

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States v. Cherry

Cherry · No. 16cr00215 (CKK-ZMF) · Decided March 10, 2026

OPINION

United States v. Cherry

PER CURIAM.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

V. Case No. 16cr00215 (CKK-ZMF)

JAMES CHERRY,

Defendant.

ORDER

(March 10, 2026) This case was referred to Magistrate Judge Zia M. Faruqui for a hearing on the violation of Defendant James Cherry's supervised release and a Report and Recommendation. See ECF No. 49, The Court notes that Mr. Cherry's violation of supervision involved testing positive for use of cocaine. Magistrate Judge Faruqui held multiple hearings involving Mr. Cherry, his counsel, the Government, and the Probation Office. See docket entries for March 26, 2025; April 29, 2025; and August 27, 2025. In his February 18, 2026 Report and Recommendation, Magistrate Judge Faruqui indicates that, at the revocation hearing held on August 27, 2025: The Probation Office reported that Mr. Cherry continued to actively participate in drug treatment and that his treatment counselor noted positive progress. The Probation Office flagged that it could no longer fund Mr. Cherry's drug treatment due to budget constraints. The Probation Office was attempting to have Medicaid step in to fund continued treatment. Since the prior hearing, Mr. Cherry had relapsed once; however, Mr. Cherry was determined to continue with treatment, prioritize his sobriety, and secure new employment. Report and Recommendation, ECF No. 56, at 3. On September 19, 2025, "Mr. Cherry confirmed to the parties and this Court that he was continuing drug treatment via Medicaid." *Jd.* In connection with the revocation hearing, the Probation Office and the Government recommended a sentence of seven months' incarceration with no term of supervised release to 1 follow, while Mr. Cherry requested a sentence of time served with no supervision to follow. In his Report and Recommendation, Magistrate Judge Faruqui recommends a sentence of time served, based on his analysis of the sentencing factors set forth in 18 U.S.C. § 3553(a)(1), (a)(2)(B)-(D), and (a)(4)-(7). See Report and Recommendation, ECF No. 56, at 4-9. This Court notes that there have been no objections filed after the issuance of the Report and Recommendation. Furthermore, the Court has confirmed with the Probation Officer that Mr.

Cherry remains compliant with his treatment, and that no criminal violations have been reported. Accordingly, it is this 10th day of March 2026, ORDERED that the [56] Report and Recommendation is hereby ADOPTED. Because Defendant is being sentenced to time served with no additional period of supervision imposed, this case may be closed by the Clerk's Office, and the referral to Magistrate Judge Faruqui may be deemed terminated. CMe» lle. KELL COLLEEN KOLLAR-KOTELLY / UNITED STATES DISTRICT JUDGE