

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
WASHINGTON, D.C.

UNITED STATES OF AMERICA

v.

WILLIAM MCCALL CALHOUN, JR.
Defendant.

CRIMINAL CASE NO.
1:21-CR-00116-DLF

MOTION TO ACCEPT LATE FILING

COMES NOW, Defendant, William McCall Calhoun, Jr., by and through undersigned counsel, Jessica N. Sherman-Stoltz, Esq., and moves this Court, for good cause shown, for the entry of an order accepting Defendant's late filed *Unopposed Motion for Extension of Time to File all Pretrial Motions*.

As grounds for this Motion, undersigned counsel states as follows:

1. By this Court's December 2, 2021 order, Defendant's final pretrial motions were due to be filed on December 29, 2021.
2. Undersigned counsel mis-calendared this deadline as December 30, 2021, and on that day was waiting for an expected plea offer from the Government's attorney prior to filing the Defendant's *Unopposed Motion for Extension of Time to File all Pretrial Motions*.

3. On December 30, 2021, undersigned counsel received the plea offer from the Government, and the attorney for the Government advised counsel that she did not oppose an extension of time to file all pretrial motions, so that Defendant would have time to consider the plea offer.
4. In the late evening of December 30, 2021, undersigned counsel attempted to file Defendant's *Unopposed Motion for Extension of Time to File all Pretrial Motions* via the CM/ECF system, but did not realize until today, January 1, 2022, that she did not receive the ECF filing confirmation email on December 30th. Upon further investigation, counsel discovered that the motion and proposed order did not file.
5. Defendant's *Unopposed Motion for Extension of Time to File all Pretrial Motions* has since been successfully filed with the Court via the CM/ECF system. (ECF Document Number 81).
6. The late filing of the Motion was not caused by the Defendant, and he should not be penalized by undersigned counsel's mis-calendaring and technological difficulties.
7. The Government will not be prejudiced by this Court's acceptance of Defendant's late filed *Unopposed Motion for Extension of Time to File all Pretrial Motions*, and the request for extension of time is to allow

Defendant to review and consider the Government's plea offer, received on December 30, 2021.

WHEREFORE, Defendant respectfully requests that this Court enter an order accepting the late filing of his *Unopposed Motion for Extension of Time to File all Pretrial Motions*.

A proposed Order is included.

Respectfully submitted, this 1st day of January 2022.

/s/ Jessica N. Sherman-Stoltz
JESSICA N. SHERMAN-STOLTZ, ESQ.
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CERTIFICATE OF SERVICE

I hereby CERTIFY that on this the 1st day of January 2022, a true and correct copy of the foregoing *Motion to Accept Late Filing* with the Clerk of Court via the CM/ECF system, which will automatically send an email notification of such filing to all counsel of record.

/s/ Jessica N. Sherman-Stoltz
Jessica N. Sherman-Stoltz, Esq.
Virginia State Bar #90172
Sherman-Stoltz Law Group, PLLC.