

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 22-cr-319-01 (RCL)
)
 Kimberly Wargo, *defendant*)

UNOPPOSED MOTION TO CONTINUE SENTENCING

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., (“counsel”) appointed by this Court under the Criminal Justice Act, with no opposition from either the United States or codefendant Colton Wargo, moves the Court to continue the sentencing from May 5, 2023, at 12:30 o’clock p.m., (by VTC teleconference) for a period of at least one (1) month, for the following reason.

Counsel is scheduled for hip replacement surgery on May 3, 2023. That date was set after the Court scheduled the defendants’ cases for sentencing. Counsel has contacted both the government and counsel for the defendant. Neither objects to the continuance for the amount of time requested, and the parties agree that the two defendants, Kimberly and Colton, mother and son, should be sentenced together.

Though the sentencing was set by teleconference, not in-person, counsel is not confident of his abilities to ably represent his client just two days after his surgery. Counsel therefore seeks the Court’s indulgence in this instance.¹

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

¹ Counsel advises the Court of his unavailability in June and July as follows: June 2, 3-4 pm; June 13, 10:30-11:30 a.m.; June 20, all morning; June 21, 2-3:15 p.m.; June 22, 11 a.m. to noon, and July 7, all morning.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Anita Eve, Esq., U.S. Dept. of Justice (USAO-PA) attorney of record for the government, and Robert Jenkins, Esq., attorney for codefendant Colton Wargo, this 25th day of April, 2023.

/s/

Nathan I. Silver, II