

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA)
)
 v.) 1:03-cr-00088-JAW
)
STEPHEN LAWRENCE)
MOREHOUSE)

**ORDER FOR MODIFICATION OF SUPERVISED RELEASE
PURSUANT TO 18 U.S.C. SEC. 3559(a)(3) AND 3583(b)(2)**

On November 26, 2003, Stephen Lawrence Morehouse waived indictment and pleaded guilty to an information, charging him with bank fraud in violation of 18 U.S.C. § 1344. *Information* (ECF No. 1); *Minute Entry* (ECF No. 7). On February 14, 2006, the Court sentenced Mr. Morehouse to 120 months incarceration, supervised release of five years, restitution of \$364,206.00, and a special assessment of \$100. *J.* (ECF No. 77). On November 15, 2013, Mr. Morehouse, acting pro se, filed a motion, demanding that his term of supervised release be reduced from five to three years. *Mot. for Modification of Supervised Release Sentence Pursuant to 18 U.S.C. Secs. 3559(a)(3) and 3583(b)(2)* (ECF No. 112). Mr. Morehouse asserts that he pleaded guilty to a Class C Felony and therefore the maximum term of supervised release is three, not five years. *Id.* at 1.

He is wrong. The maximum penalty for bank fraud is thirty years. 18 U.S.C. § 1344 (“shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both”). Bank fraud is therefore a Class B, not a Class C crime. 18 U.S.C. § 3559(2) (“An offense that is not specifically classified by a letter grade in the section

defining it, is classified if the maximum term of imprisonment authorized is . . . twenty-five years or more, as a Class B felony”). The authorized term of supervised release for a Class B felony is not more than five years. 18 U.S.C. § 3583(b)(1) (“Except as otherwise provided, the authorized terms of supervised release are . . . (1) for a Class A or Class B felony, not more than five years”).

Mr. Morehouse may be confused about the difference between the maximum sentence of thirty years that was authorized under the statute and the sentence of ten years that he actually received. In any event, the five-year term of supervised release is a legally permissible sentence and the Court DENIES Stephen Lawrence Morehouse’s Motion for Modification of Supervised Release Sentence Pursuant to 18 U.S.C. Secs. 3559(a)(3) and 3583(b)(2) (ECF No. 112).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 21st day of November, 2013

Defendant (1)

**STEVEN LAWRENCE
MOREHOUSE**
TERMINATED: 02/15/2006

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