

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

CAUSE NO. 1:21-cr-00599-RBW

THOMAS HARLEN SMITH

MOTION TO FILE OBJECTIONS TO PRESENTENCE
INVESTIGATION REPORT OUT-OF-TIME

Defendant Thomas Smith, by and through counsel, respectfully requests that his objections to the Presentence Investigation Report (PSR) be filed out-of-time, and would respectfully show as follows:

1. After the three-week trial of this matter, undersigned counsel underwent emergency surgery. The recovery from the surgery resulted in two additional hospitalizations through the next six weeks, causing counsel to be out of the office for weeks. After recovering and upon return to the office, counsel traveled to Washington, D.C. to meet with Mr. Smith, review his PSR, and discuss sentencing mitigation.

2. The deadline for submitting objections was July 20, 2023. Undersigned counsel was not able to meet with Mr. Smith until after the deadline, thus the tardiness of filing objections.

3. Any delay in timely filing objections is the responsibility of undersigned counsel and not Mr. Smith. Counsel apologizes for any inconvenience to the Court, the U.S. Probation Service, counsel, and the parties.

REQUESTED RELIEF

Based on the grounds set forth above, Defendant, Thomas Smith, respectfully requests that the Court allow the out-of-time filing of his objections.

Respectfully submitted,

THOMAS SMITH

/s/ Gregory S. Park

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CERTIFICATE OF SERVICE

I, Gregory S. Park, attorney for Defendant Thomas Smith, do hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which provided notification to all parties of record.

Dated this the 3rd day of August, 2023.

/s/ Gregory S. Park

GREGORY S. PARK
Assistant Federal Public Defender