



On August 16, 2022, this Court scheduled Sentencing for December 8, 2022 at 10:00 AM “via video before Judge Dabney L. Friedrich.” (See Docket Entry.)

## **II. Factual Assertions**

Undersigned counsel, Ms. Spearman was under the impression that the hearing would be conducted via video teleconference as stated in the docket report. During a recent e-mail conversation between the Government and Courtroom Deputy, it came to light that the hearing had been reset for in-person. Ms. Spearman is scheduled to travel to Orlando, Florida for a federal sentencing hearing in *United States of America v. Antonio Gerardo Balderas Sanchez* (M.D. Fla, 6:22-CR-99-1, filed June 29, 2022) which is to take place at 3:00 PM. When Ms. Spearman was under the impression that the hearing at bar would occur via video, she intended to conduct Mr. Shough’s sentencing in the morning via video from Orlando and then proceed with Mr. Balderas Sanchez’s hearing in person. Now that the Court has reset the hearing to be in person, she respectfully requests a brief continuance to January, 2023 so to resolve this scheduling conflict.

## **III. Memorandum of Law**

“[T]his [C]ourt must impose a sentence without unnecessary delay.” Fed. R. Crim. P. 32(b)(1). Nonetheless, it “may, for good cause, change any time limits prescribed in [Fed. R. Crim. P. 32].” Fed. R. Crim. P. 32(b)(2).

## **IV. Opposing Party’s Position**

The Government does not oppose this motion.

**V. Conclusion**

Mr. Shough, based on the foregoing assertions and argument, submits that good cause exists for this Court to continue the Sentencing Hearing, and prays that this Court continue the Sentencing Hearing and all associated deadlines to a date in or after January, 2023 or to a date agreed upon by all parties and this Court.

Date: December 2, 2022

Respectfully submitted,

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