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**Attorney for Defendant**  
**WAIEL YOUSIF ANTON**

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**  
**(Hon. Gonzalo P. Curiel)**

UNITED STATES OF  
AMERICA,

Plaintiff,

v.

WAIEL YOUSIF ANTON,

Defendant.

CASE NO. 3:19-cr-04768-GPC  
3:22-cr-01142-GPC

**SENTENCING MEMORANDUM**  
**DATE: November 30, 2022**  
**TIME: 8:30 a.m.**

Mr. Waiel (“Will”) Anton submits his sentencing memorandum for the Court’s consideration. Mr. Anton will appear before the Court on November 30, 2022 for sentencing on one count of attempted obstruction of justice in violation of 18 U.S.C. §1512(b)(3), and a second count of obstruction of justice in violation of the same statute.

This memorandum will address the §3553 sentencing factors for the Court’s consideration with particular emphasis on the history and characteristics of Mr. Anton and the nature and circumstances of the two offenses. Mr. Anton

1 has admitted to the crimes for which he will be sentenced. His conduct should be  
2 evaluated in light of the context of the case, not hyperbole. Mr. Anton does not  
3 deny responsibility for the conduct which he has pleaded guilty. Nor does he seek  
4 to minimize it. He does, however, have a right to be sentenced for what he did,  
5 not for contested or unproven allegations unrelated to the counts of conviction.

6 The presentence report sets out the essentials of Mr. Anton's childhood.  
7 Waiel ("Will") Anton was born in Baghdad, Iraq in 1984. He has four siblings,  
8 three of whom now live in San Diego County. Mr. Anton's father was drafted and  
9 served in the Iraqi army, during which he sustained two gunshot wounds. The  
10 family was Chaldean (Catholics of Iraqi origin). As a result, they were subjected  
11 to discrimination and reprisal because of their espousal of a minority faith. Mr.  
12 Anton's perception of government authorities was colored by his childhood  
13 experience with the autocratic and dictatorial regime of Saddam Hussein. To his  
14 family, the Iraqi government was callous, arbitrary and occasionally violent. In  
15 order to seek a new life and to avoid forced military service of Mr. Anton's older  
16 brother, the family fled Iraq when Will was 12 years old. They left behind their  
17 home and belongings.

18 The family traveled Athens. They lived there two years. For those two  
19 years, Will Anton did not attend school, so that he could earn money selling  
20 lottery tickets in the streets of Athens. At age 14, he immigrated with his family  
21 to the United States. They lived in El Cajon. Will Anton graduated from El Cajon  
22 Valley High School in 2003.

23 In the United States, Will Anton developed an affection and a deep  
24 admiration for U.S. law enforcement, whom he found to be very different from  
25 the police officials in Iraq. Will aspired to become a police officer. On two  
26 separate occasions, he attended law enforcement academies. Because of reading  
27 comprehension problems, he was unable to successfully complete the written  
28 exams required and thus could not be certified for a law enforcement job.

1 Typical of many immigrants, Mr. Anton has a prodigious appetite for work.  
2 He owned Brooklyn Giant Pizza in Lakeside between 2010 and 2016. Since 2007,  
3 he has owned and operated Anton's Garage Doors, his own business, from which  
4 he earns approximately \$10,000 a month. His life is his family: his wife, Amanda,  
5 his two sons, Luke, age five and Mason, age three.

6 Defendant submits with his memorandum letters from his friends, family,  
7 and spiritual advisors. They describe a person who is caring, compassionate,  
8 hard-working, and committed to helping others. His wife, Amanda, calls him a  
9 person with a heart of gold, funny and caring, always working hard to support his  
10 family. She explains that Will became involved with politics, and fell in love with  
11 it. Mr. Anton did become involved in supporting political candidates, including  
12 the former Sheriff of San Diego County. He helped them to raise money, and  
13 assisted in their campaigns.

14 Mr. Anton joined the Honorary Deputy Sheriffs Association (HDSA),  
15 which raised funds for the Sheriff's Department, among other things. Tim Curran,  
16 retired Assistant Sheriff, writes that "Will is present everywhere within the local  
17 Chaldean community as well as the greater San Diego County community. He has  
18 given hundreds and hundreds of hours doing volunteer work for numerous local  
19 organizations and charities. Will is also a very successful local businessman." Mr.  
20 Curran states "without reservation" that he has faith and trust in Will to be an  
21 upstanding and inspiring member of the community. Mark Elvin, former  
22 Undercover Sheriff of San Diego County, describes Will Anton's "extreme work  
23 ethic in general" and his support of the Honorary Deputy Sheriffs Association.  
24 Mr. Elvin describes Mr. Anton as caring intelligent, hard-working, and  
25 compassionate. Mr. Elvin places Mr. Anton's wrongdoing in perspective,  
26 explaining "the reason I went to some detail on my knowledge of Will's  
27 character, background and the way he has chosen to live his life is to reveal what  
28 a stark contrast his errors were compared to his stellar past and present."

1 Mr. Anton's involvement with the Honorary Deputy Sheriffs Association  
2 included his association with Captain Marco Garmo. Mr. Anton respected and  
3 idolized Garmo. This association with Garmo led to Will Anton's improvident  
4 involvement with the events in this case. While the prosecution has every right to  
5 advocate its position, it should not ignore the complexity and nuances of Mr.  
6 Anton's relationship with Garmo. Close examination of specific facts, as opposed  
7 to vituperation or hyperbole, is more consistent with the objective evaluation of a  
8 case that should be the hallmark of prosecutorial advocacy.

9 The government initially charged Mr. Anton with aiding and abetting  
10 Marco Garmo's conduct of a firearms business, by Will's supposed providing  
11 assistance to Garmo's gun purchasers in making applications for CCW permits.  
12 The actual evidence was that the only person to whom Garmo sold a weapon who  
13 used Mr. Anton for advice and help in the CCW application process was the  
14 undercover agent. Moreover, the contact between the undercover and Mr. Anton  
15 occurred after the undercover had purchased weapons from Garmo. There was no  
16 evidence that Mr. Anton's later assistance with the CCW application process was  
17 an incentive, much less the *sine qua non* for the antecedent purchase of weapons  
18 by the undercover from Garmo. Nor was there any suggestion that Mr. Anton's  
19 help in the application guaranteed the issuance of a CCW permit. Of the few  
20 people he ever assisted, as many failed to obtain permits as those who succeeded.

21 The attempted obstruction of justice to which Mr. Anton pled guilty  
22 involved his request to the undercover that, should he be interviewed, he delete  
23 any mention of the payment of a \$1000 consulting fee to Mr. Anton. This request  
24 was later revoked by Mr. Anton when on successive occasions, he told the  
25 undercover agent that if approached by government officials, the undercover  
26 should tell the truth. The attempted obstruction occurred on the same day of the  
27 search of Mr. Anton's house. On that day, ATF agents entered the house  
28 forcefully, pointing guns at Will's wife and child. Within hours of that search,

1 Mr. Anton's wife gave birth prematurely to their son, Mason, in an ambulance.  
2 As Amanda Anton describes it, she was rushed to the hospital and while in  
3 transit, Mason was born prematurely and did not breathe for several minutes.  
4 Mason was then placed in in the Neonatal Intensive Care Unit (NICU). Later,  
5 after he survived, Mason was unable to gain weight and failed to thrive. The  
6 attempted obstruction occurred when Will Anton was suffering from the shock of  
7 the search by armed men and the premature birth of a son whose life was  
8 imperilled.

9 The obstruction related to the meeting in a parking lot with Lance Kachi  
10 was serious misconduct. That offense, however, did not result in any prejudice to  
11 the government's investigation and prosecution of Mr. Kachi and others.

12 Mr. Anton accepts responsibility for his commission of these offenses. He  
13 apologizes to the Court. He is resolved to avoid any further problems with the  
14 law.

15  
16 Respectfully Submitted,

17 **IREDALE AND YOO, APC**  
18

19 Dated: November 23, 2022

s/ Eugene Iredale

EUGENE IREDALE

Attorney for Defendant Wael Yousif Anton