

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA :
 :
 :
 V. : **CRIMINAL NUMBER 21-158-RC-1**
 :
 :
 KYLE FITZSIMONS :

ORDER

AND NOW, this day of , 2023, upon consideration of the Defendant's Unopposed Motion for Continuance of Sentencing Hearing, it is hereby **ORDERED** that the motion is **GRANTED**. It is hereby

ORDERED that the Defendant's Sentencing Hearing will take place on the day of , 2023.

BY THE COURT:

THE HONORABLE RUDOLPH CONTRERAS
United States District Court Judge

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 KYLE FITZSIMONS :

**DEFENDANT'S UNOPPOSED MOTION
FOR CONTINUANCE OF SENTENCING HEARING**

Kyle Fitzsimons, by and through his attorney, Jonathan McDonald, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania respectfully requests a continuance of sentencing hearing for the above captioned case. As grounds, counsel avers as follows:

1. On April 22, 2021, Mr. Fitzsimons was arraigned before the Honorable Reggie B. Walton and entered a plea of not guilty to the instant Indictment.
2. On December 14, 2021, Mr. Fitzsimons pled not guilty to the superseding indictment filed on November 10, 2021.
3. On May 18, 2022, the Government filed a second superseding Indictment. Mr. Fitzsimons was arraigned on May 27, 2022 and entered a plea of not guilty.
4. Pursuant to a bench trial conducted before this Court which commenced on August 16, 2022, Mr. Fitzsimons was found guilty.
5. On February 9, 2023, a sentencing hearing was scheduled for April 3, 2023.
6. In March of 2023 Trial Attorney, Natasha Taylor-Smith left the office of the Federal Community Defenders of the Eastern District of Pennsylvania.

7. On March 9, 2023, undersigned counsel entered his appearance. More time is required to research the case and prepare for the sentencing.

8. Assistant United States Attorneys Douglas B. Brasher and Michael M. Gordon, does not oppose this request for a continuance.

WHEREFORE, for the reasons cited and in the interests of justice, this Court is respectfully requested to grant not less than a sixty (60) day continuance of the sentencing hearing.

Respectfully submitted,

/s/ Jonathan McDonald
JONATHAN McDONALD
Assistant Federal Defender

CERTIFICATE OF SERVICE

I, Jonathan McDonald, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have caused a copy of Defendant's Unopposed Motion for Continuance of Sentencing Hearing to be filed and served electronically through the Eastern District Clerk's Office Electronic Case Filing ("ECF") upon:

Douglas B. Brasher
Assistant United States Attorney
United States Attorney's Office
1100 Commerce Street, 3rd Floor
Dallas, TX 75242

Michael M. Gordon
Assistant United States Attorney's Office
400 North Tampa Street
Suite 3200
Tampa, FL 33602

/s/ Jonathan McDonald
JONATHAN McDONALD
Assistant Federal Defender

DATE: March 23, 2023