

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
)
)
)
v.) Case No. 1:21-CR-708 (RCL)
)
LEO CHRISTOPHER KELLY,)
)
Defendant.)
)

Defendant’s unopposed motion to extend time for filing a motion for new trial under Federal Rule of Criminal Procedure 33

COMES NOW Defendant, Leo Christopher Kelly, by and through undersigned counsel, and hereby respectfully requests that this Court extend the time for filing a motion for new trial and in support states the following:

1. This case was tried before a jury from May 1-May 9, 2023. The jury found the defendant guilty on all counts.
2. Undersigned counsel ordered the transcript of jury selection on May 11, 2023, but was told by the Court reporter, Ms. Tammy Nestor, that she would be going out of town and could not possibly get the defendant any transcript before 30 days.
3. Meanwhile, undersigned counsel started another J6 trial before Judge Bates on May 22, 2023. The transcript issue was not resolved.
4. Rather than waste precious judicial resources by filing a motion with facts not clearly stated, undersigned counsel believed it best to consult the transcript before filing a motion

for new trial so that the issue would be presented to the Court with evidence of the transcript.

5. Undersigned counsel spoke to Chief AUSA Greg Rosen who does not oppose this motion for extension of time to file a motion for new trial. The United States has ordered transcripts of this trial and has not received them yet.
6. Undersigned counsel will be out of the country from June 13-28, 2023.

Wherefore, the defendant respectfully asks this Court to extend the time for filing a motion for new trial until July 15, 2023.

Respectfully submitted,

By: Kira Anne West

 /s/ Kira Anne West
Kira Anne West
DC Bar No. 993523
712 H. Street N.E., Unit 509
Washington, D.C. 20002
(202)-236-2042
kiraannewest@gmail.com
Attorney for Leo Kelly

 /s/ Nicole Cabbage
Nicole Cabbage
DC Bar No. 999203
712 H. Street N.E., Unit 570
Washington, D.C. 20002
703-209-4546
cubbagelaw@gmail.com
Attorney for Leo Kelly

Certificate of Service

I certify that a copy of the forgoing was filed electronically for all parties of record on this 6th day of June, 2023.

s/

Kira Anne West
Attorney for Leo Kelly