

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

UNITED STATES OF AMERICA)
)
v.) **No. 1:21-CR-291-002**
)
ALBUQUERQUE COSPER HEAD)

**UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING AND ALL
CORRESPONDING DEADLINES**

Defendant Albuquerque Head, by and through counsel, moves the Court for a continuance of the currently scheduled sentencing hearing and corresponding filing deadlines. In support of this motion, Mr. Head states and shows as follows:

1. A sentencing hearing is presently set for September 23, 2022, at 10:00AM. Objections to the Presentence Report are currently due on September 1, 2022, followed by Sentencing Memoranda on September 16, 2022.
2. The Presentence Report (hereinafter "PSR") was released to the parties on August 25, 2022 (Doc. 136). The PSR totals 49 pages and includes information and estimates that substantially differ from the estimates provided in the Plea Agreement.
3. Additional time is needed to discuss the PSR with Mr. Head, to determine appropriate objections, and adequately prepare for sentencing. Mr. Head is in remote custody at the Northern Neck Regional Jail, nearly 500 miles away from his counsel. Thus, counsel must rely on videoconferencing to discuss the PSR within the above stated deadlines. The voluminous nature of the PSR makes this task time-consuming and arduous. Moreover, the availability of videoconferencing is

significantly limited in both frequency and duration due to inundation in scheduling by the Jail and through no fault of counsel or Mr. Head.

4. Counsel seeks additional time to not only review the PSR with Mr. Head, but to also research and brief appropriate objections and sentencing strategy. All of these things impact the application of the sentencing factors set out in 18 U.S.C. § 3553(a). Counsel is unable to meet these requirements before the currently scheduled sentencing hearing and corresponding deadlines, especially given the significant communication barriers presented by his remote location and limited videoconferencing access.
5. Counsel has communicated with Assistant United States Attorney, Cara Gardner, who does not oppose this motion.
6. This is the first request for a continuance of the sentencing hearing and is not made for purposes of delay. Counsel has discussed this Motion with Mr. Head and he understands its purpose and intent.

In consideration of the foregoing, counsel for Mr. Head, and unopposed by the Government, requests a continuance of the sentencing hearing and all other associated deadlines for at least 30 days.

RESPECTFULLY SUBMITTED:

FEDERAL DEFENDER SERVICES OF
EASTERN TENNESSEE, INC.

BY: s/ G. Nicholas Wallace

G. Nicholas Wallace
ASB No. 6992D56F
Federal Defender Services of
Eastern Tennessee, Inc.
800 South Gay Street, Suite 2400
Knoxville, TN 37929

(865) 637-7979

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2022, a copy of the foregoing Motion to Continue was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ G. Nicholas Wallace