

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No.: 8:17-cr-343-VMC-AAS

EMVORY BURTON

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**ORDER**

This matter comes before the Court pursuant to Defendant Emvory Burton's Motion for Early Termination of Supervised Release (Doc. # 86), filed on June 14, 2024. The United States responded on June 28, 2024. (Doc. # 88). For the reasons that follow, the Motion is granted.

**Discussion**

Pursuant to 18 U.S.C. § 3583(e),

[t]he court may, after considering the factors set forth in 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).

On November 28, 2017, Mr. Burton pleaded guilty to possession with intent to distribute a quantity of cocaine base, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C). (Doc. ## 33, 37). On remand from the Eleventh Circuit, the Court sentenced Mr. Burton to 100 months' imprisonment, followed by three years of supervised release. (Doc. # 79). Mr. Burton's term of supervised release began on May 19, 2023, and is due to end on May 18, 2026. (Doc. # 88 at 1).

Mr. Burton now seeks early termination of his supervised release. (Doc. # 86). He emphasizes that he "has fully complied with the Court's terms of supervision, including abstaining from drug use . . ., fully obeying the law, and diligently complying with the requirements of the Probation Department." (Id. at 4).

Importantly, neither probation nor the government oppose Mr. Burton's request. (Doc. # 88). Probation reports that "Mr. Burton has maintained a stable residence and employment." (Id. at 2). "Mr. Burton has no outstanding conditions at this time, and he has been compliant." (Id.). Additionally, probation notes that Mr. Burton intends to get his commercial drivers' license to obtain better employment. However, his current supervision status prevents him from getting financial aid from the trucking school. (Id.).

Considering all of the above, the Court finds that the Section 3553(a) factors weigh in favor of early termination.


In light of Mr. Burton's good conduct on supervised release and the probation officer's consent, the Court agrees that Mr. Burton's supervised release should be terminated early.

Accordingly, it is hereby

**ORDERED, ADJUDGED, and DECREED:**

Emvory Burton's Motion for Early Termination of Supervised Release (Doc. # 86) is **GRANTED**. Emvory Burton is discharged from supervised release effective immediately and the proceedings in the case are terminated.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 6th day of August, 2024.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE