

RAFAEL M. GONZALEZ, JR.
ACTING UNITED STATES ATTORNEY
CHRISTOPHER S. ATWOOD, IDAHO STATE BAR NO. 7013
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF IDAHO
WASHINGTON GROUP PLAZA IV
800 EAST PARK BOULEVARD, SUITE 600
BOISE, ID 83712-7788
TELEPHONE: (208) 334-1211
FACSIMILE: (208) 334-1413

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN W. CLYNE,

Defendant.

Case No. 1:16-cr-00115-BLW

**GOVERNMENT'S SUPPLEMENTAL
SENTENCING MEMORANDUM**

The United States of America, by and through Rafael M. Gonzalez, Jr., Acting United States Attorney, and the undersigned Assistant United States Attorney for the District of Idaho, submits the following memorandum setting forth the Government's position at sentencing. The Government recommends that the Court sentence the defendant to a term of imprisonment of 41 months.

The Government's initial sentencing memorandum provides the basis for a sentence of 41 months. (ECF #69). The Government recognizes the defendant's age and physical condition are

not taken into account in the advisory guidelines. Those factors along with the defendant's other personal characteristics provide some mitigation in this case.

However, the advisory guidelines also do not take into account the most disturbing aspect of the defendant's conduct—that he sold numerous firearms that ended up in the hands of felons, drug dealers, and a registered sex offender. It was foreseeable that these are the types of people who would purchase firearms from the defendant because of his “no paperwork” and “no problem” sales approach. The defendant willfully disregarded federal law and the safeguards that keep guns out of the hands of dangerous criminals. The defendant disregarded those safeguards for the sole reason of his profit margin.

CONCLUSION

There is both mitigating and aggravating information not taken into account by the advisory guideline range. After considering all the information in this case, in light of the § 3553(a) factors, the advisory guideline range is reasonable and appropriate. The Government recommends the Court sentence the defendant to a low-end guideline sentence of 41 months.

Respectfully submitted this 2 day of June, 2017.

RAFAEL M. GONZALEZ, JR.
ACTING UNITED STATES ATTORNEY
By:

/s/ Christopher S. Atwood

CHRISTOPHER S. ATWOOD
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 2, 2017, the foregoing **GOVERNMENT'S SUPPLEMENTAL SENTENCING MEMORANDUM** was electronically filed with the Clerk of the Court using the CM/ECF system, and that a copy was served on the following parties or counsel by:

Robyn A. Fyffe Fyffe Law PO Box 5681 Boise, ID 83705 robyn@fyffelaw.com Attorney for Steven Clyne	<input type="checkbox"/> United States Mail, postage prepaid <input type="checkbox"/> Fax <input checked="" type="checkbox"/> ECF filing <input type="checkbox"/> E-mail
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/s/ Christopher S. Atwood

Christopher S. Atwood