



Halscott Megaro

July 3, 2018

Hon. Donald J. Trump
c/o Office of the Pardon Attorney
145 N Street N.E.
Suite 5E.508
Washington, DC 20530

Re: Application for Commutation of Sentence for Corvain T. Cooper

Dear Mr. President:

I write to humbly ask you to commute the sentence of life imprisonment without the possibility of parole of my client, Corvain T. Cooper, for the crime of conspiracy to distribute marijuana.

I normally do not make a personal request on behalf of a client in these circumstances; because this is an extraordinary case and because this case has touched me deeply, I am making an exception.

On June 18, 2014, Corvain T. Cooper was convicted in the United States District Court for the Western District of North Carolina in Charlotte for the crime of conspiracy to distribute and possession with intent to distribute marijuana and sentenced to life without the possibility of parole. This was a non-violent crime. Corvain Cooper did not use any violence, or even threaten any violence, in this case. Despite former Attorney General Eric Holder's promise not to seek life sentences for non-violent drug offenders, the United States Attorney sought and obtained a life sentence under the Federal "Three Strikes" law. Corvain Cooper's two prior felonies that were the first two strikes were a conviction in California for possession of marijuana, and one conviction for possession of codeine cough syrup without a prescription.

I was hired by Corvain Cooper's mother after his trial to represent him at sentence and in his first direct appeal. I met Corvain at the Mecklenburg County Jail in Charlotte, North Carolina, and started the process of preparing to help him. I was surprised by how my life parallels Corvain's in many ways. We are almost the same age, and have children who are almost identical ages, and we are both self-employed – I in the law, he in the clothing and apparel business. We were both raised by single mothers. We both shared an intense devotion to our children, and shared stories about fatherhood. Because I served in the military, I too faced the prospect of extended separation from my family, and knew first-hand the resultant anxiety of time away from home and loved ones. Because we are similar in many ways, I am able to personally relate to him and his family situation. We have spoken on a personal level many times, and we share many of the same family and work values that we want to impart upon our children.



www.HalscottMegaro.com
407-255-2164

Halscott Megaro, P.A.
1300 N Semoran Blvd, Suite 195
Orlando, FL 32807

As I started to prepare for sentencing, one of the first things that caught my attention was the disparity between the sentence sought by the Government against Corvain (life imprisonment without parole) and the sentences the co-defendants and co-conspirators received. Most, if not all, of those other individuals were more culpable than Corvain. These people were the main players in the conspiracy, and made hundreds of thousands of dollars in profits.

Ahmed Daniel Crockett – convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **235 months** + 5 years Supervised Release

Goldie Frances Crockett – convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **60 months** + 3 years Supervised Release

Sharon Kelsey-Brown - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **60 months** + 3 years Supervised Release

Robert Jonathan Brown - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **58 months** + 5 years Supervised Release

Shondu Lamar Lynch - convicted of Conspiracy to Distribute Marijuana, Money Laundering, and Possession of a Firearm in Furtherance of a Drug Crime - sentenced to 36 months + 4 years Supervised Release, concurrent with to 36 months + 3 years Supervised Release, consecutive to 60 months + 4 years of Supervised Release = **aggregate total 96 months** + 4 years Supervised Release

Tavarus Shamaco Logie - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **210 months** + 5 years Supervised Release

Crystal Alethea Easter - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **36 months** + 4 years Supervised Release

Don Levon Marsh - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **48 months** + 4 years Supervised Release

Anthony Silva Alegrete - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **24 months** + 5 years Supervised Release

Ronald Clemenceau Hargette - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **60 months** + 4 years Supervised Release

Sandra Anita Landers - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **27 months** + 3 years Supervised Release

I filed a sentencing memorandum highlighting the disparity in punishment, and argued that this was inherently unfair. I also argued that the sentence of life imprisonment without parole for my client was Cruel and Unusual Punishment.

When I walked into court for the sentencing on June 18, 2014, I was almost as nervous as Corvain. I listened as the judge imposed the mandatory sentence of life imprisonment without the possibility of parole, seemingly against his will, and said:

[T]he Court is not comfortable with imposing a mandatory life sentence on a 34 year old individual without some discretion to consider the 3553(a) factors that a court normally is entitled to consider...The Court has no discretion. I'm not sure what I would do if I had discretion, but the absence of discretion is a difficult thing for the Court.

When he was sent to prison for the rest of his life for selling marijuana, Corvain Cooper was 34 years old, a father to two young daughters, ages 4 and 8, a fiancée, a son, a friend, and a small business owner selling clothing and footwear.

After the sentencing was over, I tried as best as I could to console my client, whose life was just taken away from him. Tearfully, he asked me to promise him to fight for his freedom and do everything I could to help him. What else could I do when a man whose life has been completely shattered asks me to help him? He had no one else in his life besides his mother and his daughters – if I did not help him, who else would?

I looked him in the eye and made a solemn promise – I would do everything in my power to help him, no matter what.

Shortly after the sentencing, Corvain's mother encountered severe financial difficulty that made it impossible for her to pay the legal fees.

However, I had made a promise, and I intended to keep my word. I agreed to represent Corvain for free going forward.

We appealed his conviction and sentence, making several arguments, including that his sentence of life imprisonment without parole for a non-violent drug offense as Cruel and Unusual Punishment. The United States Court of Appeals for the Fourth Circuit denied the appeal, and the Supreme Court declined to hear the case.

In 2016, while the appeals were pending, we submitted an application for clemency with President Barack Obama after it was widely reported that former President Obama was embarking on a special initiative to grant clemency to non-violent drug offenders. We were very excited to make the application, because we believed given the political message from the former administration, coupled with the facts of this case, we had as good a chance to get some relief from what I perceive to be a terrible injustice.

Unfortunately, before he left office, President Obama denied our clemency petition. Both Corvain and I were extremely disappointed, to put it lightly. Apparently, former Attorney General Holder's directive not to seek life sentences for non-violent drug offenders was completely empty talk. Apparently, President Obama's clemency initiative was a hollow promise. I was more than a little bitter and resentful.

After his direct appeals concluded, the State of California enacted Proposition 47 and Proposition 64 as part of legislative drug law reforms after California legalized marijuana. Both laws permitted people like Corvain Cooper to apply to the courts to vacate their marijuana or drug felony convictions, and replace them with misdemeanor convictions. Corvain Cooper successfully applied, and both of his felony convictions were thrown out. Both of the "two strikes" were vacated, meaning that Corvain Cooper was no longer eligible for the "Three Strikes" law.

We filed a petition pursuant to 28 U.S.C. 2255 in the United States District Court for the Western District of North Carolina, challenging his life sentence under the "Three Strikes" law - since two of the three strikes were no longer felonies, he should not receive a life sentence.

Unfortunately, the District Court denied our challenge. We tried to appeal to the United States Court of Appeals for the Fourth Circuit again, but the Fourth Circuit declined to hear the case.

We are once again petitioning the Supreme Court to hear the case, but statistically the odds are not in our favor. If the Supreme Court allows this sentence to stand, this man will never see his family again.

I humbly beseech you to commute this sentence. While he may have made some mistakes in his life, Corvain Cooper is a genuinely good person that does not does not deserve this Draconian punishment. Locking up a young father and throwing away the key is hardly productive. He has a lot to offer society. He has the ability to run his own business, generate wealth, provide for his children, and live as a normal citizen.

The sentence is also extremely unfair. When I tell Corvain's story to people unfamiliar with the case, I am usually met with disbelief: "You mean someone is serving a sentence for murder for selling marijuana? No way!" People who have done far worse than him have received far less prison time. He did not kill anyone; he did not hurt anyone; he did not even threaten to hurt anyone. All he did was get involved with selling marijuana, the most benign of the controlled substances, one which has been legalized in one form or another in many States in the Union.

Corvain Cooper went to trial with two co-defendants – Evelyn Chantell LaChappelle and Natalia Christina Wade. They were both found guilty of the same crimes as Corvain Cooper, and shared the same level of culpability. However, they received the following sentences:

Evelyn Chantell LaChappelle - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **87 months** + 4 years Supervised Release

Natalia Christina Wade - convicted of Conspiracy to Distribute Marijuana and Money Laundering - sentenced to **87 months** + 4 years Supervised Release

This is to be compared to a sentence of Life Imprisonment without the possibility of parole that Corvain Cooper received for the same thing.

This also provides you, Mr. President, with a golden opportunity to right to wrongs of the last administration. This also gives you the opportunity to again prove that Donald J. Trump is not a man who makes empty promises, but is a man of compassion and fairness.

As I said earlier, I normally do not make a personal request on behalf of my client. I have been practicing criminal defense and appellate litigation for approximately 14 years. I began my career at The Legal Aid Society, Criminal Defense Division, in Manhattan, and continued in private practice after I left Legal Aid in 2004. I have represented people on several thousand cases at this stage of my career. I have seen people at the highest and lowest points of their lives. In many ways, criminal defense is a study of human behavior and psychology. I find myself not only being an advocate and adviser to clients, but sometimes having to be a friend, confidant, and social worker to help them work through their legal problems, which is frequently a symptom of some other larger problem in their lives.

I am shocked at Corvain Cooper's resilience. Despite all of the legal setbacks, he has maintained a positive attitude, which must take a monumental daily effort, given his situation. This is contrary to my experience as a criminal defense lawyer. It is very common for a person convicted of a crime to become extremely bitter and hold a jaded view of the Government and law enforcement after a conviction and sentence, whether justified or not. These bitter feelings, like the collateral consequences of a conviction, can permanently alter a person's thinking and their life. The same holds true for the families of the convicted. I have experienced this hundreds, perhaps thousands, of times over the course of my career.

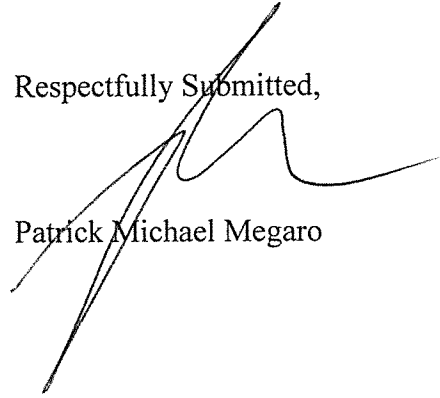
It would have been very easy for Corvain to become just as jaded and bitter, and harbor feelings that he was treated unfairly. He would have found many a sympathetic ear with friends, family, and others similarly situated. He could have chosen to dwell on the negative, rather than focus on the positive.

The fact that he has not is, in itself, a reason for redemption. But there are so many more. I agree that there are some people that are so dangerous that there is no place in civilized society for them; life imprisonment is appropriate for these individuals for the protection of society.

Corvain Cooper is not one of those people.

I ask you to please do the right thing. I know you can, you know you can, and even though many of them would not want to admit it, everyone else knows you can.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Patrick Michael Megaro'. The signature is stylized with a large, sweeping initial 'P' and a long, horizontal tail.

Patrick Michael Megaro