

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA :
 :
 v. : Criminal No. 7:05CR0090
 :
 GREGORY JOHN MITCHEL :

MOTION FOR SUBSTANTIAL ASSISTANCE CONSIDERATION
PURSUANT TO F.R.CRIM.P. 35

Pursuant to Section 5K1.1, United States Sentencing Commission Guidelines Manual, and pursuant to F.R.Crim.P. 35(b), the United States moves that GREGORY JOHN MITCHEL be accorded the benefit of a sentencing departure from the Guidelines sentence otherwise found to apply, based upon the fact that the defendant has provided substantial assistance in the investigation and prosecution of another person or persons who have committed offenses.

Respectfully submitted,

TIMOTHY J. HEAPHY
United States Attorney

Joseph W. H. Mott
Joseph W. H. Mott
Assistant United States Attorney

Bonnie L. Kane
Trial Attorney, Criminal Division
U. S. Department of Justice

C E R T I F I C A T E

I hereby certify that I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic

Filing to counsel of record John Lloyd Snook, II, and Leland Bruce Altschuler, on this 20th day of July, 2010.

Joseph W. H. Mott
Joseph W. H. Mott
Assistant U. S. Attorney