

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 25-2891

UNITED STATES OF AMERICA

v.

MICHAEL REDMON,
Appellant

On Appeal from the U.S. District Court, D. Del.
Judge Colm F. Connolly, No. 1:25-cr-00002-001

Before: BIBAS, MATEY, and BOVE, *Circuit Judges*
Submitted: Oct. 21, 2026; Filed: Oct. 22, 2026

NONPRECEDENTIAL OPINION*

BOVE, *Circuit Judge*. Defendant Michael Redmon challenges the procedural and substantive reasonableness of the within-Guidelines fine imposed by the District Court. He did not preserve the arguments he has raised with us. We see no error, much less a plain one. Accordingly, we will affirm.

I.

We assume the parties' familiarity with the underlying facts, procedural history, and issues on appeal. Defendant was a police officer who stole more than \$80,000 from his Delaware town by falsely reporting overtime that he did not work. He pleaded guilty to one count of wire fraud.

* This is not an opinion of the full Court and, under 3d Cir. IOP 5.7, is not binding precedent.

Prior to sentencing, the government asked the District Court to impose a \$55,000 fine and other penalties. The District Court adopted the PSR's fact findings and legal conclusions. Both the Probation Office and the District Court concluded that Defendant had the ability to pay the fine. Defendant did not object.

At sentencing, based on an Offense Level of 13 and Criminal History Category I, the Guidelines recommended a term of imprisonment between 12 and 18 months and a fine between \$5,500 and \$55,000. The District Court's sentence included 13 months' imprisonment, a \$50,000 fine, and \$81,980 in restitution. The District Court emphasized the seriousness of the offense and the need for general deterrence. Defendant timely appealed.

II.

The District Court had jurisdiction under 18 U.S.C. § 3231. We have jurisdiction under 28 U.S.C. § 1291 and 18 U.S.C. § 3742. We review preserved sentencing challenges for abuse of discretion. *United States v. Tavares*, 187 F.4th 50, 58 (3d Cir. 2026).¹ Because Defendant objects to the fine for the first time on appeal, we review for plain error. *Id.*

III.

Defendant has not identified a plain error at his sentencing, and his within-Guidelines fine was not unreasonable.

¹ Unless otherwise indicated, case quotations omit all internal citations, quotation marks, footnotes, alterations, and subsequent history.

The Guidelines required Defendant to establish that he was “unable to pay and is not likely to become able to pay any fine.” U.S.S.G. § 5E1.2(a). He did not meet his burden. The District Court concluded that the opposite was true based on undisputed findings from the PSR. *See United States v. Torres*, 209 F.3d 308, 313-14 (3d Cir. 2000); The PSR indicated that Defendant’s net worth exceeded \$1 million. Irrespective of Defendant’s new arguments regarding liquidity and other matters that he failed to bring up at sentencing, his net worth was more than sufficient to sustain the District Court’s ruling regarding ability to pay.

Defendant also argues that his \$55,000 fine created an unwarranted sentencing disparity under 18 U.S.C. § 3553(a)(6) based on his co-defendant’s \$25,000 fine. But § 3553(a)(6) does not require a sentencing court to consider potential disparities among co-defendants. *See United States v. Douglas*, 885 F.3d 145, 153 n.6 (3d Cir. 2018). And Defendant’s disparities argument fails to persuade that his sentence was substantively unreasonable. *See United States v. Jackson*, 132 F.4th 266, 279 (3d Cir. 2025). Accordingly, we will affirm.