

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT BIG STONE GAP, VA
FILED

AUG 25 2008

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA)

v.)

GRANT T. STANLEY)

Defendant.)

CASE NO. 2:06CR17

GOVERNMENT'S MOTION TO REDUCE
SENTENCE AND SUPPORTING MEMORANDUM

The United States, by Julia C. Dudley, Acting United States Attorney for the Western District of Virginia, Randy Ramseyer, Assistant United States Attorney, and Tyler G. Newby, Trial Attorney, United States Department of Justice, Computer Crime and Intellectual Property Section, hereby moves pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure to reduce Defendant Grant Stanley's sentence based on Defendant's substantial assistance in the government's investigation and prosecution of others who have committed crimes, namely, Daniel Dove.

I. Background

On July 19, 2006, Grant Tyler Stanley, entered a guilty plea to a criminal information charging him with conspiracy to commit criminal copyright infringement in violation of 18 U.S.C. § 371 and criminal copyright infringement, in violation of 17 U.S.C. § 506(a)(1)(c) and 18 U.S.C. § 2319(d)(2). On October 17, 2006, this Court sentenced the Defendant to five months imprisonment followed by five months of home detention and three years of supervised release. Defendant served his period of incarceration and completed his period of home detention on or around September 22, 2007. Defendant is currently on supervised release, which is scheduled to end on or around April 22, 2010. According to Defendant's probation officer,

Jake Fletcher, Defendant has been a model probationer.

II. Defendant's Substantial Assistance

Defendant provided substantial assistance to the government in its investigation and prosecution of Daniel Dove. As the Court will recall from Dove's trial, Dove and Defendant were members of an Internet-based group known as Elite Torrents, which was dedicated to distributing pirated movies, video games and software to its more than 100,000 members. Defendant, who had been first introduced to the Elite Torrents group by Dove, was the only government witness who was able to identify Dove definitively as the true person who used the "Duffman," "Derkader" and "McCalister" aliases while acting as a high-level administrator and as an uploader of pirated content. Stanley's testimony, both before the Grand Jury in August of 2007, and at trial in July 2008, therefore substantially assisted the government by corroborating other evidence identifying Dove and in deflecting anticipated defenses that Dove was not the person who used those aliases.

In addition to identifying Dove, Stanley provided substantial assistance to the government by describing the operation of the Elite Torrents piracy group and Dove's role in that group. Because Stanley and Dove had worked together and had been friends during the relevant time period, Stanley had a unique view into Dove's role as an administrator who exercised a significant amount of control over lower level members of the group. In addition, Stanley was able to authenticate logs stored on his computer of chat communications with Dove in which Dove made self-incriminating statements.

Defendant was always professional in his dealings with the government, and he took time out of his work and personal schedule to meet with government agents.

III. Recommendation

Defendant deserves credit for his cooperation. His cooperation, as described above, helped the

government obtain a grand jury indictment and jury trial conviction of Daniel Dove.

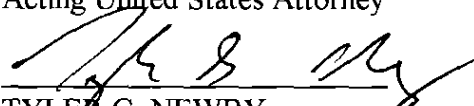
In light of Defendant's cooperation, the fact that he has already served the period of incarceration imposed by his original sentence, and his probation officer's recommendation that Defendant be released from supervision, the government requests that the Court terminate Defendant's supervised release immediately.

The government has discussed the substance of this motion and the recommended sentence reduction with counsel for Defendant and counsel have agreed that the motion can be resolved on the papers (including this motion and any response by Defendant) and without a hearing.

Respectfully submitted,

JULIA C. DUDLEY
Acting United States Attorney

By:



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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of August, 2008, I will place in First Class Mail the foregoing Motion to Reduce Sentence and Supporting Memorandum to the following:

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Counsel for Defendant, Grant T. Stanley

A handwritten signature in black ink, appearing to read 'Tyler G. Newby', is written over a horizontal line.

TYLER G. NEWBY

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