

HARRY LEE HUDSPETH
Judge

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
511 EAST SAN ANTONIO STREET
EL PASO, TEXAS 79901

March 23, 2001

Mr. Timothy B. McGrath
Staff Director
United States Sentencing Commission
One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002

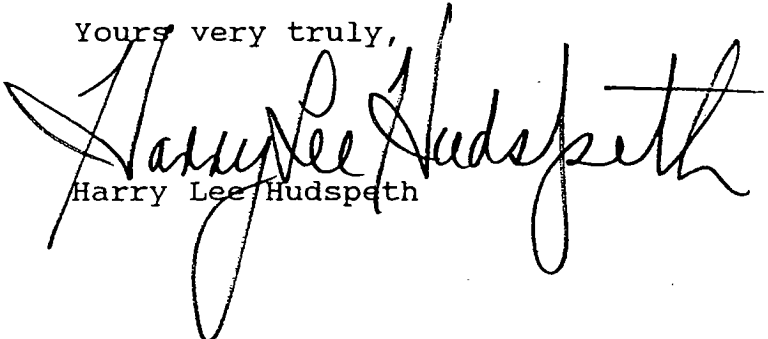
Re: Proposed Amendment to Section 2L1.2

Dear Mr. McGrath:

Thank you for the copy of the Sentencing Commission's proposed amendment to Section 2L1.2 of the Guidelines. The amendment is long overdue. The guidelines applicable to violations of Title 8 U.S.C. § 1326(b)(2) have long been unrealistically and unreasonably high. As you know, we sentence several defendants every day. It is quite common for a defendant convicted of plain old illegal reentry to have guidelines two or three times higher than the drug smuggler sentenced just before him or just after him. This defies all reason and common sense. Therefore, I enthusiastically endorse the effort to change the guidelines applicable to section 1326.

With respect to your specific request for comments, I would prefer Option One to Option Two, and suggest that the enhancement for an aggravated felony not apply to convictions more than fifteen years old.

Yours very truly,


Harry Lee Hudspeth

HLH:sd