

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

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

SALEM ABDEL-FARES,

Defendant.

---

MEMORANDUM

00-CR-0020-C-01

This case was remanded for the purpose of determining whether I would impose the same sentence on defendant today knowing that the Sentencing Guidelines are not mandatory. The answer is yes. Although defendant provided significant assistance to the government before his sentencing, that assistance was recognized in the government's decision not to seek a superseding indictment specifying that defendant had been responsible for more than 500 grams of cocaine, in not charging him with bail jumping after he fled the country, in recommending that his assistance warranted a reduction for acceptance of responsibility despite his violation of his bail conditions and in dismissing the third count of the indictment charging defendant with possession of firearms in furtherance of a drug trafficking crime.

Defendant's conduct (possession of ten firearms and 907 grams of cocaine), his prior criminal history and his flight pending trial are strong indicators of future recidivism. A significant sentence is required to protect the community and reflect the seriousness of his criminal conduct. Reducing his sentence further would denigrate the seriousness of his criminal conduct.

Entered this 13th day of June, 2005.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge