UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO: 11-119

v. * SECTION: "E" (5)

CHRISTOPHER DORSEY

aka "BG"

aka "Gizzle"

aka "Christopher Williams"

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GOVERNMENT'S MOTION FOR A RULE TO SHOW CAUSE WHY THE DEFENDANT'S TERM OF SUPERVISED RELEASE SHOULD NOT BE MODIFIED

NOW INTO COURT comes the United States of America, appearing herein by and through the undersigned Assistant United States Attorney, who respectfully asks that Christopher Dorsey's supervised release be modified in a fashion that will support his efforts at rehabilitation.

On July 18, 2012, Judge Berrigan sentenced Dorsey to 120 months in the custody of the United Staes Bureau of Prisons for Counts 1 and 2, for which he was convicted of being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1). He was also sentenced to serve 168 months as to Count 3, for which he was convicted of obstruction of justice, in violation of Title 18, United States Code, Section 1512(c)(2) and (k). He was also sentenced to serve a two-year term of supervised release as to counts 1, 2, and 3.

On June 27, 2018, Dorsey's case was reallotted to Judge Susie Morgan.

On January 24, 2024, the Court reduced Dorsey's previously imposed sentence of imprisonment to time served, pursuant to Title 18, United States Code, Section 3582(c)(2). At his request, Dorsey was released to the District of Nevada and his term of supervised release started on February 1, 2024.

One of the special conditions of his supervised release was that he had to obtain prior written approval from the court before entering self-employment. *See* Rec. Doc. 165. Also, as a standard condition of release, he was not to associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Dorsey has violated the terms and conditions of his supervised release at outlined by the United States Probation Office's Petition for Warrant, *see* Rec. Doc. 165, and as outlined in a letter from the United States Probation Office in the District of Nevada, dated April 5, 2024, which is attached as Exhibit A. The Government incorporates each of those reasons in this Rule to Show Cause.

The basic allegations are that on his eighth day of supervision, February 8, 2024, Dorsey failed to obtain this Court's approval before he participated in a concert as a self-employed artist and he associated with other known felons, while doing so, thus committing two violations discussed above.

Defense counsel has filed a Memorandum in Relation to Alleged Supervised Release Violations seeking to explain Dorsey's violations, *see* Rec. Doc. 173, and request that this Court allow him to remain on supervised release.² As part of this submission, Dorsey indicates that he "is a benefit to the community and he has changed his life for the better. He is a positive influence and inspiration, including for those who come from underprivileged communities or who were

¹ See also Rec. Doc. 49, Special Conditions of Supervision, No. 5.

^{2.} The Court should be aware that prior to U.S. Probation filing the current petition for revocation, Mr. Dorsey's attorneys reached out to the undersigned AUSA, on or about April 1, 2024, to clarify Mr. Dorsey's working conditions.

incarcerated." See Rec. Doc. 173, p. 10. He has also attached several letters from associates, including Bryan Williams of Cash Money Records, who praised Dorsey's music. Williams made several statements, such as, [Dorsey] "uses his music as a platform for personal and societal reflection." "Christopher has the "potential to inspire, uplift, and empower individuals to navigate life's challenges with courage and determination." "We have seen firsthand the positive impact that artists like Christopher can have on communities." "Through their music and personal narratives, they have the ability to foster understanding, empathy, and unity among people from diverse backgrounds." "Christopher's unique voice and perspective are invaluable assets in promoting messages of hope, resilience, and personal growth." "By embracing his music and his expression, we are fostering a culture of creativity, empowerment, and positive change." See Rec. Doc. 173, p. 13.

Unfortunately, the kind words mentioned above are a far cry from what Mr. Dorsey is actually doing. As this Court is aware, one of the main purposes of supervised release is rehabilitation. To reach that goal, the Court imposed both standard and special conditions of supervised release to assist the defendant in this effort. Based on the facts as presented by the United States Probation Office from the Eastern District of Louisiana and the District of Nevada, it appears that there is probable cause to believe that Dorsey is in violation of the terms of his supervised release. He worked as a self-employed artist without court approval, and he associated with other felons.

However, what is more disturbing is that Mr. Dorsey appears to be travelling down the same road that landed him in prison in the first place. While the Government commends him for his entrepreneurial abilities to get back into the music industry, it has significant concerns as to

how this will affect his rehabilitation as he re-enters society, which is the main reason for the period of supervised release. It appears that Mr. Dorsey is getting back into the same lifestyle that led to his long period of incarceration, as evidenced by his recently released song/video "Same Gangsta" (available at https://youtu.be/uPVW6nzx1XU?si=T6FPN0-vPoNih4P-) and several others that are similar in nature as mentioned below.

As this Court is aware, Mr. Dorsey is a talented rap artist and has been since the age of thirteen. Unfortunately, Mr. Dorsey has used his talents to glorify the violent, lawless, "gangsta" lifestyle and those, including some of his associates, who participate in it. When Mr. Dorsey was sentenced back in 2012, the Government filed, under seal on May 15, 2012, a motion seeking an upward departure, based on several serious issues, including his rap songs/videos.³ Some of these songs and videos were directly tied to murders committed by Telly Hankton, Walter Porter, aka "Mooney," aka "Eurkel," and their associates, and were presented to the jury in their RICO trial. During Mr. Dorsey's sentencing hearing on August 6, 2012, United States District Judge Ginger Berrigan stated,

[H]is videos extol and glorify violence, and make it seem glamorous and powerful. I think probably his videos and his rapping may have contributed to the murders of young people in this city. Young people listen to his rapping, look at his videos. It encourages them to think violence is not only OK but it's something to admire and emulate. I think that's deplorable and frankly, disgusting. And for that I think Mr. Dorsey should be ashamed."

See Sentencing Transcript, Rec. Doc. 50, p. 4. Those powerful and accurate comments about Mr. Dorsey, his music, and its effects on the community refute the completely different perspective

³ The Government respectfully request that the Court review this document to fully understand Mr. Dorsey's history, since this case was only recently allotted to this section.

Bryan Williams paints in his letter of support that was discussed above.

Defense counsel's memorandum, Rec. Doc. 173, and the attached letters, Rec. Doc. 173-1, suggest Mr. Dorsey has devoted himself to becoming a contributing member of society and lawabiding citizen. Mr. Dorsey has evidently volunteered with the Emerald Dream Foundation, an animal rescue organization, and Hope for Prisoners, an organization helping prisoners reintegrate into society. *See* Rec. Doc. 173. These actions may be commendable, but Mr. Dorsey's other conduct is quite different.

Since being released from prison in February 2024, Mr. Dorsey has already released several rap songs, which can be found on the internet on YouTube, where he once again glorifies murder, drug dealing, and threatens those who cooperate with the police. See, e.g., "Say My Grace" (available at https://youtu.be/djxrcw94Dq4?si=y0GMdG07B915OvxC); "Waaaahhhh! Comeback Kid" and "Shake Yo Dreads" (available at https://youtu.be/cioaZOtH7PE?si=hKIwFE5G45SLQR3b). 4 In the songs he glorifies Telly Hankton and Walter Porter, aka "Mooney," and several others, who have been convicted in federal court of RICO violations, which included the murders of rivals and witnesses to their other crimes, as well as drug dealing in New Orleans. For example:

- At .45 seconds into "Comeback Kid" video, Dorsey glorifies Telly Hankton and Walter Porter.⁵
- At 1:20 into the "Comeback Kid" video, Dorsey raps, "that get back is a

⁴ Both songs are under this link.

⁵ Dorsey also glorifies Hankton and Porter, and belittles others who cooperate with authorities in the song/video "Say My Grace" (https://www.youtube.com/watch?v=djxrcw94Dq4). In the song "Yellow Tape" that he performs with Kid Kid, at 2:52 Dorsey raps, "I got some homies on parole that will still kick in a door I got some shooters on my team" (see: https://www.youtube.com/watch?v=jC3MkOS93rY)

motherfucker, my foot on these N.... neck"

- At 1:36 in to the "Comeback Kid" video, Dorsey raps, "I got a scope on that AR,
 I ain't missing at all."
- At 1:40 into the "Comeback Kid" video, Dorsey talks about getting back at people once he gets off federal supervised release, which he refers to as "paper."
- At 3:17 into the "Shake Yo Dreads" video, Dorsey states, "I am fresh up out of the feds, play with me you dead," and
- At 3:39 into "Shake Yo Dreads" video, Dorsey raps "on your head I will put a bounty."

As is evident from this sample, many words and phrases can describe the messages in Mr. Dorsey's music, but the terms "uplifting," "inspirational," or "promoting messages of hope, resilience, and personal growth" that Bryan Williams uses would not be among them.⁶

Mr. Dorsey and his attorneys will undoubtedly argue that the Government is trying to punish Mr. Dorsey because he is a rap artist. That is simply not true. The Government would take the same position concerning this content if Mr. Dorsey performed Opera, Country, Rock-N-Roll, Heavy Metal, Reggae, or any other genre of music, or whether he just wrote it as some form of poetry. The problem is not the genre. Rather, it is Mr. Dorsey's continued praise of drug dealers who have murdered numerous people in this city, and his continued threat to those who have cooperated with law enforcement. All of this demonstrates that Mr. Dorsey is engaging in the same conduct that Judge Berrigan described as "deplorable and frankly, disgusting." *See* Rec.

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⁶ The government invites the Court to listen to the entire songs/videos to fully appreciate Mr. Dorsey's present and future messages contained in them.

Doc. 50, p. 4. Mr. Dorsey's conduct directly contradicts the goals of supervised release—rehabilitation and becoming a responsible, law-abiding member of our community.

As this Court is aware, it is the responsibility of the United States Probation Office to try and steer anyone on supervised release away from continuing in their criminal activity. There is no way that any reasonable person can view these new videos (and there are more than just the ones listed in this memo), with an understanding of Mr. Dorsey's past, and conclude that Mr. Dorsey was taking his rehabilitation seriously.⁷

Citing 18 U.S.C. § 3583(e)(2), defense counsel notes that supervised release conditions should be reasonably related to certain sentencing factors. *See* Rec. Doc. 173-1, pp. 14-15. He asserts supervised release conditions cannot involve a greater deprivation of liberty than is reasonably necessary to achieve these statutory goals. *See* Rec. Doc. 173-1, pp. 14-15. Given "the nature and circumstances of the offense and the history and characteristics of the defendant," preventing Mr. Dorsey from glorifying crime and violence is appropriate. 18 U.S.C. § 3583(d)(1). Such preventive measures appropriately satisfy the need "to afford adequate deterrence to criminal conduct." 18 U.S.C. § 3583(d)(2). Certainly, prohibiting Mr. Dorsey from glorifying violence and threatening others also serves the need "to protect the public from further crimes of the defendant." 18 U.S.C. § 3583(d)(3).

Based on defense counsel's memorandum, Rec. Doc. 173, and the attached letter dated April 18, 2024, from Michael Reinert, which is attached as Exhibit B, it appears that Mr. Dorsey

⁷ However, the Court should be aware that when Mr. Dorsey appeared for his initial appearance in this matter on April 8, 2024, he and his attorneys voluntarily met with the undersigned Assistant United States Attorney and had a positive and frank discussion about the Government's concerns, which are included in this motion. It was the undersigned AUSA's opinion that Mr. Dorsey was courteous and sincere during this meeting and in his desire to comply with the requirements of his supervised release.

and his entertainment attorneys are on the brink of securing deals in the industry that will bring them a significant pay day, as "gangsta rap" is a popular genre of music. While that individual desire to make money is understandable, that is not the purpose of supervised release. Mr. Dorsey says that he has taken responsibility for his actions, but it does not appear, based on the recently released songs, that he truly understands the wake of destruction that he has left in his own community as stated by Judge Berrigan, and he seems determined to commit the same fatal damage in the future. Whether he likes it or not, Mr. Dorsey is a leader in his community. As Judge Berrigan acknowledged, "Young people listen to his rapping, look at his videos." Rec. Doc. 50, p. 4. Bryan Williams suggests that Mr. Dorsey can "inspire, uplift, and empower individuals to navigate life's challenges with courage and determination" and "foster understanding, empathy, and unity among people from diverse backgrounds"; and that Mr. Dorsey is able to provide "messages of hope, resilience, and personal growth." See Rec. Doc. 173, p. 13. However, Mr. Dorsey's recent songs/videos once again "extol[s] and glorif[ies] violence, and make[s] it seem glamorous and powerful." See Rec. Doc. 50, p. 4.8 To be clear, the Government is not stating that Mr. Dorsey is solely responsible for this negative impact on our community. However, he has done his part to encourage this culture of violence and despair.

Mr. Dorsey has violated his term of supervised release by becoming self-employed and

⁸ The rap industry was not always filled with songs of murder, drug dealing, and despair. *See* "Hip-hop Went From Something Positive to Something Used to Destroy" (available at

https://www.youtube.com/shorts/FdLaaopWwzU); see also "the truth of music being weaponized" (available at https://www.youtube.com/shorts/FdLaaopWwzU); see also "the truth of music being weaponized" (available at https://www.facebook.com/share/r/BfKb6FmtvSkE9bVk/?mibextid=xCPwDs); see also short

discussion of the 50th anniversary of hip hop (available at

[&]quot;https://protect2.fireeye.com/v1/url?k=be7c13a5-dbccf4d0-be7b3740-74fe48681123-

b24e89a265578483&g=1&e=d10cdb1e-4e12-4c90-80c2-

cbc432c0b403&u=https%3A%2F%2Ffb.watch%2FrhLbxALeRk%2F).

associating with other known felons without permission from Probation. In doing so, he is travelling down the same road that landed him in prison in the first place. Mr. Dorsey's music has the power to move and inspire, but it is completely up to him to decide what direction it will go. Based on his latest songs, it appears that he has decided to continue to glorify murder, drug dealing, and to threaten those who cooperate with the police. This mindset is inconsistent with the goals of rehabilitation.

Despite Mr. Dorsey's initial complications on supervised release, the Government does not believe that a revocation of his supervised release and a return to incarceration is warranted, at this time. The Government believes that a slight a modification of the conditions of supervised release would be reasonably sufficient to achieve these statutory goals as outlined in Title 18, United States Code, Sections 3553 and 3583(e)(2).

WHEREFORE, for the foregoing reasons, the Government respectfully request that this Court focus Mr. Dorsey on his need for rehabilitation and his general responsibility to the community at large, as he attempts to re-enter society as a responsible, law-abiding citizen. To this end, the Government request that Dorsey be ordered to appear for a hearing or a status conference before this Court where his supervised release conditions can be *modified* and *clarified* to include the following:

1) Dorsey shall provide his U.S. Probation Officer with a written copy of the lyrics of every song that he has written, in whole or in part, since being released from the Bureau of Prisons or for any song that he may write, in whole or in part, while on supervised release. The lyrics of these songs will be kept by U.S. Probation to monitor Dorsey's work and will not be released to or made

available to the public by U.S. Probation, to safeguard against any copyright infringements, without Dorsey's consent or a court order. However, U.S. Probation will provide the government with a copy of the lyrics;

- 2) Dorsey shall not associate or work with anyone who has previously been convicted of a felony offense, without first obtaining written approval from this Court. It is Dorsey's responsibility to determine if any of his associates or individuals with whom he chooses to work are felons;
- 3) Dorsey shall not participate in any type of self-employment while on supervised release unless he obtains written approval of this Court.
- 4) Dorsey shall not travel outside the District of Nevada, where he is being supervised, without the permission of the U.S. Probation Office in that district.

Respectfully submitted,

DUANE A. EVANS UNITED STATES ATTORNEY

s/Maurice E. Landrieu, Jr.

MAURICE E. LANDRIEU, JR. (#22104) Assistant United States Attorney 650 Poydras Street, Suite 1600 New Orleans, Louisiana 70130 Telephone No. (504) 680-3015 maurice.landrieu@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2024, I electronically filed the foregoing with the Clerk of court by using the CM/ECF system which will send a notice of electronic filing to all defense counsel of record.

s/ Maurice E. Landrieu

MAURICE E. LANDRIEU

Assistant United States Attorney

Case 2:11-cr-00119-SM-MBN Document 180-1 Filed 05/13/24 Page

United States District Court

DISTRICT OF NEVADA PROBATION OFFICE

GOVERNMENT EXHIBIT Α

Chad R. Boardman CHIEF PROBATION OFFICER

☒ Reply to Las Vegas **Foley Federal Building** 300 Las Vegas Blvd. South **Suite 1200** Las Vegas, NV 89101 Tel: 702-527-7300 Fax:702-527-7345



April 5, 2024

☐ Reply to Reno Bruce R. Thompson U.S. Courthouse 400 S. Virginia St. Suite 103 Reno, NV 89501 Tel: 775-686-5980

Fax: 775-686-5990

Maurice E. Landrieu, Jr. Assistant United States District Attorney Eastern District of Louisiana 650 Poydras Street, Suite 1600 New Orleans, LA 70130

> **RE:** Dorsey, Christopher Case Number: 2:11CR00119-001

SUMMARY OF SUPEVISION

Dear Assistant U.S. Attorney Landrieu:

On July 18, 2012, in the Eastern District of Louisiana, Christopher Dorsey was sentenced by the Honorable Helen G. Berrigan, United States District Judge, to a term of 120 months in the custody of the Bureau of Prisons as to each of Counts 1 and 2, and 168 months as to Count 3, to be served concurrently, followed by 24 months supervised release for committing the offenses of Felon in Possession of a Firearm and Obstruction of a Firearm. On February 1, 2024, Dorsey commenced supervised release in the District of Nevada.

On February 1, 2024, Mr. Dorsey reported to the Probation Office and his intake was conducted. At that time, his supervision conditions were reviewed with him. Mr. Dorsey asked about touring, performing at concerts, and signing contracts with record labels and advised he wanted to make his living in the music industry as he did before. He was advised of his employment restriction condition.

On February 8, 2024, the undersigned officer met with Mr. Dorsey in the Probation Office. The undersigned re-reviewed his judgment, including the employment restriction condition. The undersigned advised Mr. Dorsey that she was aware of his performance scheduled for that night (February 8, 2024) with Torrance Hatch a.k.a. rapper "Boosie Badazz" since he did not inform the officer on February 1, 2024, nor did he inform the undersigned officer during this meeting until the undersigned brought it up.

Mr. Dorsey was informed that Deputy Chief Probation Officer (DCUSPO) Todd Fredlund would allow Mr. Dorsey to honor the contract he signed and allow him to perform. It should be noted that a contract was provided to the undersigned, and it was dated January 13, 2024, on behalf of Mr. Dorsey, prior to his supervision start date, and was approved by the residential reentry center. The undersigned and DCUSPO Fredlund thoroughly explained to Mr. Dorsey that any future performances or involvement in the rap industry would not be permitted until the employment restriction was clarified with the Court. Additionally, later that day, the Probation Office contacted the U.S. Probation Office for the Eastern District of Louisiana requesting clarification pertaining to the self-employment restriction condition, and specifically relating to Mr. Dorsey's prohibition on resuming his rap career while under supervised release.

The undersigned did not give permission to Mr. Dorsey at any time to be "self-employed." From his original supervision intake meeting on February 1, 2024, and during the subsequent meetings the undersigned officer conducted with Mr. Dorsey, he was told, and it was reiterated during each meeting that he could not be "self-employed" without the Court's permission. Mr. Dorsey was told that until there is clarification from the Court, he is to refrain from any self-employment, including resuming his rap career. With regards to associating with felons, the undersigned did not give Mr. Dorsey permission to associate with convicted felons, nor was there a specific conversation regarding that topic other than the undersigned reviewing the standard supervision condition about felon association prohibition. Mr. Dorsey did not ask permission to associate with any convicted felons.

The undersigned found out after the February 8, 2024, performance that Mr. Hatch was a convicted felon and on active pretrial services. However, our office would take the position that the interaction between Mr. Dorsey and Mr. Hatch at the concert was employment related. The Probation Office is unaware of any other association between them outside of the concert performance.

The Probation Office is amenable to reconsidering Mr. Dorsey's request to reside in Las Vegas, Nevada; however, his relocation plan would have to be submitted through the U.S. Probation Office for the Eastern District of Louisiana.

Additionally, the Probation Office wants to advise the Court that Mr. Dorsey is currently employed by the Emerald Dream Foundation. He is currently being paid \$825.00 per week by check for working 55 hours per week. The checks list that he is employed as a contractor. All checks provided to our office reveal that no taxes are being taken out. The District of Nevada would like the Court to clarify if they consider Mr. Dorsey's current employment as self-employment since no taxes are being withheld from his paychecks. Mr. Dorsey has not provided our office any further information regarding if he is considered a 1099 employee or if taxes will be withheld from future checks.

Sincerely,

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Digitally signed by Date: 2024.04.05

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Annis C. Seopaul Sones

Senior United States Probation Officer

Approved:

Digitally signed by Todd Fredlund

Date: 2024.04.05

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Todd J. Fredlund

Deputy Chief United States Probation Officer





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MICHAEL L. REINERT
DIRECT DIAL: (212) 878-7916
Email: MReinert@FoxRothschild.com

April 18, 2024

David Chesnoff. Esq.

Re: Christopher Dorsey with Santa Anna Label Group

Dear David:

As we discussed, Christopher has a wonderful opportunity to work with the Santa Anna Label Group, which is a part of the Sony Music Group. Santa Anna is run by two of the most respected executives in the industry, Todd Moskowitz and Lee L'Heureux. Having rebuilt the iconic Alamo label and then sold it to Sony, Todd and Lee continue to run Alamo for Sony and have established Santa Anna, and its sister distribution company, Foundation, into an important part of the Sony ecosystem and the Hip-hop music community. They are not only for working with new and developing artists but also established artists such as Christopher.

The proposal before us is a very beneficial one to Christopher in a number of respects:

- 1. It is what we referred to as a "1+1", meaning that it is a short term contract for only two committed albums. Typically a deal like this would be for three or four albums.
- 2. Despite the above commitment, Christopher will still be allowed to do outside projects, including a very important one with the platinum selling, Grammy award winning producer Mike Will Made It. This is a project that also already has tremendous interest from various parties just on the strength of the collaboration alone.
- 3. The agreement with Santa Anna will give Christopher mutual creative control over all aspects of the project, including the marketing and licensing thereof. This is very key to controlling the roll-out of not just the music, but the story behind it.
- 4. From an earnings perspective, the agreement will pay Christopher an advance of \$250,000 upon execution and he will receive no less than 50% of the net receipts generated by the project. The second album of the agreement would provide an advance

A Pennsylvania Limited Liability Partnership

Missouri Florida Massachusetts Minnesota California Colorado Delaware District of Columbia Georgia Illinois Nevada New Jersey North Carolina Oklahoma Pennsylvania South Carolina Texas Washington New York



April 18, 2024 Page | 2

of no less than \$250,000 and as much as potentially \$500,000, also against his share of receipts.

This is a very important opportunity for Christopher to reclaim his position in the music market. He has already been highly sought after as a guest for other projects, but this would be his "comeback" solo record, so-to-speak. It will feature significant guest artists in order to garner top playlist listings, and with the clout and resources of a respected label like Santa Anna the record is sure to spark a great deal of attention.

As you know, I have spent my entire career in the music business and I am very aware of the pitfalls that can challenge any artist, let alone one who has been absent from the marketplace for a while. Christopher has shown that he is dedicated to his career and his music and will work hard to reestablish his place in the current market. This agreement with Santa Anna is the type of opportunity that will allow him to do just that.

Of course, I am available to discuss any other aspect of this or the other opportunities that Christopher has before him. You know we have built a team of top professionals to guide and assist him and if given the chance, I know he will achieve great success.

My thanks for your time and attention. Please let me know if you need anything further.

Best regards,

Michael L. Reinert, Esq.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO: 11-119
v.	*	SECTION: "E" (5)
CHRISTOPHER DORSEY aka "BG"	*	
aka "Gizzle" aka "Christopher Williams"	*	
	*	
	* * *	
	<u>ORDER</u>	
Considering the foregoing go	overnment's motic	on for a rule to show cause why the
defendant's term of supervised release	should not be mo	dified;
IT IS HEREBY ORDERE	D that Christoper	Dorsey appear before this Court on
the day of	2024, at	m. to show cause why supervised
release should not be modified.		
New Orleans, Louisiana, this_	day of	, 2024.