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MEMO ENDORSEMENT.

The Court will take the request under advisement.
The defendant and Government are directed to
meet and confer and to jointly propose by February
3, 2022 at 5:00 p.m., three dates prior to March 8,
2022 when they can be available for sentencing.

BY ECF

February 1, 2022

2/1/2022

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl St.
New York, NY, 10007

SO ORDERED.


LEWIS J. LIMAN
United States District Judge

Re: *United States v. Ilori*, No. 20-cr-378 (S.D.N.Y.)

Dear Judge Liman:

We represent defendant Adedayo Ilori in the above-captioned action. We write to update the Court regarding our retention of a mental health professional to evaluate Mr. Ilori ahead of the sentencing hearing currently scheduled for February 17 at 2:00 pm. Since we last wrote to the Court on December 2, 2021, we have retained a psychiatrist to evaluate Mr. Ilori. Although the expert is in the process of evaluating Mr. Ilori, he has not been to conduct an in-person visit with Mr. Ilori in light of the recent developments and health concerns relating to the COVID-19 pandemic and Omicron variant. While we were hopeful that we would be able to schedule an in-person visit for the psychological evaluation, we are proceeding with scheduling a virtual evaluation to avoid further delay.

Additionally, we request this extension in order to review additional discovery produced by the Government relating to the new charges against Mr. Ilori¹ pending before Judge Vyskocil, and to discuss these matters with Mr. Ilori's counsel in that matter. As the Court would expect, the additional time will allow us to properly consider and address how, if at all, this evidence impacts the current sentencing. Along those lines, we have represented to the Government that we will provide it with at least two weeks' notice if we believe a *Fatico* hearing is necessary, and we will likewise keep the Court apprised and provide notice as soon as possible.

¹ The Government produced over 5 GB of materials.

February 1, 2022

We did not anticipate seeking an additional adjournment but in light of the circumstances, we believe that it is necessary for the adequate representation of our client. The Government takes no position on adjournment.

Therefore, we respectfully request that this Court adjourn Mr. Ilori's sentencing date until after March 15, 2022.

Respectfully submitted,

/s/ Brooke Cucinella

Brooke Cucinella

cc: Counsel of record (via ECF)