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# Law of Sentencing, 3d.

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Enclosed is the 2025 supplement for Law of Sentencing, 3d. This enclosure replaces the prior 2023-2024 supplement. Please note that, for ease of handling, the materials in this shipment may ship in more than one box.

## Filing Instructions

**REMOVE and RECYCLE** the 2023-2024 pocket part supplement from the back of your volume.

**PLACE** the 2025 pocket part supplement into the back of your volume.

## Highlights

This 2025 supplement includes recent cases on a variety of sentencing issues, primarily from the Supreme Court or state high courts. Some of the issues highlighted in these cases include:

- (§4:6) *Esteras v. United States*, where the Supreme Court held that in determining whether to revoke a defendant's term of supervised release under § 3583(e), a district court “may not take into account the need to exact retribution for the defendant's underlying crime” because the list of permissible factors set forth in § 3583(e) did not include a reference to § 3553(a)(2)(A) (“The need for the sentence imposed...to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense”).
- (§5:6) The Eleventh Circuit holding in *United States v. Charles* that statutory maximums are not waivable, so a defendant's stipulation to a longer term of supervised release does not have any effect on the legality of his sentence. District courts may not sentence a defendant beyond what the legislature has authorized; this limit on judicial authority is absolute. Accordingly, the defendant was not entitled to waive the five-year statutory

maximum for supervised release, in favor of an illegal term of 15 years of supervised release, when he was sentenced to 45 years imprisonment for carjacking, brandishing or discharging firearm in furtherance of crime of violence, kidnapping, and bank robbery.

- (§7:3) Under *Miller v. Alabama*, juvenile offenders are entitled under Eighth Amendment to individualized sentencing decisions that consider their age and its related characteristics before imposing a life sentence without the possibility of parole. Factors for district court to consider in determining whether minimum period of incarceration without parole is warranted for juvenile tried as an adult include: (1) age of offender and features of youthful behavior, such as immaturity, impetuosity, and failure to appreciate risks and consequences; (2) particular family and home environment that surround youth; (3) circumstances of particular crime and all circumstances relating to youth that may have played role in commission of crime; (4) challenges for youthful offenders in navigating through criminal process; and (5) possibility of rehabilitation and capacity for change. *State v. Miller*, 16 N.W.3d 663 (Iowa 2024).

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