

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

UNITED STATES OF AMERICA

NOV 18 2024

TAMMY H. DOWNS, CLERK
By: [Signature]
DEP CLERK

V

CASE NO.: 4:14-CR-00077-BSM

RODNEY MARQUIS CRISWELL

**DEFENDANT'S REPLY TO GOVERNMENT'S RESPONSE IN OPPOSITION TO
DEFENDANT'S MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE**

COMES NOW, the defendant, Rodney Marquis Criswell, pro se and in absentia with his Reply to the Government's Response in Opposition to Defendant's Motion For Early Termination of Supervised Release.

Despite the objection from the government, Criswell's original Motion For Early Termination of Supervised Release (doc 169) comes well grounded with merit.

As the government alluded in their response, Criswell's life has not been without substantial trials and tribulations. Overcoming those trials and tribulations has been a feat in itself, but was well grounded as when Criswell served his custodial sentence on the instant offense, there was far more Evidence Based Recidivism Reducing Programs and other Productive Activities, primarily designed to support the First Step Act of 2018. Although he has no access to SENTRY

(however the government does) a SENTRY inquiry would back the fact that Criswell participated in substantially more programming during this custodial sentence.

Also, SENTRY would confirm that throughout the custodial sentence for the instant offense, Criswell had far more positive interactions with family. Relationships that he has felt the positive effects of, and relationships that the Circuit agrees are important to any defendant's rehabilitation.

Early termination of supervised release can be supported by various factors, including the defendant's ability to better spend time with family. Courts have considered family circumstances, health risks, and the defendant's conduct during supervised release when deciding on such motions.

- In *United States v. Pelichet*, the court granted early termination of supervised release due to the defendant's increased health risks during the coronavirus pandemic and his stable family support system. The court found that the defendant did not pose a risk to the community and that his family circumstances, warranted early release *United States v. Pelichet*, 706 F. Supp. 3d 861.

- In *United States v. Alvarado*, the court found that home detention was a suitable substitute for imprisonment and granted the defendant's release from custody. The court considered the defendant's supportive family, and his plans to reenroll in college as factors that satisfied the § 3553(a) factors for compassionate release *United States v. Alvarado*, 462 F. Supp. 3d 948.

In addition to the improved relationship with his daughter, Criswell cited factors with his job and opportunities to drive long haul to help support his family better. To that end, in the case of United States v. Herman, the 8th Circuit Court of Appeals discussed the broad powers available to a court under 18 U.S.C. § 3583(e)(1) to terminate a term of supervised release after the expiration of one year if it is warranted by the conduct of the defendant and the interest of justice United States v. Herman, 971 F.3d 784. This case highlights the court's authority to reduce or terminate supervised release, which can be relevant in situations where a defendant's job prospects may be improved by such termination.

CONCLUSION

The purpose of a prison sentence at it's core is rehabilitation and reducing the likelihood of recidivism. While Criswell is cognizant of his prior criminal activity, the record, his prison record and his post prison behavior have further shown that this was achieved in the custodial sentence for the instant offense. For the reasons herein and in the original Motion For Early Termination, Criswell respectfully asks the court to grant the motion to satisfy the ends of justice.

Respectfully submitted,

Signed by:

CS9E99D8E8E1410
Rodney Marquis Criswell

11/13/2024

Date

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EASTERN DISTRICT OF ARKANSAS

2024 NOV 18 A 11:40

UNITED STATES OF AMERICA

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EASTERN DISTRICT OF ARKANSAS



V

CASE NO.: 4:14-CR-00099-01-BSM

RODNEY MARQUIS CRISWELL

CERTIFICATE OF SERVICE

I, Rodney Marquis Criswell, hereby certify under penalty of perjury that the foregoing

DEFENDANT'S REPLY TO GOVERNMENT'S RESPONSE IN OPPOSITION TO

DEFENDANT'S MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE

has been properly deposited with the United States Postal Service, postage prepaid and addressed

to:

UNITED STATES DISTRICT COURT
500 West Capitol Avenue
Little Rock, AR 72201

Respectfully submitted,

Signed by:

C50E60D6E8E1410

Rodney Marquis Criswell

11/13/2024

Dae