

Federal Sample Restitution Motion

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA,)	Case No. [FILL IN]
)	
Plaintiff,)	GOVERNMENT'S MOTION FOR
)	MANDATORY RESTITUTION¹
vs.)	FOR THE HOMICIDE VICTIM²
)	
[NAME OF DEFENDANT],)	
)	
Defendant.)	
)	
)	

The United States of America, by and through undersigned counsel, respectfully submits this Motion for Mandatory Restitution.

¹ [Practitioner's Note: This sample motion addresses recovery of restitution under 18 U.S.C. § 3663A, the Mandatory Victims Restitution Act (MVRA); other restitution statutes may also apply in a particular case. See *infra*, note 7. While NCVLI styled this sample motion as one to be filed by the government, it may be adapted to one to be filed by the victim; in such a case, the person or entity filing the motion should include a section on standing. See 18 U.S.C. § 3771(d)(1), (3) (Crime Victims' Rights Act) (providing victims the right to, *inter alia*, restitution and standing to assert their rights in the trial and appellate courts); cf. *United States v. Eyraud*, 809 P.3d 462, 467 (9th Cir. 2015) (recognizing that while the government typically proves up restitution, the district court is authorized "to allow a victim to prove up its own claim for restitution when the court deems it appropriate") (quoting *United States v. Gamma Tech Indus., Inc.*, 265 F.3d 917, 924 (9th Cir. 2001)). Other sample restitution motions are available in the searchable databases on www.navra.org.]

² [Practitioner's Note: While NCVLI styled this sample motion as one that addresses restitution in a case involving a homicide victim, it may be adapted to one that addresses restitution in a case involving non-fatal bodily injury to a victim.]

SUMMARY OF PROCEEDINGS

[Insert relevant procedural history.]

FACTUAL BACKGROUND³

[Insert relevant facts, including the nature of the offenses, the plea agreement, if any,⁴ the nature of the deceased victim’s injuries; the necessary medical treatment and other services (which resulted in out-of-pocket expenses for the victim or the victim’s estate); and any other economic losses caused by defendant’s criminal conduct. Identify the representative of the victim’s estate. When identifying the victim, use a pseudonym as appropriate to protect the victim’s privacy.⁵ If you choose to attach documentation of these losses to this motion or submit such information in connection with a restitution hearing (e.g., receipts, estimates or affidavits), redact any information that compromises the victim’s privacy.]

³ **[Practitioner’s Note:** The sample facts and arguments assume only the homicide victim—through his or her estate—is seeking restitution; and a parent is acting as the representative of the estate. The parent, among others, may also be a “victim” for purposes of restitution; in such a case the parent may assert an independent right to restitution for his or her own economic losses. *See, e.g., United States v. Hayward*, 359 F.3d 631, 642 (3d Cir. 2004) (concluding the district court correctly determined that the victimized children’s parents were “victims” entitled to restitution under the MVRA; and affirming the order awarding the parents restitution for the expenses they incurred to bring the children home and making them available to participate in the investigation and prosecution of the case); *United States v. Juvenile Female*, 296 Fed. Appx. 547, 549 (9th Cir. 2008) (concluding that the homicide victim’s mother qualifies as a “victim” under the MVRA; and affirming the order awarding her restitution for wages lost as a result of taking time off from work to search for her missing son).]

⁴ **[Practitioner’s Note:** The plea agreement may include restitution to persons other than the victim of the charged or pled-to offense. *See* 18 U.S.C. § 3663A(a)(3) (“The court shall also order, if agreed to by the parties in a plea agreement, restitution to persons other than the victim of the offense.”).]

⁵ **[Practitioner’s Note:** When using a pseudonym for the victim in a legal brief for the first time, add footnote:] All references herein to the crime victim shall refer to [**Jane Doe/John Doe**] to protect [**her/his**] privacy in accordance with [**her/his**] federal constitutional and statutory rights. *See Whalen v. Roe*, 429 U.S. 589, 599-600 (1977) (recognizing that the United States Constitution provides a right to personal privacy, which includes an “individual interest in avoiding disclosure of personal matters”); 18 U.S.C. § 3771(a)(8) (affording crime victims “[t]he right to be treated with fairness and with respect for [her/his] dignity and privacy”); *see also* 18 U.S.C. § 3509(d)(3)(A) (providing that “[o]n motion by any person the court may issue an order protecting a child from public disclosure of the name of or any other information concerning the child in the course of the proceedings, if the court determines that there is a significant possibility that such disclosure would be detrimental to the child”); *Gattem v. Gonzales*, 412 F.3d 758, 761 n.2 (7th Cir. 2005) (substituting “a pseudonym for the name of the victim in deference to her privacy interests”); *see generally Protecting Victims’ Privacy Rights: The Use of Pseudonyms in Criminal Cases*, NCVLI Violence Against Women Bulletin (Nat’l Crime Victim Law Inst., Portland, Or.) Oct. 2013, available at <http://law.lclark.edu/live/files/15549-protecting-victims-privacy-rights---the-use-of>.

ARGUMENT

I. [NAME/PSEUDONYM] HAS A RIGHT TO FULL RESTITUTION.

The Crime Victims’ Rights Act (CVRA), 18 U.S.C. § 3771, guarantees crime victims numerous rights, including the rights to be heard at sentencing, to be treated with fairness and with respect for their dignity, and “to full and timely restitution as provided in law.” 18 U.S.C. § 3771(a)(4), (6), (8).⁶ In all cases (1) involving, *inter alia*, crimes of violence and (2) in which “an identifiable victim . . . has suffered a physical injury or pecuniary loss”—the sentencing court must apply, *inter alia*, the Mandatory Victims Restitution Act of 1996 (MVRA).⁷ 18 U.S.C. § 3663A(a)(1) (requiring application of the MVRA “in addition to, or in the case of a misdemeanor, in addition to or in lieu of, any other penalty authorized by law”), (c)(1) (listing eligible offenses).⁸

⁶ Under the CVRA, the federal courts and the government have a statutory duty to ensure that crime victims are afforded their rights. *See* 18 U.S.C. § 3771(b)(1) (requiring that “[i]n any court proceeding involving an offense against a crime victim, the court shall ensure that the crime victim is afforded [his/her] rights”); 18 U.S.C. § 3771(c) (requiring that “[o]fficers and employees of the Department of Justice and other departments and agencies . . . shall make their best efforts to see that crime victims are notified of, and accorded, the[ir] rights”); *see also United States v. Palmer*, 643 F.3d 1060, 1067 (8th Cir. 2011) (reversing the district court’s issuance of a special condition in the restitution order that was harmful to the victim; and observing that its ruling is “consistent with [its] solemn statutory duty [under the CVRA] to safeguard the victim’s ‘right to full and timely restitution as provided in law’”).

⁷ [Practitioner’s Note: In some cases, the MVRA may apply in addition to other restitution statutes. *See* 18 U.S.C. § 3663A(a)(1) (emphasis added) (providing that “[n]otwithstanding any other provision of law, when sentencing a defendant convicted of an offense described in subsection (c), the court shall order, *in addition to*, or in the case of a misdemeanor, in addition to or in lieu of, *any other penalty authorized by law*, that the defendant make restitution” under this section). If a case involves an offense that is eligible for an offense-specific restitution statute, *see, e.g.*, 18 U.S.C. § 1593 (mandatory restitution for human trafficking victims), practitioners should determine if the MVRA also applies because the scope of restitution under each statute may differ. *Compare* 18 U.S.C. § 1593(b)(3) (requiring the district court to order defendant to pay “the full amount of the [trafficking] victim’s losses,” as that phrase is defined in section 2259, “and shall in addition include the greater of the gross income or value to the defendant of the victim’s services or labor or the value of the victim’s labor as guaranteed under the minimum wage and overtime guarantees of the Fair Labor Standards Act”), *with* 18 U.S.C. § 3663A(b)(2)(A) (emphasis added) (providing that “in the case of an offense resulting in bodily injury to a victim,” the court shall order defendant to pay “an amount equal to the cost of necessary” professional services). In a case where the MVRA does not apply, practitioners should consider whether restitution may be proper under the discretionary restitution statute, 18 U.S.C. § 3663, enacted as part of the Victim and Witness Protection Act (VWPA).]

⁸ The statute provides:

This section shall apply in all sentencing proceedings for convictions of, or plea agreements relating to charges for, any offense—

Under the MVRA, this Court must order a defendant to pay restitution without regard to defendant’s current ability to pay. *See* 18 U.S.C. § 3663A(a)(1) (emphasis added) (providing that “when sentencing a defendant convicted of an offense described in subsection (c), the court shall order . . . that the defendant make restitution”); 18 U.S.C. § 3664(f)(1)(A) (providing that “the court shall order restitution to each victim in the full amount of each victim’s losses . . . without consideration of the economic circumstances of the defendant”).⁹ This aligns with Congress’ intent to provide crime victims with full restitution, *see Dolan v. United States*, 560 U.S. 605, 612 (2010) (discussing the MVRA), and “to ensure that the offender realizes the damage caused by the offense and pays the debt owed to the victim as well as to society,” *United States v. Cienfuegos*, 462 F.3d 1160, 1165 (9th Cir. 2006) (quoting S. Rep. 104-179 at 12 (1996), *as reprinted in* 1996 U.S.C.C.A.N. 924, 925).¹⁰

Here, [explain how the offense at issue fall within the scope of the MVRA]. Because [Name/Pseudonym] was directly and proximately harmed as a result of defendant’s criminal conduct, [Name/Pseudonym] is a “victim” within the scope of both the MVRA and CVRA. *See*

(A) that is—

- (i) a crime of violence, as defined in section 16;
- (ii) an offense against property under this title, or under section 416(a) of the Controlled Substances Act (21 U.S.C. 856(a)), including any offense committed by fraud or deceit;
- (iii) an offense described in section 1365 (relating to tampering with consumer products); or
- (iv) an offense under section 670 (relating to theft of medical products); and

(B) in which an identifiable victim or victims has suffered a physical injury or pecuniary loss.

18 U.S.C. § 3663A(c)(1).

⁹ Restitution orders under the MVRA must be issued in accordance with the procedures set forth in 18 U.S.C. § 3664. 18 U.S.C. § 3663A(d) (“An order of restitution under this section shall be issued and enforced in accordance with section 3664.”).

¹⁰ [Practitioner’s Note: The MVRA also authorizes payment of restitution to third parties who provided services to a crime victim at no or reduced cost, or who otherwise incurred expenses on behalf of the victim. A sample motion is available in the searchable databases at www.navra.org.]

18 U.S.C. § 3663A(a)(2) (“For the purposes of [the MVRA], the term ‘victim’ means a person directly and proximately harmed as a result of the commission of an offense”); 18 U.S.C. § 3771(e)(2)(A) (“The term ‘crime victim’ means a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia.”). In addition, because [Name/Pseudonym] is deceased, [his/her] parent, as representative of [Name/Pseudonym]’s estate, may assert [Name/Pseudonym]’s rights on [his/her] behalf. *See* 18 U.S.C. § 3663A(a)(2) (providing that “[i]n the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim’s estate, another family member, or any other person appointed as suitable by the court, may assume the victim’s rights under this section”); 18 U.S.C. § 3771(e)(2)(B) (same).¹¹

II. [NAME/PSEUDONYM]’S ESTATE IS ENTITLED TO A RESTITUTION AWARD THAT INCLUDES ALL ECONOMIC LOSSES CAUSED BY DEFENDANT’S CRIMINAL CONDUCT.

A. Under the MVRA, Defendant Must Pay Restitution In An Amount Equal To The Cost of Necessary [insert relevant categories, e.g., medical and psychological care, physical and occupational therapy, and/or other treatment within the scope of 18 U.S.C. 3663A(b)(2)(A)-(B), (3)].¹²

In a case that involves “bodily injury to a victim,” the MVRA requires the restitution order to direct that defendant —

(A) pay an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care, including nonmedical care and

¹¹ Under the MVRA, restitution owed to the deceased victim is paid to the victim’s estate. 18 U.S.C. § 3663A(a)(1) (providing “the court shall order . . . that the defendant make restitution to the victim of the offense or, if the victim is deceased, to the victim’s estate).

¹² [Practitioner’s Note: Section II.A. does not address the scenario where some or all of a portion of the expenses for the recoverable categories were paid by third parties—e.g., insurance companies, state victim compensation fund, nonprofit organizations, doctors or counselors who discounted their fees. In those instances, the MVRA authorizes the court to order restitution in an amount that reimburses the third parties for expenses they incurred on the victim’s behalf. A sample motion seeking restitution for eligible third parties is available in the searchable databases at www.navra.org.]

treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; [and]

(B) pay an amount equal to the cost of necessary physical and occupational therapy and rehabilitation

18 U.S.C.A. § 3663A(b)(2). If the offense resulted in the death of the victim, defendant shall also “pay an amount equal to the cost of necessary funeral and related services[.]” 18 U.S.C. § 3663A(b)(3).¹³

In this case, defendant’s crime directly and proximately caused [Name/Pseudonym]’s death. *[Identify any other harm, e.g., physical injuries before death. Explain the causal connection and address any anticipated argument about intervening causes. Identify the categories of allowable services/items under section 3663A(b)(2)(A)-(B) that the victim used between the crime and time of death—e.g., out-of-pocket expenses for medical treatment—as well as the cost of funeral and related services. Explain why the services/items were necessary here or in the itemized section below.]* Accordingly, the government seeks the following in restitution:

1. *[Itemize each item and the \$ amount sought. Include all relevant information, e.g., the date(s) of service/purchase, the cost, any bill or other supporting evidence, etc.]*

2. *[Repeat as needed.]*

B. Under the MVRA, Defendant Must Also Pay Restitution In An Amount That Reimburses the [Name/Pseudonym]’s Estate for All Income—Including Future Income—Lost as a Result of Defendant’s Crime.

In a case that involves “bodily injury to a victim,” the MVRA also requires defendant to “reimburse the victim for income lost by such victim as a result of such offense.” *See* 18 U.S.C.

¹³ When determining the full amount of restitution recoverable, “some precision” is necessary, but “exact precision is not required” and “a ‘reasonable estimate’” will suffice. *United States v. Anderson*, 741 F.3d 938, 954 (9th Cir. 2013).

§ 3663A(b)(2)(C).¹⁴ The Ninth Circuit has concluded that “income lost” under the MVRA includes a deceased victim’s *future* lost income. *See United States v. Cienfuegos*, 462 F.3d 1160, 1164 (9th Cir. 2006). As the Ninth Circuit explained:

It would be illogical to assume that the ultimate death of a person who suffered bodily injury eliminates restitution for lost income. To not award restitution for future lost income would lead to a perverse result where murderers would be liable for markedly less in restitution than criminals who merely assault and injure their victims. Thus, it is plain that the statute allows a representative of the victim’s estate or another family member to assume the victim’s rights to collect restitution for future lost income

United States v. Cienfuegos, 462 F.3d 1160, 1164 (9th Cir. 2006). Federal circuits that have addressed this issue has reached the same conclusion. *See, e.g., United States v. Messina*, 806 F.3d 55, 61-68 (2d Cir. 2015) (concluding that the MVRA’s “income lost” provision includes future lost income; and affirming a restitution order that included \$112,324 for income lost by the homicide victim from the date of his death until judgment); *United States v. Serawop*, 505 F.3d 1112, 1116, 1120-22 (10th Cir. 2007) (concluding that the MVRA’s “income lost” provision includes future lost income; and affirming a restitution order that included \$325,751 for the three-month old homicide victim’s projected future lost income); and *United States v. Oslund*, 453 F.3d 1048, 1062-63 (8th Cir. 2006) (concluding that the MVRA’s “income lost” provision includes future lost income; and affirming a restitution order that awarded \$102,744

¹⁴ [Practitioner’s Note: Another subsection of the MVRA also provides for recovery of lost income. *See* 18 U.S.C. § 3663A(b)(4) (stating that “in any case,” the sentencing court shall order defendant to pay restitution that “reimburse[s] the victim for lost income and necessary . . . expenses incurred during participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense”). Subsection (b)(4) differs from subsection (b)(2)(C) in that the latter refers to “income lost by *such* victim,” which may be construed as limiting its application only to the victim who suffered the bodily injury. *See id.* at § 3663A(b)(2)(C) (emphasis added); *United States v. Wilcox*, 487 F.3d 1163, 1176-77(8th Cir. 2007) (vacating the order awarding restitution for the minor victim’s mother’s lost income on the ground that the mother is not the “victim” within the scope of subsection (b)(2)(C) because she did not suffer any bodily injury). Subsection (b)(4) supports restitution for income lost by the homicide victim’s family members who independently qualify as “victims” of defendant’s crime. *See, e.g., United States v. Juvenile Female*, 296 Fed. Appx. at 549 (relying on section 3663A(b)(4) as basis for restitution for the homicide victim’s mother’s lost income).]

for the homicide victim’s future lost income).¹⁵ Because the MVRA mandates an award of restitution for lost income, and case law makes clear that this includes future lost income, [Name/Pseudonym]’s estate is entitled to restitution for all income—including future income—that [Name/Pseudonym] lost as a result of defendant’s crime.

When determining a deceased victim’s future lost income, this Court may rely on “concepts and analysis . . . [that] are well-developed in federal law.” *Cienfuegos*, 462 F.3d at 1169 (explaining that the district court may look to case law for guidance on methods for estimating future earnings); *accord Serawop*, 505 F.3d at 1125 (finding that the district court “relied on well-recognized industry standards and norms” when it adopted the economist’s gender- and race- neutral estimate of the deceased victim’s future lifetime earnings).¹⁶

In this case, *Identify the income lost, how you calculated the future lost income, the time frame of the future lost income, if limited, and any supporting evidence (e.g., tax returns, expert*

¹⁵ [Practitioner’s Note: *Oslund* goes on to state—incorrectly—that a district court has discretion to not award restitution for future lost income if the district court finds that “determining . . . [the] amount of the victim’s losses would complicate or prolong the sentencing process to a [certain] degree” pursuant to subsection (C)(3)(B) of the MVRA. *Oslund*, 453 F.3d at 1063 (citing 18 U.S.C. § 3663A(c)(3)(B)). The Eighth Circuit’s reliance on that subsection is misplaced because subsection (C)(3)(B) addresses *only* cases where the restitution arises from certain property offenses. *See* 18 U.S.C. § 3663A(c)(3)(B) (emphasis added) (stating that “[t]his section shall not apply *in the case of an offense described in paragraph (1)(A)(ii)* if the court finds, from facts on the record, that” certain conditions are met); *id.* at § 3663A(c)(1)(A)(ii) (identifying “an offense against property under this title, or under section 416(a) of the Controlled Substances Act . . . , including any offense committed by fraud or deceit”); *see also Cienfuegos*, 462 F.3d at 1168 (observing that the MVRA’s “complexity exception” is “inapplicable to crimes of violence” and citing subsection (c)(3)(B)). Thus, in a case where restitution for future lost income arises from a crime of violence, the district court has *no* discretion to exclude future lost income.]

¹⁶ [Practitioner’s Note: If the deceased victim’s race or socio-economic status subjects him or her to certain stereotypes that may impact one’s perception of the victim’s earning potential, add the following to this section of the argument:] Future lost income must be calculated without reliance upon race or gender stereotypes. . . *See Serawop*, 505 F.3d at 1126-27 (affirming the district court’s decision to (i) reject the expert’s lower future lost income calculations—ranging from \$171,366 to \$273,000 depending on the level of education—based on the three-month old victim’s status as a female Native American and (ii) adopt the higher gender and race neutral calculations—ranging from \$308,633 to \$576,106); *see also* 18 U.S.C. § 3771(a)(8) (providing that crime victims have “[t]he right to be treated with fairness and with respect for the[ir] . . . dignity”). “[A]s a matter of fairness, the court should exercise its discretion in favor of victims of violent crime and against the possible perpetuation of inappropriate stereotypes,” particularly “where . . . defendant[] ha[s] deprived [his/her] victim[] of the chance to excel in life beyond predicted statistical averages.” *Serawop*, 505 F.3d at 1115 (quoting the district court).

report, etc.].¹⁷ Accordingly, the government seeks an order directing defendant to pay [\$ amount] in restitution for [Name/Pseudonym]'s lost income.

[Include the following section C if [Name/Pseudonym] incurred additional losses during participation in the investigation and/or prosecution of the offense before he/she passed away from the injuries caused by defendant's criminal conduct.]

C. Under the MVRA, Defendant Must Also Pay Restitution In An Amount That Reimburses [Name/Pseudonym]'s Estate for Necessary Expenses Incurred During [Name/Pseudonym]'s Participation in the Investigation and/or Prosecution of the Offense.

The MVRA also requires a court to order defendant to “reimburse the victim for . . . necessary child care, transportation, and other expenses incurred during participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense.” 18 U.S.C. § 3663A(b)(4) (requiring such reimbursement “in any case” that falls within the scope of the MVRA). These expenses may include, *inter alia*, cleanup costs; travel costs such as mileage, airfare and lodging; meal expenses incurred during the victim's participation in court proceedings; and attorney fees. *See, e.g., United States v. Eyraud*, 809 F.3d 462, 467-68 (9th Cir. 2015) (recognizing that “[t]he law is settled that a court may include attorneys' fees in a restitution order when the victim incurred the expense to participate in law enforcement's investigation and prosecution of a defendant” and concluding that the corporate victim's

¹⁷ [Practitioner's Note: In some cases, practitioners may need to file this motion before an expert has been secured to calculate future lost income. On such an occasion, it may be appropriate to include a request for the court to appoint an expert and allow supplemental briefing on this issue. *See, e.g., Cienfuegos*, 462 F.3d at 1168 (citing 18 U.S.C. § 3664(d)(4) and (6); and explaining that the MVRA authorizes the sentencing court to “require additional documentation or hear testimony” or to “refer any issue arising in connection with a proposed order of restitution to a magistrate judge or a special master for proposed findings of fact”); *United States v. Adetiloye*, 716 F.3d 1030, 1040 (8th Cir. 2013) (stating that “the district court should have postponed the restitution proceedings to allow for the gathering and presentation of additional evidence” to avoid “defeat[ing] the basic purpose of the [MVRA]”); *Serawop*, 505 F.3d at 1115, 1125 (observing that the district court “sua sponte appointed” an economist to calculate future lost income pursuant to its power under section 3664(d)(4)). The CVRA also supports such a procedure. *See* 18 U.S.C. § 3771(b)(1) (requiring that “the court shall ensure that the crime victim is afforded [his/her] rights”); 18 U.S.C. § 3771(c) (requiring that “[o]fficers and employees of the Department of Justice and other departments and agencies . . . shall make their best efforts to see that crime victims are notified of, and accorded, the[ir] rights”).]

investigation costs, including attorney fees, were recoverable under the MVRA); *United States v. Brock-Davis*, 504 F.3d 991, 997 (9th Cir. 2007) (affirming order of restitution that reimburses the victim for costs to cleanup and restore property damaged by defendant); *see also United States v. French*, 357 F. App'x 177, 178 (10th Cir. 2009) (affirming a restitution order that reimbursed the bank-victim for the lodging, mileage and meal expenses it incurred due to two bank representatives' attendance at court proceedings); *United States v. Amato*, 540 F.3d 153, 159 (2d Cir. 2008) (“hold[ing] that ‘other expenses’ incurred during the victim’s participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense may include attorney fees and accounting costs”); *United States v. Hayward*, 359 F.3d 631, 642 (3d Cir. 2004) (affirming an award of restitution to the parents of minor victims for the “costs in obtaining the return of their victimized children from London and in making their children available to participate in the investigation and trial”).

Here, defendant’s criminal conduct directly and proximately caused [Name/Pseudonym] to suffer additional economic losses. [Identify any necessary expenses incurred by the victim that fall within the scope of section 3663A(b)(4).] Accordingly, the government also seeks the following in restitution:

1. [Itemize each item and total \$ amount sought by stating all relevant information, e.g., the date(s), the necessity, the cost, any bill or other supporting evidence, etc.]
2. [Repeat as needed.]

CONCLUSION

Federal law requires an award of restitution in the full amount of economic losses suffered by the victims of defendant’s criminal conduct. Under the MVRA, the court must order defendant to pay [Name/Pseudonym]’s estate an amount equal to the cost of necessary [insert

relevant categories, e.g., medical treatment, funeral expense, and/or other losses incurred by the victim or the victim's estate that's within the scope of section 3663A(b)(2)(A)-(B), (3), and (4)].

The Court must also order defendant to reimburse [Name/Pseudonym]'s estate for income [Name/Pseudonym] lost as a result of defendant's crime, including future lost income. Here, the government has established that [Name/Pseudonym] is entitled to restitution for all of these losses. Therefore, the government requests that the Court grant this motion and order mandatory restitution in the amount of \$ [amount] to [Name/Pseudonym]'s estate.

Dated this [insert number] day of [Month], [year].

RESPECTFULLY SUBMITTED,

[Attorney, Esq.]
United States Attorney, District of Arizona

_____/s/_____
[Attorney, Esq.] ([State] Bar # [number])
Assistant United States Attorney
[address]
[phone number]
[email address]