

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

CASE NO. 8:23-cr-32-KKM-TGW

DATE: May 15, 2023

HONORABLE KATHRYN K. MIZELLE

Courtroom 13B

**UNITED STATES OF AMERICA**

Cherie Kringsman, AUSA

**vs.**

**ROBERT BIRCHUM**

Christopher Roper, retained

COURT REPORTER: Bill Jones

DEPUTY CLERK: Gretchen O'Brien

INTERPRETER: n/a

PROBATION: Wilmarisa Martinez

TIME: 10:02 a.m.–12:17 p.m.

TOTAL: 2 hours, 15 minutes

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**CRIMINAL MINUTES - SENTENCING REFORM ACT MINUTES**

Court in session.

All parties are present in the courtroom and identified for the record.

Defendant sworn.

The defendant pleaded guilty to Count One of the Information.

The United States' oral motion for the third-point reduction for timely acceptance of responsibility is GRANTED.

The United States calls Sergeant Nicholas Jude for direct testimony.

Defense's cross-examination of Sergeant Jude

United States' re-direct examination of Sergeant Jude

The United States recommends a low-end guideline sentence of seventy-eight months imprisonment and a \$25,000 fine.

The defendant requests a probationary sentence.

The Court continues the imposition of sentencing.

The parties are instructed to file no later than May 22, 2023, supplemental memoranda as to similar cases.

The sentencing is continued to June 1, 2023, at 1:30 p.m.