

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | |
| vs. | : | |
| | : | Crim. No. 21-CR-254 (RCL) |
| FRANK SCAVO, | : | |
| | : | |
| Defendant | : | |
| | : | |

UNOPPOSED MOTION TO CONTINUE STATUS CONFERENCE

TO THE HONORABLE ROYCE C. LAMBERTH, U.S. DISTRICT JUDGE:

NOW COMES the Defendant, FRANK SCAVO, and presents this Unopposed Motion to Continue the pending matter for thirty (30) days, and represents as follows:

1. On June 22, 2021 this Honorable Court issued an order, *inter alia*, scheduling a Status Conference for August 5, 2021 at 11:00 A.M.
2. In the interim, the Government and counsel for the Defendant have conferred on discovery issues and a potential disposition in this matter.
3. Following those discussions, On July 22, 2021, the Government presented a tentative plea agreement. However, both the Government and counsel for Defendant believe that a continuance is warranted because a continuance will provide additional time for the parties to negotiate and resolve the terms of a plea agreement.
4. Additionally, counsel, Ernest D. Preate, Jr., is scheduled to undergo minor elbow surgery on August 5, 2021 and is expected to be out of the office for several days.
5. Defendant, Frank Scavo, also has developed some health issues and is undergoing multiple treatments for kidney stones including one treatment shortly before August 5, 2021.

6. The Government does not oppose this Motion.

7. Counsel for Defendant are available on September 8, 2021, September 9, 2021 and September 10, 2021.

8. Under 18 U.S.C. §3161(h)(7)(A), the Defendant believes that the ends of justice will be served by the granting of the motion and such request outweighs the best interests of the public and the Defendants in a Speedy Trial.

WHEREFORE, Defendant respectfully submits that the ends of justice are best served by granting the continuance of the Status Conference scheduled for August 5, 2021 for thirty (30) days.

SILVERMAN|THOMPSON|SLUTKIN|WHITE, LLC

Date: July 30, 2021

/s/ M. Evan Corcoran

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/S/Ernest D. Preate, Jr., Esquire

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PA Attorney ID# 8433

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 30, 2021, I served a copy of this pleading on counsel for the Government through the Court's electronic case files system.

Date: July 30, 2021

/s/ **M. Evan Corcoran**

M. Evan Corcoran, Esquire

/S/ **Ernest D. Preate, Jr., Esquire**

Ernest D. Preate, Jr., Esquire

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| | : | |

ORDER

Based upon the representations in the Defendant's Unopposed Motion to Continue, and upon consideration of the entire record:

Therefore, it is this _____ day of July, 2021

ORDERED that the Defendant's Unopposed Motion to Continue is hereby **GRANTED**; it is further

ORDERED that this proceeding is continued to _____, 2021, at _____; and it is further

ORDERED that the time period from the date of this Order through and including the date of the next hearing is hereby excluded from the computation of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

THE HONORABLE ROYCE C. LAMBERTH
UNITED STATES DISTRICT JUDGE

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| Defendant | : | |
| | : | |

CERTIFICATE OF CONCURRENCE

NOW, this 30th day of July, 2021, counsel for the Government, Assistant U.S. Seth Adam Meinero indicated the Government does not object to Defendant's Motion to Continue the August 5, 2021 Status Conference.

Date: July 30, 2021

/s/ M. Evan Corcoran
M. Evan Corcoran, Esquire

/S/Ernest D. Preate, Jr., Esquire
Ernest D. Preate, Jr., Esquire