

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CASE NO. 23-cr-60170-RNS

ALEXANDRA ACOSTA,)

Defendant.)

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW, the Defendant, ALEXANDRA ACOSTA (“Acosta”), by and through the undersigned attorney, and motions this Court to continue her presently scheduled trial to June 3, 2024. In support thereof, Acosta states as follows:

1. Prior to filing the instant motion, the undersigned communicated with AUSA Trevor Jones (“AUSA Jones”), the prosecutor assigned to the instant case, who advised the government has no objection to granting the instant motion.

PROCEDURAL HISTORY

2. On October 19, 2023, Acosta was arraigned. On October 25, 2023, the government disclosed its first discovery submission. On November 20, 2023, the

Court granted Acosta's first motion to continue. On February 29, 2024, the Court granted Acosta's second motion to continue. Calendar call is presently scheduled for **May 14, 2024** and trial is set for **May 20, 2024**.

3. On February 26, 2024, the government arrested the Co-Defendant, VILSAINT ST. LOUIS ("St. Louis"). On March 14, 2024, a superseding indictment was filed against St. Louis. A change of plea hearing is scheduled for him on May 14, 2024.

4. The government disclosed additional discovery to Acosta on March 12, 2024, May 2, 2024, and May 6, 2024. Acosta disclosed reciprocal discovery to the government on January 15, 2024, January 26, 2024, February 6, 2024, and May 1, 2024. The undersigned expects to receive additional discovery after St. Louis enters a guilty plea, including the factual basis for his plea and his plea agreement.

5. On May 7, 2024, the undersigned served a subpoena to produce records on St. Louis and his tax preparation companies to obtain copies of Acosta's customer file and other documents. The return deadline for that subpoena is May 15, 2024.

BASIS FOR CONTINUANCE

6. On Saturday, May 11, 2024 the undersigned's elderly mother-in-law (she is 87) fell accidentally and sustained a serious head injury that resulted in two brain bleeds. She was transported to a local trauma center by fire rescue and is

presently admitted in the intensive care unit where she is receiving emergency medical treatment.

7. Separately, the undersigned is experiencing a dental problem that he expects may require a root canal or tooth extraction based on how it feels. The undersigned has an appointment to obtain a 3-D x-ray at 5:00 pm on May 13, 2024 (it was the earliest available). At that appointment the undersigned will learn if a corrective dental procedure is necessary. However, if one is necessary, the procedure would need to be delayed until the week of May 20 (the week of trial) because the undersigned takes two specific medications that would need to be stopped for 3-5 days in advance of any dental procedure.

8. The undersigned requires a continuance so that he may attend to these personal matters and still have enough time to complete and file motions in limine, respond to the government's motions in limine [DN 38, 39], finish preparing for direct and cross examination, finish preparing exhibits, and otherwise complete trial preparations as well as be available for trial.

9. It should be noted that the undersigned and counsel for the government have worked together closely over the last two weeks to narrow the issues, identify where the parties agree and disagree, and otherwise cooperate to be as expeditious as possible with the Court's and jury's time.

AVAILABILITY OF THE PARTIES

10. Trial is expected to last approximately 4 days. After conferring with the government, the undersigned can represent that the parties are available and can be ready for trial from **June 3, 2024 to June 14, 2024** and anytime **after July 24, 2024**. The government's witnesses are not available from June 16, 2024 until July 5, 2024 and the assigned prosecutor will be out of town from July 5, 2024 until July 16, 2024 but will need until July 24, 2024 to catch up on his work duties after being away and to prepare for trial.

11. If acceptable to the Court, the parties' preference is to begin trial on June 3, 2024.

WHEREFORE, the Defendant and the undersigned attorney respectfully motion this Court continue the presently scheduled trial to June 3, 2024.

Respectfully Submitted,

/s/ Brian Silber

Brian Silber, Esq.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served on the following parties via CM/ECF on May 13, 2024.

SERVICE LIST

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