

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

V.

MATTHEW NELSON TUNSTALL
#73685-509

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No. A-21-CR-00223(1)-RP

ORDER

Upon the motion of the defendant for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors set forth in 18 U.S.C. § 3553(a) as applicable here, Defendant's motion is DENIED.

After a complete review of the motion on the merits, the Court finds no compelling or extraordinary reasons for a sentence reduction. Defendant indicates an early release is necessary so that he may care for his two-year-old daughter because his father-in-law is currently suffering from a medical condition. However, Defendant fails to show there are no other family members available to care for his daughter. Rather, he indicates, if released, he would be living with his father-in-law, mother-in-law, sister-in-law, and wife. He also attaches to his motion a letter from his father indicating he is recently retired and would welcome Defendant, Defendant's wife, and Defendant's daughter to live with him.

The § 3553(a) factors also do not support an early release in this case. Defendant was indicted on wire fraud and money laundering charges based on a political-fundraising scam wherein Defendant and his associates created fake political-action committees ("PACs") to solicit donations that Defendant and his associates used for their own personal benefit. Defendant pleaded guilty, pursuant to a plea agreement, to one count of conspiracy to commit wire fraud and to cause false statements to the Federal Election Commission, in violation of 18 U.S.C. § 371, and

one count of money laundering, in violation of 18 U.S.C. §§ 1956(a)(1)(B)(i) and 2. As recounted in the factual basis for the plea agreement, Defendant admitted that two of the PACs Defendant operated received approximately \$3.96 million in contributions from donors who thought their funds were being used to support political candidates. At sentencing, Judge Lee Yeakel, now retired, determined there were roughly 75,000 contributors and at a minimum the loss amount was \$3.9 million. In addition, the Court found that the criminal activity was otherwise extensive and that Defendant was the leader. Based on these findings, Defendant's total offense level was calculated as 34, and his criminal history was calculated as Category I. This resulted in a Guidelines range of 151 to 188 months. Judge Yeakel granted Defendant a variance and sentenced him to 60 months on count one and 120 months on count five and ordered the sentences to run concurrently. Defendant's release date is currently scheduled for December 11, 2030.

The nature and circumstances of Defendant's offense do not justify a reduced sentence. Reducing Defendant's below-guideline sentence will not adequately reflect the seriousness of his offense, promote respect for the law, provide just punishment for the offense, adequately deter criminal conduct, or protect the public from further crimes. In addition, no sentence reduction is necessary to provide Defendant with needed medical care. *See* 18 U.S.C. § 3553(a).

It is therefore **ORDERED** that the Motion for Sentence Reduction, filed by Defendant on March 3, 2026, is **DENIED**.

SIGNED this 6th day of March 2026.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE