

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

Case No.: 1:22-cr-11-RJL

ZACHARY JOHNSON

\_\_\_\_\_ /

**UNOPPOSED MOTION TO CONTINUE PLEA AGREEMENT HEARING**

COMES NOW, ZACHARY JOHNSON, the Defendant, by and through undersigned counsel, and hereby moves this Court for an order to continue the Plea Agreement Hearing. The United States consents to this request. As grounds in support thereof, Mr. Johnson would state the following:

1. On January 12, 2022, Mr. Johnson was Indicted by a Grand Jury. Doc. 1.
2. On January 15, 2022, Mr. Johnson appeared before Honorable United States Magistrate Judge Julie S. Sneed in the District Court, Middle District of Florida, Tampa Division, for a Rule 5(c) proceeding. Mr. Johnson was released on conditions of release and ordered to appear by video for his initial appearance before this Court on January 20, 2022. *See United States v. Zachary David Johnson*, 8:22-mj-1039-JSS, Doc. 8.
3. On January 19, 2022, Counsel filed a Notice of Appearance on behalf of Mr. Johnson. Doc. 9.
4. On January 20, 2022, Mr. Johnson appeared before the Court for an initial appearance and detention hearing. Doc. 14.

5. On June 20, 2023, a Joint Motion to Schedule Change of Plea Hearing was filed with the Court. Doc. 115.
6. On July 11, 2023, the Court scheduled a Plea Agreement Hearing for August 9, 2023, at 4:00 p.m.
7. Mr. Johnson resides within the Middle District of Florida and is unable to be in person for the hearing on August 9, 2023, at 4pm due to a lack of funds.
8. Mr. Johnson has advised Counsel that he will be receiving funds at 1:30pm today and will be able to attend a hearing scheduled for either the afternoon of August 10, 2023 or August 11, 2023.
9. Counsel is requesting that the Plea Agreement Hearing be rescheduled to either the afternoon of August 10, 2023 at 4:00 p.m. or August 11, 2023 at 2:00 p.m.
10. Defense Counsel and Counsel for the Government have spoken and the times specified are mutually agreeable.
11. Assistant United States Attorneys Rebekah Lederer and Michael Gordon, Counsel for the Government, have no objections to Mr. Johnson's Motion to Continue Change of Plea Hearing.

#### **MEMORANDUM OF LAW**

It is respectfully submitted that the foregoing motion is made in good faith, and good cause has been shown for granting the requested continuance. A continuance would not be an abuse of this Court's discretion and would be in the interest of justice.

Wherefore, Mr. Johnson would respectfully move the Court to continue the Plea Agreement Hearing to either August 10, 2023 at 4:00 p.m. or August 11, 2023 at 2:00 p.m.

Respectfully submitted,

A. Fitzgerald Hall  
Federal Defender  
Middle District of Florida

/s/ G. Ellis Summers, Jr.  
G. Ellis Summers, Jr., Esquire  
Florida Bar No. 0815691  
Assistant Federal Defender  
2075 W. First Street, Suite 300  
Fort Myers, Florida 33901  
Telephone: 239-334-0397  
Facsimile: 239-334-4109  
E-Mail: ellis\_summers@fd.org

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 9th day of August 2023, the foregoing was electronically filed with the Clerk of Court and a copy will be sent electronically to Michael Gordon, Assistant United States Attorney, 400 North Tampa Street, Tampa, FL 33602, and Rebekah Lederer, Assistant United States Attorney, 601 D St., NW, Washington D.C. 20001.

/s/ G. Ellis Summers, Jr.  
G. Ellis Summers, Jr., Esquire  
Assistant Federal Defender

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

**UNITED STATES OF AMERICA**

**v.**

**Case No.: 1:22-cr-11-RJL**

**ZACHARY JOHNSON**  
\_\_\_\_\_ /

**ORDER**

Upon consideration of the Defendant's Unopposed Motion to Continue Plea Hearing, it is hereby ORDERED that the Motion is GRANTED.

It is further ORDERED that the Plea Agreement Hearing scheduled for August 9, 2023 at 4pm be canceled.

It is further ORDERED that the Plea Agreement Hearing be rescheduled for Mr. Johnson on August \_\_\_\_, 2023 at \_\_\_\_\_ pm in Courtroom 18 (in person) before Judge Richard J. Leon.

SO ORDERED.

\_\_\_\_\_  
Richard J. Leon  
United States District Judge