

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

CASE NO. 1:21-CR-00421-JDB-1

JOHN MARON NASSIF

UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING

The Defendant, John Maron Nassif, by and through his undersigned attorney, files this *Unopposed Motion to Continue Sentencing Hearing* in the above-styled case, seeking a continuance of the sentencing hearing for a period of 45 days, until the week of May 1, 2023, or any date convenient to this Court. As grounds in support thereof, the undersigned states the following:

1. The Defendant's sentencing is currently scheduled for March 13, 2023. There have been no previous continuances of the sentencing hearing. After a non-jury trial, this Court found the Defendant guilty of all four counts charged in the Information. (Dkt. Text of 12/8/2022). At sentencing, the Defendant faces a maximum term of imprisonment of one year in prison on counts one and two, and a maximum term of imprisonment of six months in prison on counts three and four. Thus, the total amount of incarceration that this Court could impose would be three years in prison.

2. The undersigned is still in the process of completing his mitigation investigation in this case and needs an additional time to prepare for the sentencing hearing. Additionally, the Defendant has executed release forms to obtain his military records. Those records have not yet been received from the Department of Defense. Additionally, the government is seeking enhancements in the guideline sentencing range that the undersigned will need additional time to research and respond to those arguments. Finally, not counting the instant case, the undersigned has seven sentencing hearings scheduled in the Middle District of Florida during the month of March. Based on all of the above factors, the undersigned is requesting the additional time to prepare for sentencing.

3. The undersigned has conferred with government counsel in this case. The government does not oppose the continuance sought in this case. Government counsel has indicated that the government is available during the week of May 1, 2023, should this Court grant this continuance. The undersigned would not seek any further continuances of the sentencing in this case.

4. The Defendant has been on pre-trial release since June, 2021. There have been no violations of his pre-trial release.

5. This motion is filed in good faith and not for purposes of delay.

MEMORANDUM OF LAW

Fed. R. Crim. P. 32(b)(1) provides that the court must impose sentence without delay. Rule 32(b)(2) provides that the court may, for good cause, change any time limits prescribed in the rule. The undersigned is requesting a forty five days continuance to allow the undersigned to finish his mitigation investigation in the above case. Mr. Nassif is facing a maximum penalty of three years in prison.

Wherefore, the Defendant, John Maron Nassif, moves this Honorable Court to continue the sentencing hearing in the above case.

Respectfully submitted,

A. Fitzgerald Hall, Esq.
Federal Defender, MDFL

/s/ James T. Skuthan
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of February 2023, a true and correct copy of the foregoing was furnished by using the CM/ECF system to the Clerk of the Court, which will send notice of such filing to all counsel of record.

/s/ James T. Skuthan
James T. Skuthan, Esq.