

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 04-10226-01-WEB
)	
CHANDRA L. McGANN,)	
)	
Defendant.)	
_____)	

Memorandum and Order

This matter is before the court on the defendant's motion for early termination of probation. (Doc. 27). Section 3564(c) of Title 18 provides in part that the court, after considering the factors in § 3553(a), may terminate a term of probation previously imposed and discharge the defendant at any time after expiration of one year of probation in the case of a felony, if the court is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

After considering the relevant factors as applied to this case, the court concludes that the defendant's conduct and the interests of justice warrant early termination of probation. The following factors, among others, support this finding: the defendant's conviction was based upon her actions in aiding and abetting a boyfriend; she fully admitted her guilt and assisted the Government after being charged with the offense; she has no significant prior criminal history of any kind and is unlikely to re-offend; she has fully complied with the terms of probation imposed by the court for a period exceeding one year; the termination of probation is likely to assist the defendant in obtaining gainful employment; and the Probation Officer in charge of defendant's case does not object to early termination (although, due to the nature of the underlying offense, the defendant does

not qualify for a *recommendation* of early termination under Probation Office guidelines). The Government has likewise indicated that it does not object to the defendant's request. The court is satisfied that the interests of justice favor the early termination of probation in this instance.

Accordingly, defendant's Motion for Early Termination of Probation (Doc. 27) is hereby GRANTED. The term of probation previously imposed by the court is terminated as of the date of this order. The defendant Chandra L. McGann is hereby discharged from the sentence of probation in this case. IT IS SO ORDERED this 30th Day of October, 2006, at Wichita, Ks.

s/Wesley E. Brown

Wesley E. Brown
U.S. Senior District Judge