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Kadeem Maynard's Defense Pushes for Leniency in Drug-Trafficking Case; Wife, Children, Write to Court

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Kadeem Maynard.

As the sentencing date for Oleanvine and Kadeem Maynard draws closer, attorneys for the younger Maynard have expressed objections to certain aspects of the pre-sentencing report, and have petitioned the presiding judge to consider a reduced sentence for their client. In early June, both Maynards decided to [plead guilty](#) to the cocaine-trafficking conspiracy they were accused of, alongside co-defendant Andrew Fahie, the former premier of the British Virgin Islands. They both promised to [cooperate fully](#) with prosecutors in the case, and accepted the [plea deal](#) that at the time included a potential 10-year minimum sentence.

However, pre-sentence investigation reports for both Oleanvine and Kadeem were filed with the court between late July and early August, and at the beginning of this week, attorneys for Mr. Maynard filed a motion requesting a variance.

In April of this year, the U.S. Sentencing Commission decided to adopt several changes to current sentencing guidelines, which are scheduled to go into effect at the beginning of November. One of the changes was the creation of a new guideline, which provides for a reduction in “offense level” if a defendant meets certain criteria, including not having any points for criminal history, and not having used violence or credible threats of violence in the commission of the crime, among others. Additionally, because the crime did not result in death or serious bodily injury, nor was it a hate or sex crime and neither did it involve the possession, sale or transfer of firearms, the criteria for an offense level reduction is met.

Kadeem Maynard’s attorneys also argued that a different section of the sentencing guidelines was amended to advise that a non-custodial sentence is “generally advised” if certain defendants, of which Mr. Maynard is one, receive an offense level reduction as previously described. They argue that because the younger Maynard is a first-time offender, it would be “appropriate for the court to grant a variance.”

A followup filing on Wednesday detailed the attorneys’ objections to the pre-sentence report that was submitted, namely that the report “fails to recommend a minor role reduction” in their client’s sentencing. All Mr. Maynard did, the lawyers argued, was to introduce the Drug Enforcement Administration’s confidential informant to his mother Oleanvine, then the Managing Director of the BVI Port Authority. “Mr. Maynard did not falsify paperwork at the BVI port,” the attorneys declared. “He did not have the ability to arrange for the preparation of paperwork at the port. Mr. Maynard did not speak to anyone in the port to arrange for the transshipment of narcotics.”

In the filing, Mr. Maynard’s role in the drug-trafficking conspiracy to which both he and his mother have pleaded guilty was extremely limited, lawyers say. “Mr. Maynard did not bribe anyone,” the document reads, essentially pinning most of the active criminal plotting on Kadeem’s co defendants – his mother Oleanvine and former Premier Andrew Fahie himself. “Mr. Maynard neither negotiated nor calculated the amount of money to be paid for the 3,000-kilo loads,” the objection reads, also noting that he was not one of those who traveled to Florida to collect cash from the confidential informant - that was Ms. Maynard and Mr. Fahie, who were arrested after boarding a plane filled with fake cash they were told was on its way to Tortola as their first payment in the scheme.

To buttress their argument in favor of a reduced sentence, attorneys attached medical information for Mr. Maynard’s three minor daughters, all of whom suffer from conditions which require ongoing treatment and monitoring. They also note that apart from the three children for whom he is responsible, Mr. Maynard contributes to the upkeep of another minor daughter. Letters of support from his wife, two of his children, the mother of his one-year-old daughter, and his wife’s cousin were also attached to the filing. “Throughout the past year, it has been extremely difficult for my husband to face the fact that he has let his children down,” wrote Sherisma Fahie-Maynard, Kadeem’s wife. “He worries that they may grow up resenting him for not being present for them.”

His lawyers also reference Mr. Maynard’s health concerns, and his educational goals. His attempts to complete the General Education Diploma, a certificate of secondary-level educational competence, have been hindered since his arrest, since this particular instructional program is not available to inmates of the detention center where he has been placed.

They detail his several legal entrepreneurial ventures in Tortola and in Baltimore, Maryland, and note that he has provided assistance to prosecutors in the case, and continues to cooperate. A letter from Mr. Maynard himself, in which he claims to have been tempted into criminality in an attempt to save his family home from repossession, was also attached to the filing. In the letter, Mr. Maynard pleads for the imposition of a non-custodial sentence, either probation or home confinement, to allow him to assist with caring for the children within the household.

Rather than the current range of approximately 11-14 years calculated by the pre-sentence investigation report, Mr. Maynard's attorneys argue that all the reductions their client is entitled to should bring the sentencing range down to between 5 years, 10 months and 7 years, 3 months. Consideration of the other factors surrounding the case, Kadem's attorneys argue, should bring his sentence even lower than that.

Whether the court agrees with defense counsel's arguments concerning how long, or even if, Mr. Maynard will continue to be incarcerated will be known on August 21, the date both he and his mother Oleanvine will be sentenced. Meanwhile, the trial of co-defendant Andrew Fahie, who continues to maintain his innocence, is scheduled for November 1, 2023.