

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

LONDON BRYCE MITCHELL,

Defendant.

Crim. Action No. 1:21CR508(BAH)

**MR. MITCHELL'S EMERGENCY MOTION TO HOLD SENTENCING
HEARING ON CURRENTLY SCHEDULED DATE, MARCH 3, 2023, OR
MONDAY, MARCH 6, 2023**

Landon Mitchell, through counsel, respectfully moves this Court to hold the sentencing hearing in this matter on the presently-scheduled date of March 3, 2023. If that date is unavailable to the Court, Mr. Mitchell respectfully moves the Court to hold the hearing on Thursday, March 2, 2023, or the following Monday, March 6, 2023.

Mr. Mitchell is indigent. He has \$8 to his name. Presentence Report, ECF No. 111, ¶ 138. He has been on home incarceration for the past month, with an Order that he is not permitted to work or otherwise leave the home. Because he is destitute, his mother purchased tickets for herself and Mr. Mitchell to travel to the District on Wednesday, February 29, 2023, in advance of the sentencing hearing. The tickets cost approximately \$727 and are non-refundable. Mr. Mitchell's mother has limited disposable income and she delayed paying bills to purchase the tickets. She cannot afford to lose the tickets and purchase another ticket for Mr. Mitchell to come to the district in April. In support of this Motion, counsel states:

1. Mr. Mitchell is before the Court having accepted responsibility to, *inter alia*, obstruction of justice. The Federal Public Defender has been appointed to represent him because he has been deemed indigent.
2. Mr. Mitchell resides in Texas. At the stipulated trial hearing on December 7, 2023, the Court set the sentencing hearing in this matter for March 3, 2023. As soon as the hearing was set, Mr. Mitchell and his mother began looking for affordable flights to the District.
3. On January 27, 2023, this Court ordered Mr. Mitchell to comply with home incarceration and explicitly forbid him from working his pest control job. Prior to the Court's Order, Mr. Mitchell had been an hourly-wage employee. 1/27/2023 Minute Order. Since Mr. Mitchell lost his job and has been unable to work for a month, he has no money. He does not have a credit card.
4. Mr. Mitchell's mother has limited disposable income. Nonetheless, she was able to purchase two tickets so that she and Mr. Mitchell could attend the sentencing hearing the Court scheduled on March 3, 2023. The two are scheduled to depart on Wednesday, February 29, 2023. The tickets are non-refundable.
5. On February 27, 2023, the parties received an email from chambers notifying the parties that the Court can no longer hold the hearing on March 3, 2023 and inquiring as to the parties' availability on April 20, 2023. Counsel are available on April 20, 2023. However, losing the currently-purchased tickets and

purchasing new tickets would be next to impossible for Mr. Mitchell and his mother and would create significant financial hardship.

6. Accordingly, Mr. Mitchell respectfully moves the Court to maintain the currently scheduled sentencing hearing date. In the alternative, Mr. Mitchell moves the Court to hold the hearing on either March 2 or March 6, 2023. Finally, if that is not possible and the sentencing hearing is continued, Mr. Mitchell moves the Court to order the Marshal Service to arrange to pay for his travel to this district for the April 20, 2023 sentencing hearing. *See* 18 U.S.C. § 4285

Respectfully Submitted,

A.J. KRAMER
FEDERAL PUBLIC DEFENDER

_____/s/_____
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