

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)		
	Plaintiff)	
)	
	v.)	Case No.: CR-05-43-RAW
)	
JIMMY C. CHISUM)	Date:	11/15/07
	Defendant)	

Said Cause Came on for Resentencing -MINUTE SHEET

Ronald A. White, Judge

E. Eller, Deputy Clerk

Brian Neil (FTR - Digital #2)

Counsel for Plaintiff: Gay Guthrie, AUSA
Defendant present and appearing pro se with Stephen Knorr as appointed attorney advisor

Minutes: Case was set for resentencing pursuant to the mandate issued by the Tenth Circuit on 9/25/07 affirming Defendant's conviction but remanding regarding the application of the guideline enhancement pursuant to U.S.S.G. § 3B1.1(c). The Court expresses its confusion of the circuit's opinion and asks for argument from the parties regarding Mr. Chadsey's involvement and how that applies to §3B1.1(c). Argument heard by Government, Defendant and Defendant's advisory counsel. Court continues this matter to 11/27/07 at 9:00 a.m. Government may withdraw their objection to the PSR or provide the court with written authority by 11/26/07 by 12:00 p.m. setting forth the basis for the enhancement. Court also makes the parties aware that the court is considering a downward variance because of the disparity in Defendant's sentence and the sentences the Court has given other Defendants for similar money crime convictions. Parties may address the variance issue by 11/26/07 by 12:00 p.m. Government questions if the Court would entertain an upward departure. Court does not think an upward departure is warranted and is not allowing argument on such.

Court Time: 45 minutes