

1           As to the counts, I find that as to count 1  
2 you have a base offense level of 18 and 2 points for  
3 offense characteristic involved a threat or bodily  
4 injury. I am going to add the 2 points for obstruction  
5 of justice and that gives you an adjusted offense level  
6 of 22.

7           As to count 2, you have a base offense level  
8 of 18, adding 2 points for that because of the threat of  
9 bodily harm, adding 2 points for obstruction of justice.  
10 So that gives you an adjusted offense level as to count  
11 2.

12           As to count 3, you have the same adjusted  
13 offense level. As to count 4, you have an adjusted  
14 offense level of 14.

15           Under the advisory sentencing guidelines  
16 counts 1, 3 and 4 you can get up to 20 years under the  
17 statutory provision, and count 2 up to five years.  
18 Under the guideline provision, the guidelines suggest a  
19 period of incarceration from anywhere from 92 to  
20 115 months. A period of supervised release from 1 to  
21 3 years, ineligible for probation, a fine of \$12,500 to  
22 \$1 million and a special mandatory assessment of \$400.

23           I have read the briefs that both sides have  
24 filed in the case. The one thing that concerns me more  
25 than anything else is I think the Government is trying

1 to punish you for your beliefs rather than -- well,  
2 largely because of your beliefs rather than the threats  
3 that you sent. If you hadn't been Bill White, it would  
4 probably have been in state court. And it probably had  
5 been handled by the J&D relations court and you wouldn't  
6 have gotten a very long sentence. But you are more or  
7 less a public figure. Everybody knows about you and the  
8 general public doesn't agree with these views that you  
9 have.

10 I thought that after, you know, your first  
11 sentence you would straighten up and behave, but believe  
12 whatever you want to believe, but you can't send  
13 threatening messages to individuals. I have thought  
14 about enhancing the punishment. I have thought about  
15 going below the advisory sentencing guidelines, but I  
16 think that 92 months is sufficient in this case and  
17 satisfies the purposes of sentence.

18 So pursuant to the Sentencing Reform Act of  
19 1984 and after having considered the factors noted in 18  
20 USC code section 3553(a) and having consulted the  
21 advisory sentencing guidelines, it's the judgment of  
22 this Court that you be committed to the custody of the  
23 Bureau of Prisons to be incarcerated for a total term of  
24 92 months. The term consisting of 92 months on each  
25 counts 1, 3 and 4 and a term of 60 months on count 2.