

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

UNITED STATES OF AMERICA

v.

SARA CARPENTER,

Defendant.

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Criminal No. 21-CR-305 (JEB)

**DEFENDANT’S CONSENT MOTION FOR AN EXTENSION OF TIME TO
FILE POST-TRIAL MOTIONS**

The defendant, with the consent of the government, hereby moves this Court to grant an extension of time to file objections to the Presentence Report (“PSR”), and an adjournment of sentencing, currently scheduled for July 14, 2023, to a date in September, preferably September 7 or September 13, 2023. The defendant further requests that the parties be granted an extension of the deadlines to file sentencing submissions consistent with the requested adjournment date. In support of its motion, the defendant states as follows:

FACTUAL BACKGROUND

On March 9, 2023, a jury trial in this matter concluded with a verdict of guilty on all counts. The jurors were discharged, Ms. Carpenter was continued on a personal recognizance bond, and sentencing was set for July 14, 2023. On June 9, 2023, Probation disclosed the Draft PSR. As noted therein, pursuant to Fed. R. Crim. P. 32(f)(1) and (2) objections to the PSR must be filed within 14 days, thus, on or before June 23, 2023.

In the draft PSR, Probation calculated a total offense level of 26, resulting in a

recommended guidelines range of imprisonment of 63 to 78 months. *See* Draft PSR at ¶¶ 63, 66 and 116. The report also indicates that the government is reviewing whether to seek an upward departure pursuant to USSG § 2332b((g)(5)(B)). PSR at ¶154. Based on defense counsels' communications with the government, it is our understanding that the government believes the correct total offense level is 25 resulting in a recommended guidelines range of imprisonment of 57 to 71 months. The guidelines ranges calculated by Probation and the government are substantially higher than defense counsels' own estimates and the government's previous estimates in its plea agreements.

Ms. Carpenter is a 53-year-old former NYPD officer with no prior criminal history. As acknowledged by Special Agent Carasiti in his testimony, Ms. Carpenter retired from the NYPD as a result of a disability. Tr. at 139. Given the wide disparity between the parties' guidelines estimates and the serious potential consequences facing Ms. Carpenter, defense counsel needs additional time to review the PSR with Ms. Carpenter and to prepare and submit factual as well as legal objections to the PSR.

ARGUMENT

Defense counsel has conferred with the government and the government consents to the requested extension of deadlines and an adjournment of the sentencing hearing to a date in September, preferably either September 7 or 13, 2023. As of the date of this motion, defense counsel has not had the opportunity to sufficiently communicate with Ms. Carpenter in order to review the PSR and prepare objections. If the Court is inclined to grant the requested extensions and adjournment but is unavailable on either of the requested sentencing dates, the parties will coordinate with the Court's deputy regarding scheduling.

WHEREFORE, the defendant respectfully requests that this Court grant the motion for an extension of time to file objections to the PSR and the parties' sentencing submissions and an adjournment of sentencing.

Respectfully submitted,

By: /s/ Michelle A. Gelernt
Michelle A. Gelernt
Deputy Attorney-in-Charge
Federal Defenders of New York
Brooklyn, NY 11201
Telephone: (718) 330-1204
Email: michelle_gelernt@fd.org

By: /s/ Kannan Sundaram
Kannan Sundaram
Assistant Federal Defender
Federal Defenders of New York
Brooklyn, NY 11201
Telephone: (718) 330-1203
Email: kannan_sundaram@fd.org

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ORDER

Based upon the representations in the Defendant’s motion for an extension of time to file objections to the draft Presentence Report (“PSR”) and sentencing memoranda, and adjourn the sentencing hearing and upon consideration of the entire record, the Court makes the following findings:

Due to defense counsels’ need to consult with Ms. Carpenter and prepare objections to the PSR, the requested extension is necessary to allow a reasonable time for the effective preparation of any written objections and sentencing memorandum. The Court will grant defense counsel the opportunity to propose a joint briefing schedule commensurate with the newly scheduled sentencing date.

Therefore, it is this _____ day of _____, 2023,

ORDERED that the Defendant's Motion for an Extension of Time to File Objections to the Presentence Report, and Sentencing Submissions is hereby GRANTED, and the sentencing date previously scheduled for July 14, 2023, is adjourned to _____, 2023.

THE HONORABLE JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE