UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

STEPHEN JIN-WOO KIM,

Defendant.

Criminal No. 10-225 (CKK)

ORDER

(December 23, 2015)

Presently before the Court is Defendant Stephen Jin-Woo Kim's [303] Unopposed Motion for Early Termination of Supervised Release. On February 7, 2014, Mr. Kim pled guilty to one count of unauthorized disclosure of national defense information in violation of 18 U.S.C. § 793(d). On April 2, 2014, this Court sentenced Mr. Kim to a period of incarceration of 13 months followed by a period of supervised release of 12 months. *See* Amend. J., at 2-3, ECF No. [291]. On June 15, 2015, Mr. Kim began his twelve-month period of supervised release after serving his term of incarceration. On December 17, 2015, Mr. Kim filed the instant motion requesting that the Court terminate his supervised release at this time.

Pursuant to 18 U.S.C. § 3583(e)(1), "[t]he court may, after considering the factors set forth in [18 U.S.C.] section 3553 (a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) ... terminate a term of supervised release and discharge the defendant released **at any time after the expiration of one year of supervised release**, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1) (emphasis added). As of the date of this Order, Mr. Kim has been on supervised release

for a period of 6 months and 8 days, short of the one year period required under 18 U.S.C. §

3583(e)(1). Moreover, after conducting a brief review of the case law, the Court has been unable

to locate any authority to support terminating a defendant's supervised release less than one year

after the term of supervised release has commenced. As such, the Court shall DENY Mr. Kim's

[303] Unopposed Motion for Early Termination of Supervised Release because Mr. Kim has not

satisfied the requirements of 18 U.S.C. § 3583(e)(1) in order to be eligible for the early termination

of his supervised release.

Accordingly, it is, this 23rd day of December, 2015, hereby

ORDERED that Defendant Stephen Jin-Woo Kim's [303] Unopposed Motion for Early

Termination of Supervised Release is **DENIED**.

SO ORDERED.

/s/

COLLEEN KOLLAR-KOTELLY
UNITED STATES DISTRICT JUDGE

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