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9 Attorneys for Plaintiff
 10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,)	No. CR 07-689-GW
)	
14 Plaintiff,)	<u>GOVERNMENT'S RESPONSE TO</u>
)	<u>INQUIRY BY THE COURT REGARDING</u>
15 v.)	<u>SENTENCING</u>
)	
16 CHARLES C. LYNCH, et al.,)	
)	
17 Defendants.)	
)	

18
 19 The United States, by and through its counsel of record, the
 20 United States Attorney for the Central District of California,
 21 hereby responds to the Court's order regarding the sentencing of
 22 Charles C. Lynch ("defendant") as set forth during the March 23,
 23 2009 hearing and March 27, 2009 telephone conferences in the
 24 above-captioned case:

25 1. The enforcement policies of the Department of Justice
 26 ("DOJ"), including those expressed by the United States
 27 Attorney's Office ("USAO"), or by Attorney General Holder on this
 28 topic, do not confer any rights or defenses on any person.



U.S. Department of Justice

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APR 17 2009

Hon. Thomas P. O'Brien
United States Attorney
Central District of California
United States Courthouse
312 North Spring Street, 12th Floor
Los Angeles, California 90012

Re: United States v. Charles C. Lynch, et al.,
No. CR 07-689-GW

Dear Mr. O'Brien:

This responds to your request for guidance in responding to questions from the court in the above-captioned case as to whether recent public statements by the Attorney General indicate a change in Department of Justice policy that would impact the sentencing of Mr. Lynch.

In response to your request, the Office of the Deputy Attorney General reviewed the facts of this case to determine whether the prosecution of Mr. Lynch comports with the Department of Justice's policies with respect to marijuana prosecutions. Based on the facts of this case, the Office of the Deputy Attorney General concurs with your office that the investigation, prosecution, and conviction of Mr. Lynch are entirely consistent with Department policies as well as public statements made by the Attorney General. Accordingly, you should seek to proceed with the sentencing recommendations which your office has filed with the court.

If you have any questions regarding any of the above, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Marshall Jarrett".

H. Marshall Jarrett
Director