

**NONPRECEDENTIAL DISPOSITION**  
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**United States Court of Appeals**  
**For the Seventh Circuit**  
**Chicago, Illinois 60604**

Argued November 13, 2024  
Decided March 10, 2026

**Before**

FRANK H. EASTERBROOK, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

Nos. 24-1009 & 24-1024

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

Appeals from the United States District  
Court for the Central District of Illinois.

*v.*

Nos. 21-CR-30009 & 20-CR-30046

RANDY BULL,  
*Defendant-Appellant.*

Colleen R. Lawless,  
*Judge.*

**ORDER**

Randy Bull was sentenced to 210 months' imprisonment, followed by 10 years of supervised release, after pleading guilty to one count of distribution of 50 grams or more of methamphetamine (actual) in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A).<sup>1</sup> On appeal, Bull challenges the district court's reliance on statements Bull made in a post-arrest interview to determine the quantity of drugs attributable to him for purposes of calculating his guidelines' sentence. He also argues the court erred when it failed to

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<sup>1</sup> At the same hearing, Bull was sentenced to 12 months' imprisonment in a separate proceeding, discussed below, to run consecutive to the methamphetamine sentence.

sufficiently explain its relevant conduct determination. For the reasons explained below, we affirm.

## I. BACKGROUND

Between July and August 2020, law enforcement coordinated two controlled buys of methamphetamine between a confidential source and Bull in Litchfield, Illinois. During the first controlled buy, on July 13, 2020, Bull sold a confidential source 72.6 grams of ice methamphetamine. During the second controlled buy, on August 10, 2020, Bull sold the confidential source rock salt. Law enforcement, which had surveilled the second buy, followed Bull, and eventually conducted a traffic stop. Law enforcement searched the car and found a portion of the money used during the controlled buy, suspected methamphetamine, suspected rock salt, and an empty bag of rock salt.

Officers arrested Bull and transported him to the Sangamon County Jail in Springfield, Illinois, where they read him his *Miranda* rights and interviewed him. As relevant here, Bull explained that the COVID-19 pandemic made getting ice methamphetamine more difficult and that people were ripping each other off. He stated he used ice methamphetamine and admitted he sold ounces of it to the confidential source on two to three occasions. He had decided to sell rock salt during the second controlled buy because he needed money.

Bull then explained he had obtained methamphetamine from individuals known as "Fat" and "D" on numerous occasions. Bull stated that he purchased one pound of ice methamphetamine to split with "D" on 15 to 25 occasions. He also advised that "Fat" sold him three pounds of ice methamphetamine every one to two months. Bull additionally explained that before the pandemic, he purchased two pounds of ice methamphetamine from "G," and "G" brought him four to five ounces of ice methamphetamine a couple weeks prior. Finally, Bull shared that he purchased five pounds of ice methamphetamine from an individual known as "Lil Mike."

Bull also told law enforcement that "D" was a white male living in Granite City, Illinois, whose first name may be Darrel; "Fat" was a white male who lived off State Route 367 and usually dealt in cocaine and weed but also sold large quantities of ice methamphetamine; "G" was formerly known as "Lil Man" and resided in Alton, Illinois; and "Lil Mike" utilized the Facebook name James Jones and was also from Alton, Illinois.

Based on the July 13, 2020 controlled buy, Bull was indicted on one count of distribution of 50 grams or more of methamphetamine (actual) in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A). Bull was detained at the Sangamon County Jail for the duration of his federal drug case. While in custody, Bull attempted to escape. He was then indicted on several counts related to the attempted escape.

In May 2023, Bull pled guilty to the distribution charge and four of the escape-related charges. He pled pursuant to a plea agreement on the escape charges but pled open on the drug charge. Before sentencing, United States Probation filed a Presentence Investigation Report, in which it listed Bull accountable for 72.6 grams of ice methamphetamine underlying count 1 and 11,453.12 grams of methamphetamine purchased during the transactions Bull referenced in his post-arrest interview as relevant conduct.<sup>2</sup> Bull objected to probation's reliance on his post-arrest statements in calculating the drugs attributable to him, arguing the statements were not sufficiently reliable because he was high on methamphetamine at the time of the interview, the methamphetamine in the area was scarce because of the pandemic, and the government failed to present any corroborating evidence to support Bull's statements. Bull further maintained that the drug quantities he equated to himself were grossly exaggerated. Instead, he claimed they were his misguided efforts to appear as a valuable cooperator for law enforcement. While Bull could not identify why he overexaggerated his drug activity and involvement, he maintained that he never dealt drugs in pounds, only ounces.

The district court conducted a joint sentencing proceeding on the methamphetamine case and the escape case. During the hearing, Bull reasserted his objection to probation's reliance on the uncharged drug transactions in support of its recommended guidelines' sentence. Recognizing his post-arrest statements were now being attributed to him for purposes of calculating his sentence, Bull maintained that

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<sup>2</sup> The United States Sentencing Guidelines allow district courts to consider "relevant conduct" when determining a defendant's base offense level. *See* U.S.S.G. § 1B1.3. Indeed, the court may consider "all acts and omissions committed, aided, abetted, counseled, commanded, induced, procured, or willfully caused by the defendant ... that occurred during the commission of the offense of conviction, in preparation for that offense, or in the course of attempting to avoid detection or responsibility for that offense." *Id.* § 1B1.3(a)(1).

these statements were mere puffery, noncredible, and uncorroborated. In response, the government argued the statements were reliable because Bull said them.

The district court overruled Bull's objection, finding his statements "sufficiently reliable" for the court to consider in calculating Bull's sentence. The court then relied on the uncharged drug transactions to determine Bull's base offense level and in turn determined the applicable guideline range was 168 to 210 months' imprisonment.<sup>3</sup> After enhancements and reductions not challenged here, the court adopted the PSR with minimal changes in its Statement of Reasons and sentenced Bull to 210 months' imprisonment, followed by 10 years of supervised release on the methamphetamine charge.<sup>4</sup>

## II. ANALYSIS

On appeal, Bull first contends that the district court erred when it relied on his post-arrest statements to calculate the drug quantities attributable to him at sentencing. He next argues that the court erred when it failed to make findings sufficient to support its relevant conduct determination and adequately explain its reasoning.<sup>5</sup> We address these in turn.

### A. Reliability

Bull contends the district court erred when it relied on his post-arrest statements, including those about the uncharged drug quantities, to calculate the amount of drugs attributable to him at sentencing. Bull argues his statements are unreliable because,

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<sup>3</sup> The sentencing transcript indicates the court stated the applicable range was 268 to 210 months, but this appears to be a typographical error.

<sup>4</sup> The court also sentenced Bull to 12 months' imprisonment in the escape-related case to run consecutive to Bull's methamphetamine-related sentence. Bull appeals the escape sentence only to the extent it was part of a sentencing package, so we do not mention it or the related charges any further.

<sup>5</sup> Bull also argues that the district court erred when it enhanced his sentence with a conviction never presented to the jury, in violation of the Sixth Amendment. As Bull correctly recognizes, this argument is contingent on this Court remanding for resentencing. Because we conclude the district court did not err, however, we need not address this contention.

among other things, he was high when he made them. He also asserts that the government did not meet its burden to corroborate the statements.

“Uncharged drug quantities that foreseeably fall within the scope of jointly undertaken criminal activity may be considered in assessing a defendant’s relevant conduct and sentence.” *United States v. Gibbs*, 26 F.4th 760, 765 (7th Cir. 2022) (citation modified). But a “defendant has a due process right to be sentenced on the basis of reliable information, that is, on the basis of information that has sufficient indicia of reliability to support its probable accuracy.” *United States v. Tankson*, 836 F.3d 873, 881 (7th Cir. 2016) (citation modified). “Reliability is a central ingredient of the due process analysis: where the district court sentences a defendant based on the drug-quantity guidelines, it must find the government’s information sufficiently reliable to determine drug quantity by a preponderance of the evidence.” *United States v. Holding*, 948 F.3d 864, 870 (7th Cir. 2020) (citation omitted).

When determining the applicable drug quantity for purposes of a guidelines calculation, the sentencing judge may rely on the PSR if it is well-supported and appears reliable. *See United States v. Mustread*, 42 F.3d 1097, 1101 (7th Cir. 1994). To challenge the factual accuracy of a PSR, the defendant must come forward with “some evidence” that calls into question the reliability or correctness of the facts in the PSR. *United States v. Moore*, 52 F.4th 697, 701 (7th Cir. 2022) (citation and quotation omitted); *see also Mustread*, 42 F.3d at 1102 (“A defendant cannot show that a PSR is inaccurate by simply denying the PSR’s truth.”). “Only when a defendant’s objection creates real doubt as to the reliability of the information in the PSR does the government have the burden of independently demonstrating the accuracy of the information.” *United States v. Moreno-Padilla*, 602 F.3d 802, 809 (7th Cir. 2010) (citation omitted). However, “where these reliability attributes are altogether absent and the PSR instead asserts ‘nothing but a naked or unsupported charge,’ the defendant’s denial of that information suffices to cast doubt on its accuracy.” *Holding*, 948 F.3d at 870 (quoting *United States v. Marks*, 864 F.3d 575, 580 (7th Cir. 2017)).

We review a sentencing court’s reliability determination for abuse of discretion. *Tankson*, 836 F.3d at 881 (citation omitted). “We review the ultimate factual finding of the district court as to the quantity of drugs attributable to a defendant for clear error.” *Id.* (citation omitted).

The district court here reasonably concluded Bull’s post-arrest statements were reliable. The statements at issue, after all, were Bull’s own. We have before explained that “[s]elf-incriminating statements ... clearly against [a defendant’s] penal interest,

have long been considered reliable enough for use at trial, so we cannot say that they are too unreliable for use at sentencing.” *United States v. Johnson*, 342 F.3d 731, 734 (7th Cir. 2003) (citation modified). Bull also did not produce evidence beyond a “bare denial.” *Moreno-Padilla*, 602 F.3d at 809 (quoting *Mustread*, 42 F.3d at 1102). He did not, for example, come forward with documentary or expert evidence that called the reliability or correctness of his post-arrest statements into question. See *Moore*, 52 F.4th at 701 (defendant offered the opinion of an independent expert); *United States v. Heckel*, 570 F.3d 791, 796 (7th Cir. 2009). While we recognize in cases where the PSR itself omits crucial information or contains nothing but a “naked or unsupported charge,” a defendant’s bare denial is enough to attack the accuracy of the PSR, but this is not one of those cases. *Mustread*, 42 F.3d at 1102 (citing *United States v. Isirov*, 986 F.2d 183, 185 (7th Cir. 1993)). Instead, when discussing the uncharged drug transactions with law enforcement during his post-arrest statements, Bull referenced specific details of his drug operation, including the names of individuals involved, quantities, and transaction frequencies, further bolstering the statements’ reliability. See *United States v. Johnson*, 489 F.3d 794, 798 (7th Cir. 2007) (“[T]he hallmark of reliability is ... details.” (citation and quotation omitted)).

Bull urges us to conclude otherwise, relying on *United States v. Gibbs* to support his position. 26 F.4th 760. There, the defendant had been charged with conspiracy to possess methamphetamine with intent to distribute, and the indictment alleged the conspiracy involved only 500 grams or more of a substance containing methamphetamine. *Id.* at 763. At the defendant’s change of plea hearing, the government asserted for the first time that the conspirators had distributed more than 4.5 kilograms of methamphetamine during the charged period. *Id.* Probation then prepared a PSR that used the alleged 4.5 kilograms to calculate the defendant’s base offense level, but its description of the offense conduct attributed only 2.653 kilograms to the defendant. *Id.* at 763–64 (noting that the “numbers did not add up”). Gibbs objected to the use of the alleged 4.5 kilograms to compute his base offense level, and the government did not respond with any evidence. *Id.* at 764. At sentencing, the government’s lawyer informed the court that the defendant had proffered to, among other things, receiving more than 36 pounds of methamphetamine from a supplier in an unrecorded proffer session, and the supplier had also provided a proffer statement, in which he admitted details about the conspiracy. *Id.* Gibbs objected to the drug quantity. *Id.* Indeed, his counsel had been present at the referenced proffer and did not remember Gibbs making the alleged confession. *Id.* The district court nonetheless overruled Gibbs’s objections. *Id.* at 765.

We vacated the judgment and remanded for resentencing. *Id.* at 768. We concluded the district court did not have any evidence to support the government's "eleventh-hour representations about what the evidence would show." *Id.* at 766. Without substantiation for the government's statements, the government had failed to meet its burden to prove the uncharged conduct by a preponderance of the evidence. *Id.* Without the agent's testimony or other evidence to support the reliability of the PSR's drug quantity calculation, the government's proffer fell short. *Id.*

Bull's case is distinguishable. Notably, Bull does not dispute that he made the post-arrest statements about the uncharged drug quantities relied on the PSR. *Cf. id.* Unlike the facts in *Gibbs*, the uncharged quantities included in Bull's PSR and used to compute Bull's base offense level were supported by Bull's own statements. Bull instead challenges the credibility of his statements because, he contends, he made them while high. But that does not mean the statements were untrue. Bull also overlooks that he urges us to deem credible other statements he made in the same interview, allegedly under the same influence, including that methamphetamine was difficult to come by, trafficking had largely dried up due to COVID-19, and Bull himself was a regular methamphetamine user. We see no principled basis to deem some of Bull's statements as noncredible because he made them while under the influence but not others.

So, not only was the PSR here sufficiently supported, but Bull did not present any evidence casting real doubt about its allegations. *See Moreno-Padilla*, 602 F.3d at 809; *Mustread*, 42 F.3d at 1102. Bull has identified no statement of his that should have given investigators pause and provoked a more thorough fact-checking of his own admissions. He simply submits that his statement was made while he was "high" during the interview and that he lied to make himself look like a useful informant. But "we already have rejected the general argument that the Government is required to corroborate a defendant's own statements in order to use them as the basis of a drug quantity calculation." *Tankson*, 836 F.3d at 882. Also, Bull's reliance on the pandemic as evidence of the unreliability of his statements was also unsupported. *Gibbs*, 26 F.4th at 766 (finding that a bare denial is not enough to shift the burden back to the prosecution to prove that the PSR's account is inaccurate; defendant must produce evidence that "creates real doubt" about the allegations in the PSR). Without creating real doubt regarding the accuracy of the drug quantities that Bull relayed to law enforcement, the district court did not abuse its discretion when it took Bull's statements at face value. *Tankson*, 836 F.3d at 883. As a result, the court's drug quantity calculation based on those statements did not amount to clear error.

## B. Relevant Conduct Findings and Explanation

Next, Bull contends that the district court failed to adequately support its finding that the uncharged drug quantities should be considered relevant conduct for sentencing purposes. Specifically, Bull argues the court did not make any findings regarding him allegedly being high at the time of the interview, the rock salt controlled buy, which, according to Bull, demonstrated that the massive amount of uncharged methamphetamine dealing was unrealistic given COVID-19, or Bull's reported regular usage in relation to how much he could have dealt. This is a procedural challenge that we review de novo. See *United States v. Wilcher*, 91 F.4th 864, 869 (7th Cir. 2024).

"When the district court aggregates drug quantities from unconvicted relevant conduct for purposes of calculating a defendant's base offense level, we require that the court explicitly state and support, either at the sentencing hearing or (preferably) in a written statement of reasons, its finding that the unconvicted activities bore the necessary relation to the convicted offense." *United States v. Panaigua-Verdugo*, 537 F.3d 722, 726 (7th Cir. 2008) (citation and quotation omitted). But even if the district court skips an explanation, we may nonetheless affirm without a recitation of the reasoning only if the record supports the district court's conclusion. *United States v. Brasher*, 105 F.4th 1002, 1009 (7th Cir. 2024) (citation modified). To that end, there is no error if the record establishes that the uncharged drug quantities were part of the same course of conduct. See *id.*

Here, the district court stated at sentencing that it believed Bull's post-arrest statements were "sufficiently reliable for [it] to consider in this case." During the hearing, the court also considered the PSR, heard arguments from the parties about the reliability of Bull's post-arrest statements, and then ruled on Bull's objection before imposing his sentence. The court also, in its Statement of Reasons, adopted the PSR, which attributed the uncharged drugs to Bull as relevant conduct, and adopted the government's position that "there is no better source [for the statements] than the defendant himself, as it relates to the amount of controlled substances he sold." At minimum, the record supports the court's conclusion that Bull's incriminating statements regarding the uncharged quantities of methamphetamine were in the same course of conduct with what he had been charged with—possessing and selling methamphetamine. This was enough to be considered relevant conduct for sentencing. See *Johnson*, 342 F.3d at 734 (finding a drug dealer's self-incriminating statement to a drug enforcement agent is sufficiently reliable).

Though “more detail is always better than less in sentencing findings,” *United States v. Burke*, 148 F.3d 832, 836 (7th Cir. 1998), we find no procedural error here. After all, a “court’s reference to the PSR constitutes sufficient findings even as to controverted facts when we are assured that the district court made a decision of design, rather than of convenience, to adopt the PSR.” *Id.* (citation omitted). We are assured, on this record, that’s what occurred here. This is enough for us to review the court’s relevant conduct determination and affirm. *See id.* (“The reference to the findings and rationale in the presentence report allows us, as a reviewing court, to evaluate the district court’s decision, and that is all that is required.” (citations and quotation omitted)).

### III. CONCLUSION

For the foregoing reasons, we AFFIRM.