

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Criminal No. 21-0350 (PLF)
ANTIONNE DE SHAUN BRODNAX,	)	
	)	
Defendant.	)	
	)	

ORDER

An evidentiary hearing in this case is scheduled to take place on April 20, 2022, by Zoom videoconference. On April 8, 2022, in response to the Court’s April 5, 2022 Order [Dkt. No. 47], the parties filed a joint status report setting forth their responses to several questions. See Joint Status Report [Dkt. No. 51]. The parties estimate that the evidentiary hearing will take approximately three hours and 20 minutes in total for both the presentation of evidence and oral argument on several sentencing guidelines issues. See Joint Status Report at 1-2. The parties also have indicated their preferences for a “hybrid” evidentiary hearing “in which the Court, counsel and all testifying witnesses would attend in-person and Mr. Brodnax would appear remotely through Zoom teleconference.” Id. at 2.

Having considered the parties' responses, the Court concludes that the evidentiary hearing should be rescheduled to ensure that the parties have sufficient time to present evidence and to provide oral argument on the issues identified in the Court's April 5, 2022 Order. The Court therefore will vacate the evidentiary hearing date scheduled for April 20, 2022, and will reschedule the evidentiary hearing to May 13, 2022, to begin at 10:00 a.m. with a one-hour lunch break at a logical break in the proceedings. Each party shall be given no more than 45 minutes

for oral argument, including rebuttal, on the three sentencing guidelines issues and the concurrent versus consecutive sentences issue identified in the Court's April 5, 2022 Order. The evidentiary hearing will be a "hybrid" hearing in which the Court, counsel, and all testifying witnesses shall attend in person and Mr. Brodnax shall appear remotely through Zoom videoconference.

In light of this rescheduling, the Court will also reset the deadlines for delivering to the Court copies of the evidence to be presented at the evidentiary hearing. Thus, if the parties are unable to agree to stipulations that would obviate the need for an evidentiary hearing by May 6, 2022, the parties shall deliver to the Court by May 9, 2022, one set of paper copies of the documentary evidence to be presented and physical disks containing the audio-video evidence. In such a case, the parties shall also provide the Court with electronic copies of that evidence via electronic file-share.

Accordingly, it is hereby

ORDERED that the evidentiary hearing scheduled for April 20, 2022 is  
VACATED; it is

FURTHER ORDERED that a "hybrid" evidentiary hearing is scheduled for May 13, 2022, to begin at 10:00 a.m. with a one-hour lunch break at a logical break in the proceedings; each party shall be given no more than 45 minutes for oral argument, including rebuttal, on the legal issues identified in the Court's April 5, 2022 Order [Dkt. No. 47]; it is

FURTHER ORDERED that counsel and all testifying witnesses shall attend the evidentiary hearing in person and Mr. Brodnax shall appear remotely through Zoom videoconference; the courtroom in which the proceedings shall be held will be announced at a later date; and it is

FURTHER ORDERED that, if the parties are unable to agree to stipulations that would obviate the need for an evidentiary hearing by May 6, 2022, the parties shall deliver to the Court by May 9, 2022, one set of paper copies of the documentary evidence to be presented and physical disks containing the audio-video evidence. In such a case, the parties shall also provide the Court with electronic copies of that evidence via electronic file-share.

SO ORDERED.

/s/  
PAUL L. FRIEDMAN  
United States District Judge

DATE: April 11, 2022