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US v. Rivera-Ruperto

January 13, 2017

Sentencing

(United States First Circuit) - In the second of two appeals arising out of the FBI sting operation 'Operation Guard Shack,' a large-scale investigation to root out police corruption throughout Puerto Rico, defendants' sentences for conviction of various federal drug and firearms-related crimes are affirmed over claims that the district court in this second case committed reversible errors when it: 1) failed to conduct a sua sponte inquiry to determine whether defendant had received ineffective assistance of counsel during the plea-bargaining stage; 2) gave erroneous jury instructions; 3) did not reduce his sentence on account of sentencing manipulation by the government; and 4) sentenced him to a grossly disproportionate sentence in violation of the Eighth Amendment.