

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA

v.

Case No.: 3:07CR192-NBB-SAA

DAVID ZACHARY SCRUGGS,

**MOTION OF DEFENDANT DAVID ZACHARY SCRUGGS FOR REVISED
RECOMMENDATION TO BUREAU OF PRISONS FOR PLACEMENT**

Comes now Defendant David Zachary Scruggs respectfully to request that the Court recommend that the Bureau of Prisons ("BOP") assign Scruggs to the prison camp at the Federal Correctional Institution - Low Satellite Camp at Forrest City, Arkansas.

By previous motion, Scruggs requested that the Court recommend that he be assigned to the Federal Prison Camp at Pensacola, Florida. Scruggs asked for a recommendation to the facility at Pensacola in order to ease the travel burden on his family: specifically his health-embattled mother, Dianne Scruggs, as he believed his father was going to be placed at the same facility. Scruggs has subsequently learned that BOP has a policy of not assigning to the Pensacola facility individuals who have previously held a pilot's license. As the Court is aware, Dick Scruggs served as a pilot in the Navy, and Scruggs understands that Dick is thus precluded from being assigned to Pensacola.

Accordingly, Scruggs now respectfully requests that the Court revise its recommendation and recommend to the BOP that Scruggs be assigned to the Federal Correctional Institution - Low Satellite Camp at Forrest City, Arkansas. Forrest City is located approximately two hours from Oxford. Scruggs's placement at the Forrest City camp will make it easier for Dianne Scruggs and other family members (including his wife and young children) to visit Scruggs under the changed circumstances.

Respectfully submitted, this the 22nd day of July 2008.

Dated: July 22, 2008

By: s. Nathan F. Garrett
Nathan F. Garrett (*pro hac vice*)
Todd P. Graves (*pro hac vice*)
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*Co-Counsel for Defendant
David Zachary Scruggs*

CERTIFICATE OF SERVICE

I, Nathan F. Garrett, do hereby certify that I have electronically filed the foregoing **Motion of Defendant David Zachary Scruggs for Revised Recommendation to Bureau of Prisons for Placement** with the Clerk of the Court using the ECF system, which sent notification for such filing to Thomas W. Dawson, Assistant United States Attorney; Robert H. Norman, Assistant United States Attorney; and David Anthony Sanders, Assistant United States Attorney.

This, the 22nd day of July, 2008.

s. Nathan F. Garrett