

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES ,

Plaintiff,

v.

STACY CLOUSE,

Defendant.

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ORDER

03-CR-0090-C-02

Defendant Stacy Clouse has moved for reconsideration of the fine imposed on her at sentencing on December 11, 2003. It is doubtful whether I retain the authority to change the sentence once it has been imposed, I would deny it in any event.

Defendant argues that the presentence report does not disclose specific facts from which the court can make a finding that defendant is in possession or control of any proceeds from drug sales. Although I think that one could reasonably draw such an inference from the length of time in which defendant was engaged in drug trafficking and the expenditures that she and her co-defendant made, that is not the sole reason or even the primary one for the imposition of the fine.

The presentence report shows that defendant achieved a degree from the University

of Wisconsin in late 2002 and that she has no debt of any kind, although she reported earnings of no more than \$6600 in any year between 1998 and 2001. The reasonable inference is that she used her proceeds from drug trafficking to cover the costs of her college degree. I note also that she retained her own attorney, which suggests that she is not penniless.

With her college degree, her relative youth and her obvious intelligence, defendant has the attributes necessary for earning enough money to pay a fine of \$50,000. She lived a comfortable life for five years on the proceeds of her illegal activity. Requiring her to pay a fine of approximately \$10,000 a year is neither unrealistic nor unfair.

#### ORDER

IT IS ORDERED that defendant Stacy Clouse's motion for reconsideration of the amount of her fine is DENIED.

Entered this 17th day of December, 2003.

BY THE COURT:

BARBARA B. CRABB  
District Judge