

1 DANIEL CASILLAS, ESQ., SBN 110298  
Attorney at Law  
2 225 Broadway, Suite 2100  
San Diego, California 92101  
3 Tel: (619) 237-3777  
Fax: (619) 236-0527  
4 Email: attydtc@hotmail.com

5 Attorney for Defendant

6

7

8

9

10

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE JANIS L. SAMMARTINO)**

11

UNITED STATES OF AMERICA,

Case No. 21CR01178-JLS

12

Plaintiff,

**DEFENDANT’S SENTENCING  
MEMORANDUM**

13

vs.

14

OLATUNDE JAMES TEMITOPE  
AKINTONDE,

Date: November 24, 2021  
Time: 1:45 PM

15

16

Defendant.

17

18

19

COMES NOW the defendant OLATUNDE JAMES TEMITOPE  
AKINTONDE, by and through his counsel Daniel Casillas, and respectfully submits  
Defendant’s Sentencing Memorandum.

20

**I.**

21

**INTRODUCTION**

22

Defendant Olatunde James Temitope Akintonde (hereinafter “Mr. Akintonde”) is before the Court for sentencing after having pled guilty to Count One of the two-count indictment charging him with distribution of fentanyl, in violation of Title 21, United States Code, Section 841(a)(1), a Class C felony. The offense was committed on or about February 28, 2019.

23

24

25

26

27

28

1 Mr. Akintonde has been in continuous federal custody since his arrest on  
2 November 26, 2019.

3 Mr. Akintonde is now 23 years old but was age 20 at the time of the offense.  
4 He is a United States citizen born in Houston, Texas. His parents separated when he  
5 was five years old and his mother moved the family from Texas to Boulevard,  
6 California. From the age of eight to seventeen his family resided in Boulevard,  
7 Jacumba, and Campo before finally relocated to El Cajon. At the time of the offense  
8 in 2019 Mr. Akintonde was living with his mother, grandmother, and his younger  
9 siblings in El Cajon.

10 In El Cajon Mr. Akintonde became friends with the victim in the case, Samuel  
11 J. Guenther (identified by his initials S.J.G. in the indictment and PSR), and they took  
12 drugs together. Mr. Akintonde also supplied drugs to S.J.G. and on the offense date,  
13 February 28, 2019, he delivered two counterfeit *oxycodone* pills laced with fentanyl  
14 to Samuel in exchange for money. Mr. Akintonde **did not know** the pills were laced  
15 with fentanyl but did know they were “strong” and so advised Samuel to take only  
16 one. Mr. Akintonde believed he was dealing with *oxycodone* and *percocet* pills as he  
17 had previously which, sadly, was not the case and resulted in tragedy.

18 Mr. Akintonde has accepted responsibility for his actions and expressed sincere  
19 remorse and deep regret for committing the instant offense. He has stated, “I have  
20 learned that in life the decisions you make come with a price. The price can  
21 be good, or it can be bad. Sam and I both made a bad decision and the price cost  
22 us both heavily.” [See Exhibit A, letter from Mr. Akintonde]. He has the initials  
23 S.J.G. tattooed on Mr. Akintonde’s left hand as a tribute to and reminder of his good  
24 friend.

25 The number of fentanyl deaths in San Diego County has risen dramatically in  
26 the last five years. In 2016 there were 33 deaths from fentanyl deaths in San Diego  
27 County and the number rose to 462 in 2020, a staggering 1,300% increase. *See*,  
28 <https://www.kpbs.org/news/health/2021/09/21/overdose-deaths-meth-fentanyl-rising->

1 dramatically. A California Health Alert Network San Diego, August 21, 2020,  
2 “Fentanyl Overdose Deaths Related to Illicit Drug Use” noted

3 In 2019, there were 152 fentanyl-related overdose deaths in San  
4 Diego County. Through the first week of August, 233  
5 fentanyl-related deaths have been noted this year, of which 119  
6 have been confirmed and 114 are pending confirmation. The  
7 deaths this year are nearly three times the 79 deaths due to fentanyl  
8 toxicity at the same time last year. During the first week of August,  
9 the San Diego County Medical Examiner’s Office noted 24 deaths  
10 likely due accidental fentanyl overdoses, alone or with another  
11 drug.

12 DEA press release on August 20, 2020, from San Diego stated

13 “While buyers may think they’re getting cocaine, oxy or Xanax, in  
14 reality they’re playing a high stakes game of Russian roulette,”  
15 said United States Attorney Robert Brewer. “When it comes to  
16 fentanyl, there’s no truth in advertising and you can forget about  
17 quality control. Hundreds of unknowing buyers end up ingesting a  
18 deadly dose of fentanyl, which has left scores of grieving San  
19 Diego families in its wake this year.”

20 See, [https://www.dea.gov/press-releases/2020/08/06/alarming-spike-fentanyl-re](https://www.dea.gov/press-releases/2020/08/06/alarming-spike-fentanyl-related-overdose-deaths-leads-officials-issue)  
21 [lated-overdose-deaths-leads-officials-issue](https://www.dea.gov/press-releases/2020/08/06/alarming-spike-fentanyl-related-overdose-deaths-leads-officials-issue).

22 In the United States’ Sentencing Memorandum the government notes that  
23 Samuel was a young man who had “stumbled” in his life. The memo says Samuel  
24 “was born on August 29, 1998”, (at 3) but then states “[i]n February 2019, Samuel  
25 was only nineteen years old” (at 4). Whether Samuel was 19 or 20 years old at the  
26 time of his death, it must be remembered that Mr. Akintonde was himself a young  
27 man of 20 years old at the time and was friends with Samuel. As the government  
28 concedes, there is no direct evidence that Mr. Akintonde knew the pills he sold  
contained fentanyl. As tragic as this case is, it bears to keep in mind that it takes two  
to tango—a seller and a buyer—and not all the blame should be on the seller, a young  
man like the buyer, who he considers a friend.

Post-*Booker*, the role of the district court is to find the most reasonable  
sentence within the territory of all reasonable sentences. “While the Guidelines are to  
be respectfully considered, they are one factor among the § 3553(a) factors that are to  
be taken into account in arriving at an appropriate sentence. [T]he Guidelines factor

1 [may not] be given more or less weight than any other.” *See United States v. Autery*,  
 2 555 F.3d 864, 872 (9th Cir. 2009) (citations omitted). **To impose a non-guideline**  
 3 **sentence, the particular circumstances of the individual need not be**  
 4 **extraordinary.** *See id.* (“The Supreme Court has emphasized that ‘extraordinary  
 5 **circumstances’ are not a prerequisite to upholding a sentence outside the**  
 6 **Guidelines.”). Rather, the Court must impose the minimally sufficient sentence to**  
 7 **achieve the statutory purposes of punishment. 18 U.S.C. § 3553(a); *United States v.***  
 8 ***Foreman*, 436 F.3d 638, 644, n. 1 (6th Cir. 2006) (“[A] district court’s job is not to**  
 9 **impose a ‘reasonable’ sentence. Rather, a district court’s mandate is to impose a**  
 10 **‘sentence sufficient but not greater than necessary, to comply with the purposes’ of**  
 11 **section 3553(a)(2).”).**

12 In the plea agreement Mr. Akintonde agreed to not request or recommend a  
 13 sentence less than 108 months/9 years in custody. Pursuant to the plea agreement, the  
 14 defense recommends that the Court sentence Mr. Akintonde to no more than 108  
 15 months in custody. The relevant factors in this case support this recommendation and  
 16 a 108 month sentence is “sufficient but not greater than necessary,” to comply with  
 17 the goals of sentencing set forth in Title 18, United States Code, Section 3553(a).

18 **II.**

19 **SENTENCING RECOMMENDATION**

20 **A. CALCULATION OF THE ADVISORY GUIDELINE RANGE**

21 **1. Plea Agreement Summarized**

22 In exchange for Mr. Akintonde’s guilty plea and waiver of his trial and most  
 23 appellate rights, the parties have agreed to recommend the following Base Offense  
 24 Level, Specific Offense Characteristics, adjustments and departures:

1. Base Offense Level, USSG §§ 2D1.1(a)(2) and 1B1.2(c)	38
2. Safety Valve, in applicable, USSG §§ 2D1.1(b)(18) and 5C1.2.	0
3. Acceptance of Responsibility, USSG § 3E1.1(a) & (b)	-3



1 and alcohol at an early age and by age 18 was using *Percocet* and *Xanax* with his  
2 friends at parties on the weekends. Prior to him committing the instant offense at age  
3 20, he did not see the drug use as a problem. The victim as a good friend of Mr.  
4 Akintonde and even taught him how to drive a stick shift automobile.

5 Mr. Akintonde wrote in a letter to the court, “Sam had no intentions of  
6 overdosing & I had no intentions of being a part of him overdosing. When Sam and I  
7 met in high school we were both young, dumb, & just wanted to have fun. Sam and I  
8 went through a lot together, so drugs was the best way to free our problems.” Mr.  
9 Akintonde’s youth and naivety led him to make a tragic decision that resulted in his  
10 good friend losing his life. His decision will impact him for the rest of his life.

11 This Court should consider Mr. Akintonde’s youth and grant a downward  
12 departure, pursuant to U.S.S.G. § 5H1.1.

13 **B. Physical Conditions, Including Drug Dependence or Abuse, § 5H1.4**

14 A defendant’s physical condition, including drug or alcohol dependence or  
15 abuse, may warrant a downward departure, under U.S.S.G. § 5H1.4, although drug or  
16 alcohol dependence or abuse ordinarily is not a reason for a downward departure.  
17 However, a departure may be warranted if the condition, individually or in  
18 combination with other offender characteristics, is present to an unusual degree and  
19 distinguishes the case from the typical cases covered by the guidelines. *Id.*

20 Here, as noted in the PSR, Mr. Akintonde’s prior criminal history indicates  
21 issues with controlled substances and he has admitted to his alcohol and drug use. He  
22 smoked marijuana for the first time at age 11 and continued to smoke marijuana up  
23 until his arrest in this case. He drank alcohol for the first time at age 14 and  
24 continued to drink alcohol to age 21. In the summer of 2016, at age 18, Mr.  
25 Akintonde began using *Percocet* and *Xanax* at parties on weekends. He and his  
26 friends regularly did drugs as at that time he did not see it as a problem but now  
27 understands the dangers and consequences of these drugs. Mr. Akintonde would like  
28 to be considered for the Bureau of Prisons’ Residential Drug Abuse Program

1 (RDAP). His prior alcohol and drug abuse should be considered and, pursuant to  
2 U.S.S.G. § 5H1.4, a downward departure should be granted.

3 **C. Coronavirus (COVID-19) Pandemic, USSG § 5K2.0.**

4 As the Court is aware, a state of public health emergency continues in the  
5 nation, the State of California, and the City of San Diego due to the coronavirus  
6 (COVID-19) pandemic in an effort to prevent its spread. COVID-19 is a highly  
7 infectious disease that is wreaking havoc on our jail and prison system. Within the  
8 Bureau of Prisons (BOP), despite its best efforts, the infection rate skyrocketed. The  
9 exponential growth of the virus was not unexpected, especially in prisons that are  
10 tinderboxes for infectious disease with a confined population, no method of effective  
11 social distancing, limited healthcare, and potentially infected by asymptomatic staff  
12 entering daily. Jails and prisons are thus particularly susceptible to rapid,  
13 uncontrolled viral spread of COVID-19.

14 The Order of the Chief Judge No. 63-C, filed June 11, 2021, stated that the  
15 Coronavirus Disease 2019 ("COVID-19") outbreak is still considered to be a  
16 national emergency under the National Emergencies Act, 50 U.S.C. § 1601, *et seq.*  
17 While incarcerated Mr. Akintonde did come down with Covid-19 at MCC but has  
18 recovered. He is not vaccinated and continues to be at risk to become infected with  
19 COVID-19 again. Due to his asthma and use of an *Albuterol* inhaler when needed, he  
20 is at risk of serious illness and possible death.

21 Accordingly, a downward departure should be granted due to the increased risk  
22 of COVID-19 while in custody.

23 For the above reasons, the defense respectfully requests that this Court grant an  
24 additional 3-level downward departure for Mr. Akintonde to offense level 30. This  
25 request is consistent with the sentencing factors of Title 18, United States Code,  
26 section 3553 (a), as discussed below.

27 **7. Criminal History.**

28 Mr. Akintonde has a criminal history score of 6, which results in a Criminal

1 History Category of III.

2 **8. Sentencing Guideline Range.**

3 A total adjusted offense level of 30 for Mr. Akintonde and a Criminal History  
4 Category of III results in a sentencing guideline range of 121 to 151 months. After  
5 determining the final advisory guideline range, this Court must then determine what  
6 sentence is appropriate under 18 U.S.C. § 3553. As noted, in the plea agreement the  
7 government agreed to recommend a sentence that incorporates a downward variance  
8 under 18 U.S.C. § 3553(a) that is the equivalent of one level under the sentencing  
9 guidelines, which lowers Mr. Akintonde's offense level to 29 and results in a  
10 guideline range of 108 to 135 months. Pursuant to the plea agreement, the defense  
11 recommends that the Court sentence Mr. Akintonde to no more than 108 months in  
12 custody, the low end of the defense recommended guideline range. This  
13 recommendation is consistent with the sentencing factors under Title 18, United  
14 States Code, Section 3553.

15 **B. SENTENCING FACTORS UNDER 18 U.S.C. § 3553**

16 The weight given various factors at sentencing under 18 U.S.C. § 3553(a) is  
17 within the district court's discretion. *United States v. Gutierrez-Sanchez*, 587 F.3d  
18 904, 908 (9th Cir. 2009).

19 **1. Nature and Circumstances of the Offense.**

20 The nature and circumstances of the instant offense are that on February 28,  
21 2019, sometime after 5:00 p.m., Mr. Akintonde utilized his Instagram account to  
22 coordinate a meeting with S.J.G. to deliver two counterfeit oxycodone pills laced with  
23 fentanyl. Later that day, he met with S.J.G. outside of Mr. Akintonde's place of  
24 employment. During this meeting, he delivered two counterfeit oxycodone pills laced  
25 with fentanyl to S.J.G. in exchange for money. They each then took ½ pill and S.J.G.  
26 then left. At approximately 6:25 p.m., Mr. Akintonde sent S.J.G. a message through  
27 Instagram to advise him that the counterfeit pills were "strong." S. J. G. died after  
28 consuming the counterfeit oxycodone pill laced with fentanyl distributed to him by



1 Mr. Akintonde. S.J.G. was found dead on March 1, 2019. An autopsy conducted by  
2 the San Diego Medical Examiner confirmed S.J.G. died from fentanyl intoxication.  
3 The counterfeit oxycodone pills laced with fentanyl provided by Mr. Akintonde were  
4 the “but for” cause of S.J.G.'s death.

5 It is interesting to note that the government cannot prove that Mr. Akintonde  
6 knew the pills he provided to S.J.G. contained fentanyl. In an effort to do so the  
7 government even created a ruse to try to get Mr. Akintonde to admit that he knew the  
8 pills contained fentanyl.

9 As the government points out in their Sentencing Memorandum [Doc 24, p.16],  
10 on May 15, 2019, a San Diego Police Officer acting in an undercover capacity  
11 contacted Defendant through Instagram and attempted to purchase five “Perc[s]” for  
12 one-hundred dollars. The undercover officer asked if the pills were the Mexican kind  
13 and Akintonde responded “all ik [I know] is they hit.” “Mexican kind” refers to  
14 counterfeit pills containing Fentanyl, and “Hit” is a slang term meaning that the pills  
15 are strong.

16 Clearly the undercover officer was trying to get Mr. Akintonde to admit that he  
17 knew the pills contained fentanyl by getting him to admit the pills he was selling were  
18 the “Mexican kind”. But what does he basically say, I don’t know but I know they  
19 are strong. At this point he does not know that they are trying to get a confession or  
20 admission out of him. He only speaks the truth that he does not know they contain  
21 fentanyl.

22 Once again Mr. Akintonde shows that he is not knowingly and intentionally  
23 dealing with fentanyl. This case is just one big tragic accident involving 2 young  
24 friends experimenting or addicted to drugs. Both were regular marijuana users. We  
25 know S.J.G also used cocaine and prescription medication such as oxycodone and  
26 percocet.

27 The unavoidable facts discussed between Samuel and his girlfriend earlier that  
28 day shows he does not know if he wants to get percocet or cocaine. She replies to

1 him to get the “Perks” and Samuel replies that they are expensive at \$25 per pill.  
2 However after this discussion he contacts Mr. Akintonde and makes arrangements to  
3 get 2 percocets from him.

4 Later that day when he meets up with Mr. Akintonde at his work they share a  
5 percocet pill by breaking it in half and each take the half pill. Shortly thereafter  
6 Samuel messages his girlfriend at approximately 7:00 p.m. to tell her that the percocet  
7 pills are high quality because he is feeling “Sooo high” and about 30 minutes later  
8 messages her again to say “I just fell asleep sitting up”. Additionally, by this point  
9 Mr. Akintonde had already advised Samuel to essentially be careful and only take 1  
10 pill because they were strong.

11 So even after all this Samuel decides to take a second pill sometime after his  
12 father last sees him alive after 10:30 p.m. that night. As previously stated “it takes  
13 two to tango”. Samuel had all the information he needed to make the right choice and  
14 not take the fatal dose but he chose to get “higher” and take a second pill.

15 This does not absolve Mr. Akintonde of his responsibility but this clearly was a  
16 tragic accident not a willful distribution of fentanyl that caused the death of his good  
17 friend.

## 18 **2. History and Characteristics of the Defendant.**

19 Mr. Akintonde is 23-years-old and was born in Houston, Texas, the second of  
20 four children born to his parents. His father was physically abusive so his mother left  
21 his father when Mr. Akintonde was five years old. He has had any contact with his  
22 father since he was approximately six years old. His father reportedly still resides in  
23 Houston. Mr. Akintonde’s mother is currently a factory worker and resides in El  
24 Cajon, California. His two youngest siblings reside with their mother and his oldest  
25 sibling resides in San Diego. Mr. Akintonde’s maternal grandmother also resides  
26 with his mother and helped to raise him and his siblings. He is close to his mother,  
27 grandmother, and siblings, and they remain supportive of him.

28 His family is from Nigeria and Mr. Akintonde was raised in a very strict,

1 religious, and traditional Nigerian home life. The family struggled financially after  
2 his mother separated from his father, but he witnesses domestic violence in his home  
3 as a young child and after the separation from his father his childhood was free from  
4 abuse and neglect.

5 Mr. Akintonde attended school in San Diego County and attended Mountain  
6 Empire High School in Pine Valley, where he completed ninth and tenth grade, and  
7 then El Cajon Valley High School in El Cajon, for his junior and senior years. He did  
8 not graduate from high school but instead just began working.

9 At the time of his arrest in November 2019, Mr. Akintonde had been employed  
10 for approximately 18 months at Panera Bread located in El Cajon. In the summer of  
11 2018 he also worked a seasonal job doing traffic control at the Del Mar Fair. When  
12 Mr. Akintonde was younger he mowed neighbors' lawns and did other yardwork to  
13 earn money.

14 Mr. Akintonde is single and has never married nor fathered any children. At  
15 the time of the offense he was residing with his mother, maternal grandmother, and  
16 two younger siblings in his mother's home in El Cajon.

17 **3. The Need to Avoid Unwarranted Sentence Disparities.**

18 Pursuant to Section 3553(a), the Court must consider the need to avoid  
19 unwarranted sentence disparities among defendants with similar records who have  
20 been found guilty of similar conduct. Thus, only those who have committed similar  
21 acts should be punished similarly. In their sentence memorandum, the government  
22 spends a lot of time discussing the circumstances by which Mr. Akintonde distributed  
23 percocet to Mr. Samuel J. Guenther. However this fact is undisputed. What is  
24 disputed by Mr. Akintonde is that he did not have knowledge of distributing fentanyl.  
25 He does not deny that he was responsible for his friend's death, but can definitively  
26 state that it was an accident and not an intentional cold hearted or malicious act.

27 Unlike other recent cases in this district whereby the defendants "knew" they  
28 were distributing fentanyl, and received sentences of 15 years or less, Mr. Akintonde

1 did not know the percocet contained fentanyl.

2

<b>“KNOWING” Distribution of Fentanyl Resulting in Death Cases</b>			
<b>Defendant</b>	<b>Case No.</b>	<b>Charge</b>	<b>Sentence</b>
3			
4			
5	<b>Michael Steen</b>	<b>19-cr-00869-GPC</b>	<b>Distribution of Fentanyl</b>
6	<b>Corey B. Green</b>	<b>18-cr-02249-AJB</b>	<b>Distribution of Fentanyl</b>
7	<b>Kyle A. Shephard</b>	<b>18-cr-05574-BAS</b>	<b>Distribution of Fentanyl</b>
8	<b>Christopher G. Emison</b>	<b>19-cr-03252-AJB</b>	<b>Distribution of Fentanyl</b>
9	<b>Maya Kol</b>	<b>19-cr-01277-CAB</b>	<b>Distribution of Fentanyl</b>
10			
11			

12 Mr. Akintonde was just a young man using marijuana and alcohol to feel high  
 13 and selling small amounts of percocet. The government investigation into Mr.  
 14 Akintonde even lead them to another individual that described him as a “hood rat”  
 15 that only buys a small amount of pills like “10-20 pills” and “does not even buy 100  
 16 pills”.

17 **4. Need for the Sentence Imposed.**

18 Among the several factors included under 18 U.S.C. § 3553 (a) (2) is the need  
 19 to reflect the seriousness of the offense and promote respect for the law. In this case,  
 20 Mr. Akintonde voluntarily plead guilty and expressed sincere remorse and deep regret  
 21 for committing the instant offense. The death of his friend S.J.G. has deeply affected  
 22 him. Mr. Akintonde told the probation officer, “It is hard to express how I feel. I feel  
 23 sorry for my friend. I miss him and feel sorry for his family. He helped me out when I  
 24 was in need. I did not know what I was dealing with and I have to be responsible for  
 25 what happened.” PSR ¶ 30. Mr. Akintonde has his friend’s initials “S.J.G.” tattooed  
 26 on his left hand, which was done as a tribute to his good friend and is a daily  
 27 reminder of the consequences of his actions.

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**5. Recommendation.**

A sentencing court should “consider every convicted person as an individual and every case as a unique study in human failings that sometimes mitigate, sometimes magnify, the crime and punishment to ensue.” *Gall v. United States*, 128 S. Ct.568, 598 (2007) (quoting *Koon v. United States*, 518 U.S. 81, 113 (1996)).

Here, in considering Mr. Akintonde as a unique individual and his human failings as exhibited in this case, the defense believes a mitigation of his punishment is warranted. The defense recommends that the Court sentence Mr. Akintonde to no more than 108 months in custody as a sentence that is sufficient but not greater than necessary to comply with the statutory directives set forth in 18 U.S.C. § 3553(a).

**III.  
CONCLUSION**

For the foregoing reasons, defendant OLATUNDE JAMES TEMITOPE AKINTONDE, by and through his counsel Daniel Casillas, respectfully requests that the Court sentence him to no more than 108 months/9 years in custody.

Dated: November 17, 2021

Respectfully submitted,

s/ Daniel Casillas  
DANIEL CASILLAS  
Attorney for Defendant  
OLATUNDE JAMES  
TEMITOPE AKINTONDE

# **Exhibit A**

# **Exhibit A**

Dear Honorable Judge Sammartino,

First, I just want to apologize to the family of Samuel. The death of him has & will always have a big impact on my life. This is the most painful feeling I have ever had to endure. Sam was a really good friend & I know his family doesn't appreciate me saying that, but it's the honest truth. He taught me a lot of things, but mostly about cars. He taught me how to drive a stick when he had his all-white Lancer. So my first and only car I bought was a manual in remembrance of him. But this isn't about me. This is about us.

Sam had no intentions of overdosing & I had no intentions of being a part of him overdosing. When Sam and I met in high school we were both young, dumb, & just wanted to have fun. Sam and I went through a lot together, so drugs were the best way to free our problems. But I noticed his problems got deeper when he got arrested for his gun charge. After that, I did not see him much & when I would see him, it would only result in doing drugs. Our favorite thing to do was take painkillers like Oxycodone, Percocet, & Xanax. We either would pop it, snort it, or put it into our soda. So we had been doing this for a while. The night Sam and I met up to get high off the pills that I supplied was just like any other day... "getting high".

Sam's autopsy shows he died of a fentanyl overdose. My sources for the pills had never informed me of the pills containing such a substance. So I believed that I am dealing with Oxycodone/Percocet pills as always. So again, to the Guenther family, I offer my deepest sympathies and I hope someday you can forgive me for this horrible mistake. Samuel's Dad was a good father. I have spoken with him a few times during my relationship with Sam. He is

a really good guy. The whole time I was around Sam I never met his mother. The first time I met her was at Sam's funeral. I meant no offense to his family making an appearance at Samuel's funeral. Really, I didn't know if the pills we took were the cause of his death until I was arrested by the task force 4 months later. But in all reality, Sam was my friend, so I couldn't help but to go to his funeral.

I have learned that in life the decisions you make come with a price. The price can be good, or it can be bad. Sam and I both made a bad decision and the price cost us both heavily. I always think to myself, what if we never took drugs? Or the opposite would be, what if we continued to take drugs & Sam didn't die? It makes me wonder, would we both be dead? Would we both be homeless or in jail? The best way to answer that is to not answer it at all.

I look at this as a lesson from God. Yes, people have control over their lives. But that comes with decisions that decide our fate. So through this lesson & many more to come I have knowledge that I will be locked away, but this is my lesson from God. I will be using my time wisely, attending a drug program, going to school, & working. This is my chance to fix myself & not destroy myself. I want to become a successful man that people remember. But I don't want to hide my past. My plan is to be living proof to others going through the struggle and that it's never too late to switch directions. You just have to be strong mentally & that's what I'm learning to do as we speak. Lastly, I just want to thank you for allowing me to express how I feel. Thank you.

Sincerely,  
James A.