

United States District Court
District of Columbia

United States of America,

Plaintiff,

v.

Daniel Rodriguez,

Defendant.

Case No. 1:21-cr-00246-ABJ-1

**UNOPPOSED MOTION TO AMEND JUDGMENT
DUE TO CLERICAL ERROR**

The defendant, Daniel Rodriguez, by and through his counsel of record, respectfully moves for an order amending the Judgment due to a clerical error Federal Rule of Criminal Procedure 36.

The motion is requested for the following reasons:

1. On June 21, 2023, Mr. Rodriguez was sentenced by this Court and Ordered to pay restitution. On June 26, 2023, this Court signed the Judgment. On July 10, 2023, the Judgment was entered and became available for counsel. ECF No. 202.

2. On June 30, 2023, the transcripts for the sentencing were provided at ECF 201. On page 91 of the transcript of Mr. Rodriguez's sentencing, this Court stated the following:

"You are also ordered to pay restitution to the injured officer in the amount of \$96,927 for medical costs paid by the Metropolitan Police Department for which you and the others are jointly and severally liable."

3. The Judgment reflected a restitution of \$96,927.00 to be paid to the DC Office of Finance and Treasury. This Judgment did not reflect it to be collected Joint and Several. ECF. No. 202.

4. Under Fed. R. Crim. P. 36, this Court “may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.” The parties respectfully submit that correcting the Judgment pursuant to Rule 36 is the appropriate remedy here.

5. The parties therefore request this Court to amend the judgment to reflect the restitution be Joint and Several with the others who are liable including but not limited to 1:21-cr-00291-ABJ, Thomas F. Sibick.

Accordingly, Mr. Rodriguez requests this Court amend the Judgment to reflect that restitution is to be joint and several.

Dated: July 20, 2023.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender
/s/Rebecca A. Levy
/s/Margaret W. Lambrose
By: */s/Katherine A. Tanaka*

REBECCA A. LEVY
MARGARET W. LAMBROSE
KATHERINE A. TANAKA

Assistant Federal Public Defenders
Attorneys for Daniel Rodriguez

Certificate of Electronic Service

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on July 20, 2023, she served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO AMEND JUDGMENT DUE TO CLERICAL ERROR** by electronic service (ECF) to the person named below:

CHANNING D. PHILLIPS
United States Attorney
Kimberly L. Paschall
Assistant United States Attorneys
555 4th Street, NW
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/s/ Cecilia Valencia
Employee of the Federal Public
Defender