendant suggests that a sentence of not more than 2 years home confinement

will achieve those goals along with a period of years of supervised release to be determined by the Court.

5. Undersigned counsel has been a criminal defense attorney in the State of Florida for 50 years and I believe I can say with all sincerity that the Defendant Karen Perez is a life worth saving.

6. The fact that a felony conviction will follow Ms. Perez the rest of her natural life, any sentence should be as decided as case law directs to “impose a sentence sufficient but not greater than necessary” to accomplish its purpose of sentencing 18 USC §3553(a).

7. The Defendant Ms. Perez through counsel suggests that a sentence of 24 months home confinement followed by a period of supervised release will adequately address the stated goals of sentencing: The nature and circumstances of the offense and the history and characteristics of the defendant. id. §3553(a)(1), the need to advance the sentencing purpose of punishment and deterrence, id. §3553(a)(2), the kind of sentences available, §3553(a)(3), the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct, id. §3553(a)(6).

8. The Defendant Ms. Perez enjoys the love and support of a wholesome family and friends and with this Court’s sentence, she can return to a lifetime as a productive member of society without risk of recidivism. The attached **Exhibits 1-9** are letters from those who know her best and certainly better than the undersigned counsel. All underscore her good qualities and make her suitable for a sentence suggested herein.

9. As the presentence report indicates, a jail sentence is recommended, the Defendant being charged with a drug conspiracy furthermore suffering from depression and anxiety, would

qualify for the Residential Drug and Alcohol Program (R.D.A.P.), available at many of the bureau of prison facilities.

***History and Characteristics of the Defendant***

For the Court's consideration, the Defendant had made available for the presentence investigation officer's report, various character reference letters from her friends, family and a letter to this Honorable Court from the co-defendant Jayson Omar Quinones Perez. The Defendant will briefly summarize the provided letters for the Court's convenience:

1. **Exhibit 1** is a letter from **Jayson Omar Quinones Perez**, co-defendant in the above-styled case to this Honorable Court. This letter has been interpreted and a copy of the original Spanish letter is attached to Exhibit 1. Mr. Jayson Perez, who is not the Defendant's husband but was her companion for several years, writes the Court informing the Court that Ms. Perez is a very hard-working, dependable and an excellent mother. He characterized her as a fair person with principles and morals. Mr. Perez states that, "I involved her in this situation without her full knowledge and clarify of the seriousness of the criminal activities. She had no awareness of the magnitude of the troubles I was involved in. From the bottom of my heart, the God's honest truth, if it wasn't because of me she would never have been in a serious situation like this ever. I am aware I am wrong for involving her".

2. **Exhibit 2** Letter from **Aziah Perez** who is the husband of the Defendant's youngest daughter Mari Perez. In his letter to this Court, Mr. Perez explains that he was the subject of abuse in his own home and eventually left his home and the Defendant Karen Perez took him in without hesitation and cared for the injuries that he had received. She became for Isiah Perez the mother that he did not have. He goes on to state that he had been a part of Ms. Perez' family for more than a decade and has learned how to love and be loved and respect and be respected, all this

coming from the Defendant. He acknowledges that Ms. Perez had made a terrible mistake but she is a very kind, respectful, honest and responsible person and a wonderful mother, grandmother, mentor and friend. He further states that he truly believes that she has learned from her horrible mistake and the damage that she caused to society.

3. **Exhibit 3** is a letter to this Honorable Court from **Mari Perez**, daughter of the Defendant Karen Perez. She states that her mother became a mother of 3 children at a very young age and devoted her life to raising her children. She notes that most of her friends and siblings while growing up, called her mother “mom”. Her mother taught them the virtues of kindness, devotion, hard work and the responsibilities of freedom. Mari Perez wants the Court to know that her mother has so many wonderful characteristics that the seriousness of the situation she finds herself in is fully out of character for her mother. She extends her apology to the Court and to the community for her mother’s mistakes and pledges to help her mother grow in knowledge and make better decisions in the future.

4. **Exhibit 4** is a letter to this Honorable Court from **Angeli Perez**, the Defendant’s youngest daughter. She writes that she would not be the person that she is today without the positive influence that her mother had on her. She states that she is currently VPK teacher for 4-year-olds and a full-time student at Valencia College. She notes that she has made some poor decisions on her own in her early life by leaving home at a young age, disappointing her mother. Her mother would call her every day to make sure she was okay. She points out that her mother went through a great deal of anxiety from her father from all of his infidelities. She states that her mother has shown her what it is to be a mother in that she had attended all graduations, heartbreaks, father/daughter dances, and all of her lowest and highest moments in her lifetime. She states that her mother had always been there to support her. She further states that the

woman she sees today exhibits so much fear, stress, negativity that it is breaking her down and causing her to fall into depression. Her mother talks about the fact that she is sorry for how she's failed as a mother and also failed herself. She is a very remorseful person. We the family are here to support her.

5. **Exhibit 5** is a letter from **Ileana Rincon**. She states that she has known Ms. Perez for 8 years, the length of the time her daughter dated her son. Her daughter presently married to Ms. Perez' son and feels that she is part of the Perez family. Being around her son-in-law she has been able to observe the kind of human being Karen Perez is, that she is a loving, caring and dedicated mother. She states that she has spent time with the Defendant since her arrest and she states that Ms. Perez acknowledges that she made a terrible mistake that will follow her forever. Ms. Rincon asks the Court to take into consideration the wonderful mother, friend and grandmother that she is in imposing the Court's sentence.

6. **Exhibit 6** is a letter to this Court from **Ann Sofia Perez**, who is the Defendant's daughter-in-law. She acknowledges that they are now expecting their first child and when she told the Defendant Karen Perez, she was so excited she almost fainted. She states that her husband is the first college graduate in the family with an A.A. Degree from Valencia College and that he is the man he is today because of the influence his mother has had on him. She states that Ms. Perez is a kind, loving woman, mother-in-law and has always treated me as one of her own daughters. She goes on to state that Ms. Perez has learned a valuable lesson through the process and has turned to the Lord for forgiveness and strength. She asks the Court to look past her mistakes, see the loving family she has and the need for her to be back home.

7. **Exhibit 7** is a letter from **Nestor Perez**. Nestor Perez states that he is Karen Perez' son and presently worked for the largest ambulance manufacturing in the world Rev Group Orlando.

He's worked for them for eight years and holds the title as engineer with the company. He states that his mother has done everything possible in her life and within her ability to raise her three children. She taught them to learn respect and to have a career path, which he would never have been able to do without his mother's influence. He states that his mother has motivated and pushed all of her children beyond their boundaries. He asks the Court to consider looking past Ms. Perez' mistakes and see all of the good that she has done for the people around her. He goes on to say that he knows that his mother acknowledges the wrong decisions that she's made and looks forward to an opportunity to live a life again without regret or mistakes.

8. **Exhibit 8** is a letter from **Yessina Jimenez**. She states that she is Karen Perez' daughter's best friend for the past 11 years and that Ms. Perez had welcomed Ms. Jimenez into her home with open arms. She considers her as her second mother. She states that Ms. Perez has always been the person that she could confide in and ask for advice. She is a person that keeps on giving and brightens room and brings so much joy to her family and those around her. She goes on to state that Ms. Perez is probably one of the most amazing women she has ever met.

9. **Exhibit 9** is a letter from **St. Issac Jogues Catholic Church** located in Orlando, Florida. The church certifies that Ms. Perez is a registered member of the Parrish in good standing and attends mass every Sunday.

These character reference letters specify and spell out for the Court the good qualities Ms. Perez exhibits. Furthermore, these letters emphasize the fact that she is a life worth saving.

**MEMORANDUM OF LAW**

Pursuant to 18 U.S.C. §3553(e), the Court has authority to impose a sentence below the statutory minimum. Said section provides that upon motion of the government, the Court shall have authority to impose a sentence below a level established by statute as a minimum sentence so as to reflect that a substantial assistance in the investigation or prosecution of another person that has committed an offense...

As pointed out, the Defendant has met with the Government, agreed to cooperate and made herself available at every turn since her voluntary surrender, truthfully, clarify and confirm every detail of the charge of conspiracy. Her early cooperation facilitated a contemporaneous decision of the co-defendants to cooperate and their combined and concurrent cooperation has played a large part of the entries of pleas by each of the remaining and some now-pled defendants.

The service of any federal custodial sentence has been dramatically and negatively impacted by the ravages of the “Covid” and other viruses that have swept our country, particularly those with weakened or compromised health issues like the Defendant’s. A recent article serves as a good example of these problems with demonstrative graphs that counsel chooses not to set forth at length herein. See generally <https://www.forbes.com/sites/walterpayl/0222/02/07statistics/show/federal/bureau/of/prisons/unable/implement/key/policies/during/crisis/>. A couple of points within the above article are worth setting out here: The Bureau of Prisons could have reduced the infected and death rates in the institutions had they followed the guidelines from then-attorney-general William Barr at the

outbreak of Covid-19. Barr, in March and April 2020, issued a pair of memorandum to the B.O.P. Director Michael Carvajal to reduce prison population to avoid contagion among its prisoners. The centerpiece of the initiative under the CARES Act to move inmates with underlying health conditions to home confinement to complete their sentences. The priority was to remove the sickest, oldest and most vulnerable prisoners who also pose the least amount of security risk to the community, from prison to home confinement. That program has fallen short and it appears that even the implementation of a sweeping law on the criminal justice reform, the First Steps Act, may also be a failure unless things change.

### RELEVANT LAW

Courts must impose individualized sentences that are “sufficient, but not greater than necessary” to reflect the seriousness of the offense, promote respect for the law, adequately deter criminal conduct, and protect the public. 18 U.S.C. § 3553(a)(2). In determining what sentence is appropriate for a particular defendant, courts must consider, inter alia, the nature and circumstances of the offense, the history and characteristics of the defendant, and the advisory range provided by the U.S. Sentencing Guidelines. *Id.* §§ 3553(a)(1), (a)(4)<sup>1</sup>.

The sentencing range recommended by the Guidelines is only one of the considerations in determining what sentence is appropriate. Indeed, courts are not permitted to “presume that a sentence within the applicable Guidelines range is reasonable.” *Nelson v. United States*, 555 U.S. 350, 352 (2009) (“The Guidelines are not only not mandatory on sentencing courts; they are also

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<sup>1</sup> The full list of factors for the district court to consider is: (1) the nature and circumstances of the offense and the history and characteristics of the defendant; (2) the need for the sentence to reflect the seriousness of the offense, to promote respect for the law, to provide just punishment for the offense, to afford adequate deterrence, to protect the public from further crimes of the defendant, and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment; (3) the kinds of sentences available; (4) the advisory Guidelines range; (5) any pertinent policy statements by the U.S. Sentencing Commission; (6) the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct; and (7) the need to provide restitution to any victims of the offense. 18 U.S.C. §§ 3553(a)(1)-(7).

not to be presumed reasonable.”) (per curiam). Even when a particular defendant “presents no special mitigating circumstances[,] . . . a sentencing court may nonetheless vary downward from the advisory guideline range” if it determines that the range is greater than necessary to accomplish the goals of § 3553(a)(2). *Spears v. United States*, 555 U.S. 261, 263 (2009) (per curiam).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of Court using CM/ECF this 19<sup>th</sup> day of May 2023. I also certify the foregoing document is being served this day on all counsel of record either via transmission of Notices of Electronic Filing generated by CM/ECF or in another authorized manner for those counsel or parties not authorized to receive electronically Notices of Electronic Filing.

/s/ Robert J. Buonauro  
ROBERT J. BUONAURO, B.C.S.  
435 Canal Street, Suite 208  
New Smyrna Beach, FL 32168  
(407) 841-1940  
FAX NO. (407) 649-1936  
Florida Bar 150756  
[Robert@buonauro.com](mailto:Robert@buonauro.com)

05/05/2023

Jayson Omar Quinones Perez

Honorable Judge Roy B Dalton Jr  
The United States Vs Karen A Perez

Dear Honorable Judge Dalton,

I am writing this letter with all my heart and sincerity. I want to let you know with these short lines about my partner Karen A Perez. She is a hardworking woman, very independent, and above everything she is an excellent mother. She is a very unproblematic person that leads by example. A person that her family looks up to, especially her kids. She is a very spiritual person and loves to visit the church, she always brings together the family and watches over them in prayer. Her kids need her the most in this situation. Her kindness and sweet heart allows her to help out others when they are in need. She is a fair person with principles and morals. I have to be honest your honor and admit that I involved her in this situation without her full knowledge and clarity of the seriousness of the activities taking place. She had no awareness of the magnitude of the troubles I was involved in. From the bottom of my heart the God honest truth, if it wasn't because of me she would have never been in a serious situation like this ever. I am aware I am wrong for involving her. I ask kindly if you could consider her clean record, and I would like to apologize to everyone. I would like to thank you for allowing me to write a letter and for taking a moment to read it.

Sincerely,  
Jayson Omar Quinones Perez

*Exhibit I*

Pet. App. D12

- 1 -

HOIA: SR.

DE PARTE: JAYSON O PÉREZ QUIÑONES

Estoy escribiendo esta carta con todo el corazón y sinceridad. Quiero dejarle saber con estas pocas líneas sobre mi pareja KAREN A PÉREZ ella es una mujer bien trabajadora bien independiente y sobre todo primera madre que mujer ella es una persona ejemplar que no le gustan los problemas y una mujer de familia ella es determinante una mujer que no sabía la magnitud del problema en cual yo estaba metido de lleno por que digo esto yo SR y usted me disculpa con todo respeto pero ella no es una mujer de estar en problemas una mujer que también es espiritual y le gusta visitar la Iglesia por eso a mi hora misma sus hijos (A) la necesitan ella es una mujer muy buena muy dulce le gusta ayudar en la comunidad y le gusta ayudar a la personas que lo necesitan es una mujer de un corazón enorme una persona justa de principios y morales solo que yo la

- 2 -

en volví en este Problema sin ella  
saberlo y sin saber lo serio que es  
todo esto y esto se lo digo de todo  
CORAZON y de Ante de Dios el todo Poderoso  
que no me deja mentir si no llega HACER  
Por mi ella no estaba en este gran Problema  
Por que ella no SABIA de que MAGNITUD  
tan grande es el Problema solo le Pido  
de todo Corazon que la considere y yo  
se que yo soy el que estoy mal Por que  
de cualquier manera la involvi en esto  
y le Pido disculpa Por yo dejarme llevar  
Por personas sin escrúpulos que Hoy mismo  
gozan de la libertad y no le importa lo que  
yo y mi Familia Estamos Pasando Por este  
momento tan Difícil espero que me Puedas  
entenderme y GRACIAS Por aceptar Estas  
Cortas lineas de mi persona Jayson & Perez Quiñones

Dear Judge,

Hello, my name is Azaiah Perez. I am Angeli Perez's husband who is Karen Perez's youngest daughter. The purpose of this letter is to hopefully send a message about the huge and amazing impact Karen has been and continues to be in my life. Around the age of 14, I became very close to her oldest daughter Mari Perez, in high school. So close we became best friends. If you read her letter before this one, I'm the friend she is talking about, if you have not read it yet, let me explain. Around that time, I was going through many levels of abuse in my household. To the point where every time I would be forced to leave a place I was supposed to call home, or was covered in bruises, Karen would open her doors and arms to me without any hesitation, a child she barely knew but knew how much I meant to her daughter. As well, Karen grew a love for me. She even gave me a space in her bedroom while she slept in the living room, so I can feel safe and comfortable. She comforted me throughout all those hard times more than my own mother has. In all reality, you can say she raised me. Her affection towards me has given me the privilege to feel and proudly call her my second mother. As you can see, I've been a part of this family for more than a decade and if there is anything that I have learned since day one is how to love, be loved, respect and be respected. The root of me learning and feeling all of those things, all comes from Karen. Besides this horrible mistake, she's very kind, respectful, honest, responsible but overall a great and wonderful mother, grandmother, mentor and friend. I trust her with my life more than my own family.

We all understand the gravity of this situation, especially Karen. Unfortunately she was not properly educated on the severity of the actions she was partaking in. When she was released for a few weeks, I saw a strong, caring, and loving person; completely changed with a heart full of resentment of her involvement and yet still carry on her life the best way she can to continue moving forward and helping herself and her family. I truly believe that she has learned from this horrible mistake and the damage caused to society. Your honor, she will be greatly missed and she is very much needed at home; by her children, her grandchildren, her family, friends and myself included. This

knows this will be her last. I hope you find it in your heart to give her a second chance to right her wrongs.

Thank you,

*Azaiah Perez*

04/18/2023

Mari Perez

Honorable Judge Roy B Dalton Jr.  
The United States VS Karen A. Perez

Dear honorable judge Dalton,

My name is Mari Perez, I am the daughter of Karen Perez. I would like to start off by saying thank you for your service and I appreciate the time you set aside to read this letter. I am writing this letter in hopes you get to know my mother a little better outside of this unfortunate situation. My mother became a mother of 3 at an extremely young age, in a country in which she did not speak the language. From a very young age I witnessed my mother work hard to provide a safe and loving home for us. She would take us to school every single day, work sometimes more than just one job, and still manage to make wonderful home cooked meals for us every night. She was always loving and attentive with all of us. She was the kind of mom that was always at our games, she would drive us to practice, and watch all of our performances or just any activity, she was always there. My mother wasn't just a great mother to us but to any child that comes her way. She was extremely loved by all the kids at the elementary school she worked at for years as a lunch lady. She would always treat them and help them as if they were her own. Most of my friends, including my siblings' friends, would even call her "mom". She would always watch over them and even offer guidance to our friends if she would see them heading in the wrong direction. Sometimes she would even offer shelter if any of them were in need of a temporary home. My mother always taught us to be helpful and kind to those in need. We would always participate in passing out food, donating clothes, or simply offering a shoulder, a hug, or to just sit and listen to someone. She taught us so much including how to be responsible in life and to work hard for what we want. Even with being a teen mom of 3, we all grew up admiring her. Thanks to her love, attention, dedication, hard work and her strict rules to keep us in line, we have built a good life for ourselves with careers we have accomplished. I can honestly say if it wasn't for my mother I am not sure where I would be in life or the type of mother I would be to her beautiful granddaughter. My mother provided us with the best life she could offer with so much love. Your honor, we were once just an average family that once had a home that was our safe place where we grew up and carry so many wonderful memories. My mother has so many wonderful characteristics and I can honestly say that in the situation she is currently in, this is completely out of character. I do believe a great deal that the lack of education and information lead a huge part in her choices. I would like to inform you that we have all learned the seriousness of this situation and we have increased our knowledge including my mother. We understand the harm and the terrible impact it has on people. I would like to extend on her behalf an apology to our community, anyone that was involved, the government, and to you your honor. We have all come together to try and help my mother grow in knowledge and to make much better decisions in the future. My mother really is a good person that just made one bad decision due to lack of knowledge. We understand that disciplinary actions must be placed but we just ask if you could please take under consideration

Exhibit #3

Pet. App. D17

that this is her first offense and that she has a family that is coming together to support her. When she was first released we helped her find a job just 2 weeks after. We stayed in contact with Sophia, her Pretrial officer and to make sure all rules were being followed. I can really tell that my mother has really learned her lesson and wants a fresh start. I hope the day of the hearing you are able to see that as well and I have faith that a fair sentence will be given.

Thank you so much your honor sincerely,  
Mari Perez

Honorable Judge Roy B Dalton Jr.

The United States VS Karen A. Perez

Dear honorable Judge Dalton,

A mother's impact on one's life is incomparable to anyone else's. It's an impact that persists throughout a lifetime. It can be positive or negative, but it will always persevere. For me, my mother's impact has been nothing but positive. Words will never express the gravity or magnitude of which my mother has helped shape me into who I am today. However, I will attempt to depict her through words that render her as the light that she is in my life. My name is Angeli Perez, I am Karen's youngest daughter. I am currently a V.P.K teacher (4-year-old teacher). I am also a full-time student at valencia college striving to get my AA in business. Throughout my life, I have made poor decisions that my mom wasn't too proud of, like leaving my home at eighteen to live with my boyfriend in Haines City. With that choice, i stopped going to school and had a low-paying job. That was the first time i ever defied my mom, and instead of her shutting me out and disowning me. She was there for me, still calling me to make sure i ate, always asking me if i was okay, and constantly reminding me that she loves me and i will always have my room at home, despite how upset and disappointed she was of me. My mom never stopped being there no matter what she was going through. She always made sure we came first, and that we were okay. My mother went through a lot of mental abuse from my father, there were a lot of infidelities, and times when he wouldn't even come home. When he was home he did nothing but drink alcohol excessively and start random fights with my mother. She tried to keep her marriage together for about twenty-three years just for us to grow up with two parents in one household. My mother has not only shown me what it is to have a mother but also a father. She's been there for it all; graduations, heartbreaks, father-daughter dance, and my lowest and highest moments. Now I fear that she's going to miss a lot because of a choice she made. Seeing my mother after all this has been the hardest experience for me. She has always

Exhibit #4

been this strong, positive, independent, hardworking woman. This situation has brought so much fear, stress, and negativity that it is breaking her down, causing her to fall into depression. The woman I see today is unrecognizable. It gives me a little bit of hope when I hear her laugh or even see her smile. She talks a lot about how sorry she is for all of this, how she has failed us as a mother that she's always held herself to be. I would be blessed to have the opportunity to take care of my mother and help her regain the strength she once had as she did for me my whole life. I can assure you judge she is no harm to society, she was once let out for some time, and not once did she break a rule. She made sure her days were organized and had a set routine not to have any setbacks. My mother needs us as much as we need her in this process. I pray, you give us the opportunity, but will understand your decision overall.

Sincerely Angeli Perez

To whom it may concern,

My name is Ileana Rincon and I have known Karen Perez for eight years, the length of time my daughter has dated her son. They have now been married for over three years. In the eight years of being around my son-in-law, I have realized the struggles yet wonderful times they have had as a family. Even though I am completely against the unfortunate situation she put herself in, I also understand that sometimes going through so many financial struggles might take you to a breaking point.

Being around my son-in-law has made me see the kind of mother and human being Karen really is. If you could only meet him, you would realize that he has been raised by a loving, caring and dedicated mother. As a mother myself, I thank God every day for the husband he has blessed my daughter with and the soon to be father of my first grandchild.

I have had the opportunity to spend one on one time with Karen since all this has happened. I truly believe she made a terrible mistake that will follow her forever but at the same time I know her regrets are huge. Karen is a sweet and loving person that would do anything to help anyone in need. I hope you can see past her mistakes and take into consideration all the wonderful things that makes her the mother, daughter, friend and grandmother she is. I personally ask of you, that in making your final decision on her, you take her granddaughter and future grandchild into consideration and allow her to be a part of their lives.

If in any way, shape or form I did not believe the regrets she feels and lesson she has learned has not changed her, I would not be writing this letter. I would never want to put my daughter or grandchild in jeopardy. I thank you for taking the time to read this letter and hope for a blessed outcome.

Sincerely,

A handwritten signature in black ink, appearing to read "Ileana Rincon". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Exhibit 5A

Pet. App. D21

April 17, 2023

To Whom It May Concern:

My name is Annasofia Perez, and I am Karen Perez's daughter-in-law. Her son and I have been together for eight years and married for three years. We are now expecting our first child and could not be happier about this news. When we told Karen she almost fainted from the excitement, she was so happy for us. This will be her second grandchild. Karen has been an active mother in the lives of her children. She has always pushed them to be the best form of themselves possible. My husband was the first college graduate in his family with an AA from Valencia College and many extra certificates. My husband is the man he is today because of his mother. She raised a very well-rounded individual with huge goals and ambitions. He is the most respectful and kindhearted, gentleman I have ever met. I am blessed to call him my husband and the father of my child.

Not many women can say they have a good relationship with their mother-in-law's, but I can honestly say I love mine. She is so kind and loving and has always treated me as one of her own daughters. She is always willing to help with anything she can and has always been apart of our life. I will tell you; she made a horrible decision that I do not agree with. But I know she is so regretful and has learned a valuable lesson throughout this process. In these hard times she has turned to the lord for forgiveness and strength, and I know he is working in her favor. When the day comes for her judgment, I ask that you look past her mistakes and see the loving family she has that needs her back home.

Sincerely,



Exhibit #6

Pet. App. D22

To whom it may concern,

My name is Nestor Perez and I work for one the largest ambulance manufactures in the world, Rev Group Orlando. I have worked for Rev for 8 years now and currently hold an engineer position within the company. Karen Perez is my amazing mother who has a great heart and has always been there for her family. From the moment my sisters and I were born my mom has revolved her life around us and always made sure we did our best in school to have a good opportunity at a great life. My mother has done everything to the best of her ability, from raising three respectful kids, all having a respected career path, college graduates, and we would never be able to be where we are today without the mother that we have. She has motivated us to push past our boundaries and to be successful in life. My mom doesn't mean any harm to anyone, and I know she made a mistake, a mistake that she has learned from and that will haunt her for the rest of her life. I ask you to judge her looking past her mistakes and see all the good she has done for people around her. My wife is currently pregnant, and I know that there is nothing more that she wants then to be here for her grandchild. My mother has learned what she was dealing with, and I know she will never touch those things again, and with the support she has around her there isn't a need to. My mother is loved by everyone, she is a great person to be around and even a greater mother and friend she will help anyone she loves in her small circle with what she can. People see her as a kind, caring, honest, and thoughtful person that at this moment we all miss. I know that she knows what she did was wrong, and I know she will never do this again because the life she is currently living is not the life she wants to live. She wants to continue to make wonderful and beautiful memories with the people she loves. I ask you from the bottom of my heart, if there is one thing you can take from this letter is that she has learned her lesson, and she will never be a harm to society ever again.

Sincerely,

*Nestor Perez*

*Exhibit #7*

Honorable Judge Roy B Dalton Jr.  
The United States VS Karen A. Perez

Dear honorable judge Dalton,

My name is Yessenia. I am writing this letter about Karen Perez. I am her daughter's best friend of 11 years & since the first day I met Karen, she welcomed me with open arms. She is the most caring & kind hearted people I have ever met. I consider herself as a second mom, probably even more of a mom than the one I have because even though she has kids of her own, she has always treated me like a daughter. She has always been someone I could confide in & come to for anything. Giving me advice & telling me right from the wrong. She has the biggest heart I've met in a person. She's kind & so caring & she's the type of person who keeps giving. She has always puts the needs of others in front of her own because she is so selfless. She brightens any room & brings so much joy to her family & those around her especially to my life. She's the glue that holds us all together. She is what anyone would want & need out of a mother & friend. I also have two children of my mine & have never met anyone who claims them as part of their family like she does. To her, those are her grandchildren & has never treated them any less than the biological one she has. She is one person I trust with the life of my children & even my own blindly. They adore her because of who she is & the amount of love she has always given. I could not imagine my life or my children's life without her in it. She is one of the most amazing women we know.

Sincerely,  
Yessenia Jimenez

*Exhibit #8*



# St. Isaac Jogues

Catholic Church | 4301 S. Chickasaw Trail | Orlando, FL 32829  
Phone: 407-249-0906 - Fax: 407-273-3236 - Website: [www.st-isaac.org](http://www.st-isaac.org)

April 17, 2023

Re: Karen Pérez Arias

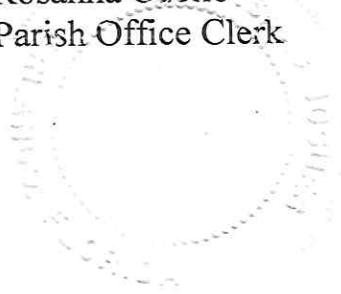
To whom it concerns,

This is to certify that Ms. Karen Pérez Arias, who resides at 6440 Shenandoah Way Orlando, FL 32807 is a registered member of this parish in good standing and as a faithful servant of Christ, she attends to Mass every Sunday.

Karen is seeking your cooperation with her legal situation; your attentive consideration to this request is greatly appreciated. If in need of more information, please do not hesitate to call us at the parish office.

Sincerely,

  
Rosanna Cuello  
Parish Office Clerk



*Exhibit #9*

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**UNITED STATES OF AMERICA**

v.

**Case Number: 6:22-cr-204-RBD-DCI**

**KAREN ALTAGRACIA PEREZ**

---

**USM Number: 40637-510**

**Robert Buonauro, Retained  
435 Canal Street, Suite 208  
New Smyrna Beach, FL 32168**

**JUDGMENT IN A CRIMINAL CASE**

The defendant pleaded guilty to Counts One and Two of the Indictment. The defendant is adjudicated guilty of these offenses:

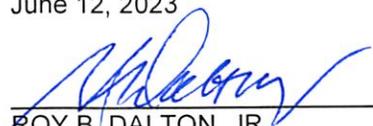
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Numbers</u>
21 U.S.C. §§ 846 and 841(b)(1)(A)	Conspiracy to Distribute and Possess With Intent to Distribute 400 Grams or More of a Mixture and Substance Containing a Detectable Amount of Fentanyl	December 14, 2022	One
18 U.S.C. §§ 1956(h) and 1956(a)(1)(B)(i)	Conspiracy to Commit Money Laundering	December 14, 2022	Two

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

**IT IS ORDERED** that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:

June 12, 2023

  
\_\_\_\_\_  
ROY B. DALTON, JR.  
UNITED STATES DISTRICT JUDGE

June 13, 2023

Karen Altagracia Perez  
6:22-cr-204-RBD-DCI

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **SIXTY-SIX (66) MONTHS**. This term consists of a 66 month term as to Counts One and Two, all such terms to run concurrently.

The Court makes the following recommendation to the Bureau of Prisons:

- 1. Defendant participate in RDAP (Residential Drug Abuse Program), if eligible and available.
- 2. Defendant participate in mental health counseling, if available.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this judgment as follows:

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The defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
Deputy U.S. Marshal

Karen Altagracia Perez  
6:22-cr-204-RBD-DCI

## **SUPERVISED RELEASE**

Upon release from imprisonment, you will be on supervised release for a term of **FIVE (5) YEARS**. This term consists of a 5 year term as to Count One and a 3 year term as to Count Two, all such terms to run concurrently.

## **MANDATORY CONDITIONS**

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. The mandatory drug testing requirements of the Violent Crime Control Act are suspended. However, the Court orders the defendant to submit to random drug testing not to exceed 104 tests per year.
4. You must cooperate in the collection of DNA as directed by the probation officer.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions as follows.

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### STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame. After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when the defendant must report to the probation officer, and the defendant must report to the probation officer as instructed.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within **72 hours**.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**ADDITIONAL CONDITIONS OF SUPERVISED RELEASE**

1. The defendant shall submit to a search of his or her person, residence, place of business, any storage units under the defendant's control, or vehicle, conducted by the United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.
2. The defendant shall cooperate in the collection of DNA, as directed by the probation officer.

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth in the Schedule of Payments.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment<sup>1</sup></u>	<u>JVTA Assessment<sup>2</sup></u>
<b>TOTALS</b>	<b>\$200.00</b>	<b>None.</b>	<b>Waived.</b>	<b>N/A</b>	<b>N/A</b>

**SCHEDULE OF PAYMENTS**

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk, U.S. District Court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

**FORFEITURE**

Defendant shall forfeit to the United States those assets previously identified in the Plea Agreement (Doc. 72) and Preliminary Order of Forfeiture (Doc. 151), that are subject to forfeiture.

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

<sup>1</sup> Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

<sup>2</sup> Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.