

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No.: 8:21-CR-348-T-SCB-SPF**

**JEREMY BROWN**

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**UNOPPOSED MOTION TO STAY RULE 5 TRANSFER**

COMES NOW, the Defendant, JEREMY BROWN, and moves this Honorable Court to stay transfer of Mr. Brown to Washington D.C. pursuant to Federal Rule of Criminal Procedure 5(c)(3)(D). The United States does not oppose the relief requested herein.

**I. Procedural and Factual History**

1. On September 29, 2021 Mr. Brown was charged via criminal complaint with entering and remaining on a restricted building or grounds in violation of 18 U.S.C. §1752(a)(1), and disorderly and disruptive conduct in a restricted building or grounds in violation of 18 U.S.C. §1752(a)(2), 8:21-mj-1990-SPF. These misdemeanor charges are pending in Washington D.C.
2. On September 30, 2021, Mr. Brown was arrested at his home in Tampa, Florida based on an arrest warrant issued out of the United States District

Court for the District of Columbia.

3. On October 1, 2021, Mr. Brown was charged via criminal complaint with possessing firearms not registered to him in violation of 26 U.S.C. § 5861(d). 8:21-mj-1991-SPF.
4. On October 1, 2021, Mr. Brown made his initial appearance before the Court. At that time the Government requested detention based on 18 U.S.C. § 3142(f)(1)(E) and (f)(2), and the Court continued the hearing until October 5, 2021.
5. After a hearing on October 5, 2021, this Court issued an Order of Detention.
6. On October 19, 2021, the United States filed an Indictment against Mr. Brown charging the following: 1) possessing a firearm with a barrel less than 18 inches and not registered to him in violation of 26 U.S.C. §§5861 and 5871; 2) possessing a firearm with a barrel less than 16 inches not registered to him in violation of 26 U.S.C. §5841; 3) knowingly possessing a destructive device in violation of 26 U.S.C. §5841; 4) knowingly possessing a destructive device in violation of 26 U.S.C. §5841; and 5) knowingly storing explosive material not in conformity with regulations promulgated by the Attorney General in violation of 18 U.S.C. §§842(j) and (b), and 27 C.F.R. § 555.201. Doc. 21. This case is

pending in the Middle District of Florida.

## **II. Argument and Memorandum of Law**

Federal Rule of Criminal Procedure 5(c)(3)(D) states: “the magistrate judge must transfer the defendant to the district where the offense was allegedly committed if (i) the government produces the warrant, a certified copy of the warrant, or a reliable electronic form of either; and (ii) the judge finds that the defendant is the same person named in the indictment, information, or warrant.”

Mr. Brown currently has federal charges pending in the Middle District of Florida and Washington D.C. Both the United States and Mr. Brown agree that the felony charges pending in this District should be tried first. Therefore, Mr. Brown and the United States respectfully request that this Court stay transferring Mr. Brown to Washington D.C. under the unique circumstances of Mr. Brown having felony federal charges in the Middle District of Florida and misdemeanor charges pending in Washington D.C.

WHEREFORE, for the reasons stated herein, Defendant respectfully requests that this Honorable Court issue and order staying Mr. Brown’s transfer to Washington D.C pursuant to Rule 5(c)(3)(D).

I HEREBY CERTIFY that a copy of the foregoing motion has been furnished by electronic filing using the CM/ECF system to Risha Asokan, United States Attorney’s Office, this 4th day of November, 2021.

Respectfully submitted,

s/William Sansone  
WILLIAM SANSONE, ESQUIRE  
Sansone Law, P.A.  
609 West De Leon Street  
Tampa, FL 33606  
Telephone: (813) 361-0874  
Facsimile: (813) 251-1808  
Email: [sansonew@gmail.com](mailto:sansonew@gmail.com)  
Florida Bar # 781231