**STATE OF ILLINOIS**

 **IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT**

 **COUNTY OF DU PAGE**

PEOPLE OF THE STATE OF ILLINOIS, )

 PLAINTIFF, )

 ) CRIMINAL

 VS ) No. 01 CF 2665

 )

ASHWANI SHAMLODHIYA )

 DEFENDANT. )

 **MOTION FOR RECONSIDERATION OF SENTENCING**

 NOW COMES the Defendant ASHWANI SHAMLODHIYA , by his attorney, Robert A. Miller and moves the Court to reconsider the sentence of 26 years on the Department of Corrections for the offense of Murder, and 4 years in the Illinois Department of Corrections for the offense of Residential Arson imposed in the above captioned case and to reduce said sentence pursuant to Illinois Compiled Statutes, Chapter 730, Section 5/5-8-1, and Supreme Court Rule 605, and in support thereof, states as follows:

1. That the defendant believes that the above sentence for the Murder is excessive in light of the nature and circumstances of the offense and history and character of the defendant.

 2. That the defendant had no previous history of adult criminal activity.

 3. The Court erred in interpreting the sentencing guidelines in such a manner as to require consecutive sentences for the Murder and Residential Arson.

 4. The Court erred in failing to consider the financial impact of the sentence.

 5. That the Court's sentence failed to take into consideration the rehabilitative potential of the Defendant, and the statutory factors in mitigation.

 WHEREFORE, the Defendant prays that the court reconsider the sentence imposed by the Court in the above captioned cause and reduce the same to one appropriate to the case at hand.

 ASHWANI SHAMLODHIYA, Defendant

 By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Robert A. Miller, His Attorney

Office of the Public Defender

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