

3553(a), which provides . . . that the lowest possible penalty consistent with the goals of sentencing be imposed.” *United States v. Blarek*, 7 F.Supp.2d 192, 210 (E.D.N.Y. 1998) (citing *United States v. Johnson*, 964 F.2d 124, 125 (2d Cir. 1992) (“the United States Sentencing Guidelines do not require a judge to leave compassion and common sense at the door to the courtroom”)). “The notion that undue harshness should be avoided by those sitting in judgment has long been a part of the human fabric and spirit. Lenity is often the desirable route.” *Blarek*, 7 F.Supp.2d at 210. In the words of one of the victims in this case: “Justice served with mercy is always appropriate.” (██████████ VIS).

We could not agree more. It is unnecessary to imprison Brant Frost past his 75th birthday to fulfill the aims of the criminal law.

For the foregoing reasons, Edwin Brant Frost IV respectfully requests that the Court impose a term of imprisonment of five years, plus restitution (at a later date) and supervised release.

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CERTIFICATE OF SERVICE

This is to certify that on this 19th day of October, 2026, I electronically served a copy of Defendant Edwin Brant Frost's Sentencing Memorandum using the CM/ECF system upon all counsel of record in this matter.

/s/ Marc L. Mukasey
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