

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

LARRY BROCK,  
Defendant.

Criminal Action No. 21-140 (JDB)

**ORDER**

Before the Court is defendant Larry Brock’s motion to extend his Federal Bureau of Prisons (“BOP”) self-surrender date, which he filed on April 21, 2023. See Mot. to Extend BOP Self Surrender Date (“Mot.”) [ECF No. 108]. Brock’s current self-reporting date is April 25, 2023, id. at 1, and he requests that the Court extend that date until May 29, 2023, id. at 3. The United States Probation Office does not oppose Brock’s motion. The government filed an opposition on the same date the motion was filed. See Gov’t’s Opp’n to Mot. [ECF No. 109] (“Gov’t Opp’n”).

Brock cites two reasons for his requested extension: (1) to allow him time “to request release from the Circuit Court” before his self-surrender date, and (2) “to gain information this Court has identified as material to the release question,” namely, whether the decision in United States v. Fischer, 64 F.4th 329 (D.C. Cir. 2023) will receive further en banc review. See Mot. at 1–2. The government’s opposition focuses exclusively on Brock’s second reason for the requested extension, see Gov’t Opp’n at 1–2, but it does not directly address his first reason.

While the Court agrees with the government that the Court has already addressed the Fischer-related issues in its previous Order denying Brock’s motion for release pending appeal, the analysis of that decision does not control here, as that decision resolved a motion for release pending appeal and the instant motion requests an extension of time for Brock’s self-surrender date, which is a different issue. The Court is persuaded to grant Brock’s motion solely to give him

a chance to seek relief from the D.C. Circuit before reporting to serve his sentence, as it sees little reason not to grant him this brief extension on that ground.

\* \* \*

For the foregoing reasons, upon consideration of [108] and the entire record herein, it is hereby

**ORDERED** that [108] Brock's motion to extend his Bureau of Prisoners ("BOP") self-surrender date is **GRANTED**; and it is further

**ORDERED** that Brock shall self-surrender to BOP on May 29, 2023.

**SO ORDERED.**

/s/

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JOHN D. BATES  
United States District Judge

Dated: April 21, 2023