

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. 13-10031-01-JTM

JASON MATTHEW PENNINGTON,
Defendant.

MEMORANDUM AND ORDER

This matter is before the court on defendant Jason Matthew Pennington's third motion for early termination of supervised release (Dkt. 106). The court's prior orders denied Pennington's requests for early termination due to a failure to adequately address the outstanding forfeiture balance due on his criminal judgment and failure to address the impact of an ongoing bankruptcy matter on that repayment obligation. (*See* Dkt. 103, 105). Pennington contends that early termination is now appropriate as a plan has been reached in the bankruptcy matter that addresses partial repayment and ultimate discharge of his financial obligation to the United States. The United States continues to oppose Pennington's request. The United States Probation Office does not oppose the request, and details concerning its position can be found in the court's prior orders.

Upon review of Pennington's motion, the court is satisfied that the plan set forth in Pennington's bankruptcy matter (United States Bankruptcy Court for the District of Kansas case number 19-10112-13) adequately addresses the court's prior concerns about payment of Pennington's outstanding financial obligation to the United States. The court notes that the United States did not object to the plan as set forth in the bankruptcy

proceedings. According to Pennington's Probation Officer, other than compliance with the financial condition of supervised release, Pennington has been in compliance with the terms of his supervision since it commenced on April 5, 2018, has maintained stable employment and living conditions since that time, and otherwise has given the Probation Office no reason to oppose his request for early termination.

The court consequently finds that early termination of supervised release is warranted based on Pennington's conduct, that it is in the interest of justice, and that it is supported by the court's review of the appropriate sentencing factors set forth in 18 U.S.C. § 3553(a). *See* 18 U.S.C. §3583(e). Pennington's motion (Dkt. 106) is therefore GRANTED.

IT IS SO ORDERED this 30th day of March, 2020.

/s/J. Thomas Marten
THE HONORABLE J. THOMAS MARTEN
UNITED STATES DISTRICT COURT