

# NATIONAL LEGAL PROFESSIONAL ASSOCIATES

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## MEMORANDUM

**TO: ALL INTERESTED DEFENSE COUNSEL AND THEIR CLIENTS**

**FROM: NATIONAL LEGAL PROFESSIONAL ASSOCIATES**

**NAME: WILLIAMS**

**RE: DEFEATING A "CAREER OFFENDER" ENHANCEMENT!**

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Defendants and their attorneys often contact NLPA for assistance with direct appeals. NLPA's experience and resources can provide you with the tools you need for success, including up to the minute research on complex issues. No time to research? Unable to formulate convincing arguments? No idea where to even begin? Let NLPA's think-tank of legal researchers help. For years, NLPA has been helping attorneys secure shorter sentences for their clients. A recent example is the case of United States v. Williams, Case No. 99-4583, 16 Fed. Appx. 90 (4th Cir. 2001).

In Williams, the Defendant was convicted of unlawful possession of a firearm in violation of 18 U.S.C. § 922, and was sentenced as a "career offender" pursuant to § 4B1.1 of the United States Sentencing Guidelines. Mr. Williams received a sentence of life in prison. Understandably, Mr. Williams was not satisfied with that result. He hired NLPA to assist his attorney with his direct appeal to the Fourth Circuit Court of Appeals. NLPA worked closely with Mr. Williams' attorney, Stephen Lindsay of Asheville, North Carolina, in formulating arguments relating to the propriety of the § 4B1.1 enhancement. NLPA's research indicated that the court improperly applied § 4B1.1. Instead, the court should have applied § 4B1.4. As a result, Mr. Williams' offense level should have been 33, instead of 37.

After considering the arguments prepared by NLPA and Mr. Lindsay, the Fourth Circuit Court of Appeals vacated Mr. Williams' sentence, and remanded the case back to the district court for resentencing. The Fourth Circuit specifically found that the § 4B1.1 "career offender" enhancement was inappropriate in Mr. Williams' case, and that § 4B1.4 applied.

NLPA continues to be at the forefront of developing criminal law. If you or your clients need assistance with sentencing, appeals, federal or state post-conviction motions, or any other area of developing law, NLPA's resources and experience can provide you with the most up to the minute research and arguments available.

***NLPA: WE CARE, WE LISTEN, WE GET RESULTS!***

**THIS INFORMATIONAL MEMORANDUM IS DESIGNED TO INTRODUCE YOU TO NLPA.  
AS NLPA IS NOT A LAW FIRM, PROFESSIONAL SERVICES ARE ONLY PROVIDED  
TO LICENSED COUNSEL IN ALL AREAS THAT INVOLVE THE PRACTICE OF LAW.**