

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 21-CR-20001-MGC

UNITED STATES OF AMERICA,

v.

DIAMOND BLUE SMITH,
Defendant,

_____ /

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE
CHANGE OF PLEA HEARING**

DEFENDANT DIAMOND BLUE SMITH, by and through undersigned counsel, requests the Court to continue his change of plea hearing for 60 days. The good cause for this motion is as follows:

1. On or about April 19, 2021, Diamond Blue Smith was shot during an attempted robbery and transported to Memorial Regional Hospital ICU in critical condition. Mr. Smith suffered broken ribs, a punctured lung, and loss of mobility to his left side.
2. Mr. Smith is recovering from his injuries but is still suffering from physical pain, labored breathing, and inability to hold a sustained conversation. As a result, defense counsel's ability to productively confer with Mr. Smith has been hindered.
3. Also, undersigned counsel is currently in the process of moving to Denver, Colorado and is scheduled to close on the sale of her Florida home on June 14th.
4. This motion is made in good faith and in the interests of justice.

For these reasons, Mr. Smith respectfully asks this Court to continue his change of plea hearing for 60 days.

LOCAL RULE 88.9 CERTIFICATION

I CERTIFY that I have discussed this motion with Assistant U.S. Attorneys Phillip Trout and Aimee Jimenez, who advised that they do not oppose this motion.

Submitted by:

/s/ Adriana Collado-Hudak
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CERTIFICATE OF SERVICE

I CERTIFY that I filed a copy of the foregoing via CM/ECF on June 3, 2021, and it was thereby served on all parties of record.

/s/ Adriana Collado-Hudak
Fla. Bar No. 830461