

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

UNITED STATES OF AMERICA,

v.

Jerod Hughes

Defendant

Criminal No. 21-106 (TJK)

Sentencing September 22, 2022

MOTION TO CONTINUE SENTENCING

Undersigned counsel moves this court to continue sentencing in the instant case. In support of this motion defendant states the following:

Sentencing in the instant case is set for September 22, 2022. Pre Sentence Memorandums were due on September 15, 2022.

Undersigned counsel failed to record the scheduled dates in his calendar. Counsel has no excuse for his failure to note said dates and his failure to do so is completely the fault of undersigned counsel¹.

¹ Although not an excuse, on the date the plea was entered in this case, and the referenced dates set, counsel was in the middle of a prolonged complex trial before another judge in this Court. Distraction from that trial may have contributed to counsel's failure to accurately record the referenced dates in his electronic calendar when the plea

Counsel is currently involved in pretrial motions in a District of Columbia Homicide case involving a preventively detained defendant. Pretrial motions began on November 17, continued into November 18 and will resume on November 22, 2022, the same date the instant sentencing is set. Jury selection in that matter is set for November 29 and trial is scheduled to extend through December 13, 2022².

Undersigned counsel learned of this scheduling error when contacted by the prosecutor in this case on November 19, 2022, and alerted that, due to counsel failing to timely file a sentencing memo, the court issued an order for counsel to file a sentencing memorandum on November 19, 2022. Unfortunately, counsel learned of this at approximately 5:00 pm on November 19, 2022³ and could not timelier file this motion¹.

WHEREFORE, it is requested that the sentencing in the instant matter be rescheduled.

was entered and dates set. Regrettably, counsel admits that he is “technologically challenged” and frequently commits errors when using relatively new technologies like calendars, emails and pretty much anything else involving computers. Unfortunately, this is not the first nor likely will it be the last time that counsel’s ineptitude contributed to his failure to properly record a calendared date.

² The trial matter will not be in session on December 2, 2022, so if available for others that date is available for sentencing. Similarly, undersigned counsel has availability on December 15, 16, 19, 20,21 and 22

³ Undersigned counsel was in the Alexandria Detention Center prior to the prosecutor’s call and was not monitoring emails to see the Order. Counsel wishes to express sincere gratitude to the prosecutor for showing exceptional collegial consideration in contacting counsel to alert me to my error.

Respectfully submitted,

_____/s/_____

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Counsel for Jerrod Hughes

CERTIFICATE OF SERVICE

I certify that on November 20, 2022, I caused a copy of the foregoing Motion to be filed with the Clerk using the CM/ECF System which will send notification of this filing to all parties.

Courtesy copies were sent by email to the assigned AUSA and co-defendant counsel.

_____/s/_____

Jonathan Zucker

ⁱ Counsel apologizes to the Court, opposing counsel, the probation office, defendant and all others who have been inconvenienced by counsel's failure to comply with the scheduling order in this case.