

UNITED STATES SENTENCING COMMISSION
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March 13, 2001

Honorable Samuel F. Biery, Jr.
United States District Court
John H. Wood, Jr. United States
Courthouse
655 East Durango Boulevard
San Antonio, TX 78206-1198

Mr. McGrath,
I concur
with option one.

Re: Proposed Amendment

Dear Judge Biery:

The United States Sentencing Commission currently is reviewing the guideline for unlawfully entering or remaining in the United States, USSG §2L1.2, and has published for comment the attached proposed amendment in the *Federal Register*. Our staff analysis of the proposal identified your court as one of the ten districts with the greatest number of cases sentenced under §2L1.2.

You may wish to comment on the proposed amendment, but the period for receiving comment is short. By statute the Commission is required to submit guideline amendments to Congress by May 1 of any given year, and the Commission is scheduled to vote on this particular amendment at its meeting on April 5, 2001.

Please forward any comments to: Office of Public Affairs, United States Sentencing Commission, One Columbus Circle, N.E., Washington, DC 20002-8002.

Sincerely,

TO : Timothy B. McGrath
Staff Director

Enclosure

cc: Commissioners