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June 25, 2024

Hon. Lewis A. Kaplan
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Chanette Lewis
21 Cr. 729 (LAK)

Dear Judge Kaplan,

I represent Ms. Lewis on appeal and I am writing to request a two-week postponement of her surrender date, which is now July 1, 2024, to July 15, 2024. Additional time is required for the correction of her criminal history score in the PSR and the communication of that correction to the BOP, so that she has an accurate security level. Ms. Lewis was originally ordered by this Court to surrender on September 1, 2024, but then requested the earlier date.

Since then, however, she was designated to a medium-security facility, FCI Hazelton, and realized that her PSR was never corrected to reflect her reduced criminal history score, which was adopted by this Court. The incorrect criminal history score could account for the medium, rather than low, security level. If she qualifies for a low security facility, she could be designated to Danbury, which is much closer to her family. The Court recommended in its judgment that she be placed as close to New York as possible.

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In the interest of providing BOP with an accurate criminal history score and Category, we wrote to the Court about this on June 6, 2024, attaching the transcript of the Court's adoption of the criminal history change and requesting an order to the probation department to amend the report. I have corresponded with the BOP designation unit and they can do nothing without the amendment of the PSR. Since she is scheduled to surrender next Monday, additional time is needed for all of this to happen: amendment of the PSR, communication of that to BOP, recalculation of her security level, and potential re-designation. Assistant United States Attorney Michael Neff consents on behalf of the government to this postponement of the surrender date and also agrees that Ms. Lewis's PSR should be amended to reduce her criminal history score to 3 and Criminal History Category to II, as requested in our letter dated June 6, 2024.

Respectfully submitted,

Colleen P. Cassidy
Colleen P. Cassidy
Assistant Federal Defender

cc: AUSA Michael Neff

Ms. Lewis shall surrender on July 15, 2024.

SO ORDERED

LEWIS A. KAPLAN, USDJ
6/27/24