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

UNITED STATES OF AMERICA	)
	) No. 1:21-00267
v.	) JUDGE CHRISTOPHER R. COOPER
	)
BRYAN WAYNE IVEY	)

## JOINT MOTION TO CONTINUE SENTENCING HEARING

The parties, as evidenced by the signature of counsel below, hereby jointly move this Honorable Court for an order continuing the sentencing hearing that is presently set in this case on December 7, 2021 at 11:00 a.m. The parties request that this Court continue the sentencing hearing for approximately sixty (60) days.

A continuance is necessary because counsel for Mr. Ivey is still completing an investigation into certain mitigating evidence that will be relevant to this Court's determination of the appropriate sentence. The defense has retained an expert who is conducting a psychological evaluation of Mr. Ivey. The expert has met with Mr. Ivey and performed testing and reviewed records concerning him. However, the expert has informed defense counsel that she needs additional time to meet with Mr. Ivey again and then to complete her evaluation and write a report. Defense counsel also needs additional time to complete his investigation and to provide the psychological evaluation and other mitigating evidence to the government and to the United States Probation Office so it can be included in the Presentence Report prior to sentencing. The government has informed the defense that it requests all mitigating evidence at least five weeks prior to the sentencing hearing so that it has

time to review and consider the information before deciding upon a sentencing recommendation for this case. Defense counsel needs approximately sixty additional days in order complete the investigation and preparation of the mitigating evidence and in order to provide effective assistance of counsel to Mr. Ivey at sentencing.

Wherefore, the parties respectfully request this Court continue the sentencing hearing for a period of approximately sixty days.

Respectfully submitted,

s/ R. David Baker
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s/Leslie A. Goemaat
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## CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2021, I electronically filed the foregoing *Joint Motion to Continue Sentencing Hearing* with the U.S. District Court Clerk by using the CM/ECF system, which will send a Notice of Electronic Filing to the following: Leslie A. Goemaat, Assistant United States Attorney, 555 4<sup>th</sup> St. N.W., Room 5840, Washington, D.C., 20530; and to Robert Walters, United States Probation Officer, 333 Constitution Avenue, N.W., Room 2214, Washington, D.C.

s/ *R. David Baker*R. DAVID BAKER