

# GIMME 5

## The AJC's daily list

### Passing sentence

Patrick Mullin, a veteran federal criminal defense lawyer and sentencing specialist, believes Michael Vick (right) may avoid prison. He offers five options for U.S. District Judge Henry Hudson:

**1.** If Vick provides significant help in building criminal cases against others and the government brings what is known as a 5K motion for a lower sentence based upon his cooperation, Judge Hudson may sentence him to either a halfway house or home detention.

**2.** If the government does not bring a 5K motion for a lower sentence, Judge Hudson may choose to accept the plea agreement recommendation by the government and defense, and sentence Vick to 12 months in prison.

**3.** If Judge Hudson rejects this plea agreement recommendation and decides to impose a much stiffer sentence, he may find justification in the advisory guidelines for a sentence between 33- and 41-month imprisonment. The maximum sentence permitted by statute is five years in prison.

**4.** As per a brief filed by a coalition of animal welfare groups, Judge Hudson may order forfeiture of Vick's 1915 Moonlight Road property in Smithfield, Va., with the property converted into a no-kill shelter for abused and neglected dogs bankrolled by Vick.

**5.** Judge Hudson may also impose a fine up to a statutory maximum of \$250,000.

