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8 **Jess A. Lorona, # 009186**
9 Attorney for Defendant

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 **United States of America,**

13 Plaintiff,

14 vs.

15 **April Curtis,**

16 Defendant.

CASE NO. 2:07-CR-50085-SRB

**MOTION TO MODIFY SENTENCE
AND FOR EARLY TERMINATION
OF PROBATION**

(Assigned to the Honorable
Susan R. Bolton)

17 The Defendant, by and through her counsel undersigned, hereby respectfully
18 moves this Honorable Court, pursuant to Rule 32.1, Federal Rules of Criminal
19 Procedure and 18 U.S.C. § 3564 (c) for an early termination of her probation.

20 This Motion is supported by the Memorandum of Points and Authorities
21 attached hereto and incorporated herein by this reference

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RESPECTFULLY SUBMITTED this 12th day of December, 2008.

**LORONA, STEINER, DUCAR,
COUGHLIN & HOROWITZ, LTD.**

BY: /s/ Jess A. Lorona
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MEMORANDUM OF POINTS AND AUTHORITIES

Factual Background

The Defendant pled guilty to the crime of conspiracy to distribute and possess with intent to distribute controlled substance analogs intended for human consumption in violation of 21 USC §§ 802(32)(A), 812, 813, 841(a)(1), 841(b)(1)(C) & 846. On August 2, 2005, she was sentenced to a term of thirty-seven (37) months imprisonment with the United States Bureau of Prisons. Upon release from imprisonment, Defendant was to be placed on supervised release for a term of three (3) years. The court also imposed special conditions of supervision requiring Defendant to participate in a program approved by the United States Probation Officer which program was to include testing to determine if Defendant reverted to using drugs or alcohol.

Defendant was released from the United States Bureau of Prisons on June 7, 2007. While in prison Defendant completed the Residential Portion of the 500-Hour Drug Abuse Program. Exhibit "A", attached hereto and incorporated herein by reference, is a true and correct copy of her certificate of completion. Defendant participated in and successfully completed several other programs while in prison. When Defendant was released from prison on June 7, 2007, she was released to a halfway house where she remained until December 3, 2007. During this time, Defendant maintained continued employment as she was permitted weekend visitations home. Since December 3, 2007, Defendant has been on standard

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1 probation. During this time she has completed three (3) drug screens which are
2 required for early termination.

3 Defendant's probation officer has no objection to an early termination of
4 Defendant's probation.

5 **Legal Argument**

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7 18 USC § 3564 (c) provides for an early termination of probation after the
8 expiration of one year of probation. Defendant has been on standard probation since
9 December 3, 2007. She has successfully completed all the required terms of her
10 probation. Defendant submits that her conduct while in prison as well as her conduct
11 while on probation and the interest of justice mandate that her probation be terminated
12 early.

13 **RESPECTFULLY SUBMITTED** this 12th day of December, 2008.

14
15 **LORONA, STEINER, DUCAR,
COUGHLIN & HOROWITZ, LTD.**

16
17 BY: /s/ Jess A. Lorona
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I hereby certify that on December 12, 2008, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Darcy A. Cerow
U.S. Attorney's Office
40 N. Central Ave., Suite 1200
Phoenix, Arizona 85004
Attorney for Plaintiff

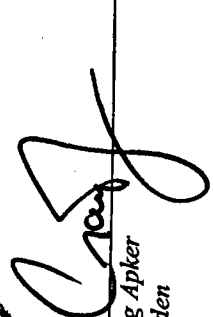
/s/ Talese Stone

EXHIBIT A



The Residential Portion of the 500-Hour Drug Abuse Program


M.K. Lewis, Ph.D.
RDAP Coordinator


Craig Apter
Warden