

Sanjay Patel, Trial Attorney for the United States in the federal case against Sheriff Chris Eaton, Eric Guffey, Aaron Bennett and Adam Minor has filed a motion for downward departure in the federal case against Adam Minor. In the motion filed, Patel states five factors that are to be considered in determining an appropriate reduction of sentencing.

First, Minor's cooperation with the government by appearing as a witness for the prosecution two days of the eight day trial was both substantial and beneficial.

Second, the government believes that the defendant has provided truthful information in the year leading up to the trial.

Third, Minor's information also help bring about the dismissal of charges against Deputy Sheriff Bobby McCown, who was initially indicted with the other defendants in the first indictment filed on February 15, 2012. A superseding indictment was filed in March of 2012 and McCown's name had been removed from that indictment after Minor's testimony that he wasn't there as McCown had told the FBI.

The **fourth** factor deals with any danger or risk of injury to the defendant as a result of his cooperation.

And the **last factor**, the timeliness of the defendants assistance and cooperation was given in a timely manner by cooperating with the United States over a year prior to the start of the trial against his co-defendants.

According to the guideline calculations contained in Minor's plea agreement, the total offense level is 6. □ The criminal history category is 1 and the guidelines range is zero to six months. □ The parties have agreed that the defendant will be sentenced at the low end of the guideline range. □ The United States seeks to reduce Minor's total offense level to 4, in light of his assistance to the government.

Minor had testified in court during the trial that began in late April that he hoped he would have to serve zero time.

Minor is scheduled to be sentenced in Federal Court in Bowling Green on Thursday, August 1 at 9am by Judge Joseph H. McKinley, Jr. Sheriff Eaton is also scheduled for sentencing at the same time. Eaton's motion for dismissal of charges or for a new trial were denied by Judge McKinley last week.