

Federal “Three Strikes” Law challenged in Supreme Court with life sentence of marijuana offender Corvain Cooper

Attorney Patrick Megaro filed a petition in the United States Supreme Court to challenge sentence of life without parole under the Federal “Three Strikes” law.

ORLANDO, FLORIDA, UNITED STATES, August 16, 2018 /EINPresswire.com/ -- The Law Firm of [Halscott Megaro, P.A.](#) has announced that attorney [Patrick Michael Megaro](#) has filed a petition in the United States Supreme Court to challenge Corvain Cooper’s sentence of life without parole under the Federal “Three Strikes” law. The petition was filed by Cooper’s attorney in the Supreme Court on July 6, 2018, asking the Court to stop the injustice of mandatory life sentences for non-violent drug offenders.



Attorney Patrick Megaro on Fox News

Explains Corvain’s attorney who filed the petition, Patrick Megaro: “In the legal realm, you have to present the issue as a legal query. In this case, the official query presented to the U.S. Supreme Court is ‘Whether a Petitioner Who Was Sentenced to Life Without the Possibility of Parole, Which was Enhanced By Two Later Invalidated State Convictions, May Apply for Resentencing ...’ The reality of the situation is that drug law reform, especially marijuana reform, is at the forefront in many state legislature’s agendas. Marijuana is now legalized, decriminalized, or approved for medicinal use in one form or another in the majority of States. Due Process and fundamental fairness are at the heart of this case. Boiled down to its essence, the question for this Court is whether a sentence of life without parole is justified for a person who now has no predicate felony convictions.”

“

I am in this fight to represent Corvain Cooper no matter how long it takes. Today, is yet another example of my strong commitment.”

Patrick Megaro, Defense Lawyer

Corvain Cooper was charged in the United States District Court for the Western District of North Carolina with conspiracy to distribute and possession with intent to distribute 1,000 kilograms or more of marijuana, and conspiracy to commit money laundering and structuring transactions. A special information was also filed against Cooper, alleging two prior felony convictions for possession of drugs (one for marijuana, one for codeine cough syrup) in the California state courts. The filing triggered a mandatory life sentence without parole. The reason for the unusually harsh sentence is the so-called “Three Strikes” law. These laws require a person guilty of committing a drug felony and two other previous drug felony convictions to serve a mandatory life sentence in prison. The “Three Strikes” law significantly increases the prison sentences of persons convicted of a felony who have been previously convicted of two or more

violent crimes or drug felonies, and limits the ability of these offenders to receive a punishment other than a life sentence.

Mr. Cooper tried appealing his conviction and sentence, stating that the sentence of life for non-violent crimes was against his Eighth Amendment (Amendment VIII) of the United States Constitution which prohibits the federal government from imposing excessive bail, excessive fines, or cruel and unusual punishments. However, the United States Court of Appeals for the Fourth Circuit upheld the case, and the Supreme Court declined to even hear the case.

The State of California enacted Proposition 47 in 2014, which re-categorized several non-violent offenses as misdemeanors. Prior to enacting Proposition 47, possession of marijuana was considered a felony. This also allowed people who had prior felony convictions under the old statute to vacate them.

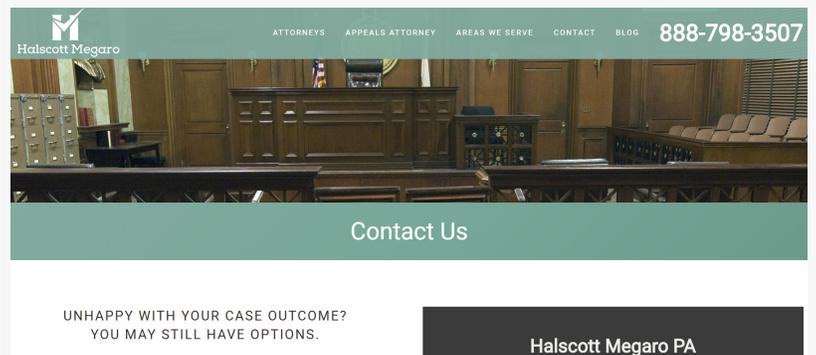
Proposition 64 (the Adult Use of Marijuana Act) was enacted on November 9, 2016, by the State of California which legalized the use of recreational marijuana. This Act permitted certain people who had been convicted of marijuana felony offenses to apply to vacate those convictions and reclassify them as misdemeanors.

Adds attorney Patrick Michael Megaro, "I have been representing Mr. Cooper and I have said from day one, that I am in this fight to represent Corvain Cooper no matter how long it takes. Today, is yet another example of my strong commitment." [Mr. Megaro](#) went on to add, "We need to quit playing political games and allow the sentence to fit the crime, as both of these Propositions (47 and 64) favor individuals, such as Corvain Cooper."

Patrick Michael Megaro has also simultaneously filed a petition for commutation of sentence with



Corvain Cooper, for whom Patrick Megaro is petitioning Clemency



Website of Patrick Megaro, Defense Lawyer, Corvain Cooper clemency Petition



Patrick Michael Megaro, Criminal Defense Attorney

President Donald Trump on Corvain Cooper's behalf, and has started a petition on Change.org in support of the petition that already has over 3,000 supporters.

The "Petition for Certiorari" filed on behalf of Corvain Cooper with the U.S. Supreme Court should be available soon on the Court's website at <https://www.supremecourt.gov> under "Docket Search."

A Wikipedia article on Three-Strikes Law is at https://en.wikipedia.org/wiki/Three-strikes_law

Background

The underlying court cases are *United States v. Cooper*, 624 Fed.Appx. 819 (4th Cir. 2015), and *United States v. Cooper*, 714 Fed.Appx. 259 (4th Cir. 2018). According to a press release of the U.S. Attorney's Office, "from in or about 2004 through January 2013, Cooper was involved in a drug conspiracy that trafficked marijuana from California to the Charlotte area. Court records show that Cooper was charged with conspiracy to distribute and to possess with intent to distribute at least one thousand kilograms of marijuana as well as money laundering conspiracy and structuring financial transactions through banking institutions to avoid IRS reporting requirements. Cooper, along with two co-defendants, Evelyn LaChapelle and Natalia Wade, were convicted of all charges on October 18, 2013, following a three-day trial." He was sentenced to life in prison on June 18, 2014. See <https://www.justice.gov/usao-wdnc/pr/california-drug-trafficker-sentenced-life-prison-drug-conspiracy-and-related-charges>

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Please check out our latest Change.org petition, and sign and support this worthy cause:

<https://www.change.org/p/donald-trump-release-corvain-cooper-from-life-imprisonment-without-parole-for-a-non-violent-drug-crime>

References

Website: <https://www.appealslawgroup.com/our-attorneys/patrick-megaro-esq/>

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