

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

V.

CHYNNA SAVATH,
Defendant.

Criminal No.: 1:21-CR-10269

DEFENDANT'S ASSENTED-TO MOTION TO CONTINUE SENTENCING HEARING

Undersigned counsel for Defendant Chynna Savath hereby moves this Court for an Order continuing the sentencing in this matter from its currently scheduled date of May 19, 2022, to either May 20, 2022, or to a date on or after June 2, 2022. As grounds for this Motion, undersigned counsel states that he has a scheduling conflict due to a multi-defendant federal criminal matter, *United States v. Melendez, et al.*, Crim No. 19-Cr-40024-TSH, which is scheduled for jury selection in Worcester on May 19, 2022, and a jury trial in that same matter commencing on May 23, 2022.

In further support of this Motion, undersigned counsel for Defendant Savath states as follows:

1. On January 20, 2022, Defendant Savath pled guilty to two counts of wire fraud in the above-referenced action. The guilty plea was entered pursuant to a binding plea agreement pursuant to Fed. R. Crim. P. 11(c)(1)(C). On that same date, Ms. Savath was released on conditions pending her sentencing hearing, which was scheduled for May 19, 2022 at 10:00 a.m. before this Court.

2. Undersigned counsel is counsel of record for one of the four defendants in *United States v. Melendez, et al.*, Crim No. 19-Cr-40024-TSH. At the time the sentencing hearing in the

Savath matter was scheduled, the trial in the *Melendez* matter was scheduled to commence in Worcester on May 23, 2022. Accordingly, undersigned counsel did not expect any conflict involving his professional responsibilities in the two cases.

3. On April 11, 2022, U.S. District Judge Hillman issued an Order in the *Melendez* matter directing all counsel and the parties to appear in person in Worcester for jury selection on May 19, 2022 at 9:00 a.m. *See United States v. Melendez, supra*, at Docket Entry 321 (Order of April 11, 2022). That date and time conflicts with the previously scheduled sentencing hearing in this case.

4. When Judge Hillman issued his Order regarding jury selection in the *Melendez* matter, and for several weeks thereafter, undersigned counsel was uncertain whether the *Melendez* matter would be resolved before trial. Accordingly, undersigned counsel did not immediately move for a continuance of the sentencing hearing in this case. Undersigned counsel now expects the *Melendez* matter will proceed to trial, and he hereby seeks this continuance to avoid an irreconcilable professional conflict involving the two matters.

5. The jury trial in the *Melendez* matter is still scheduled to commence in Worcester on May 23, 2022. While the precise length of the trial remains unclear, undersigned counsel currently expects that jury trial to extend a day or two past the Memorial Day holiday. He expects that that the trial should be completed on or before June 1, 2022.

6. Undersigned counsel has conferred with counsel for the United States and with the Probation Office regarding the scheduling conflict addressed in this Motion. The United States and the Probation Office have assented to the continuance requested herein.

WHEREFORE, Defendant Savath respectfully requests that this Court issue an Order continuing the sentencing of this Matter to any time on Friday, May 20, 2022, or, in the alternative, to any date or time on or after June 2, 2022.

Respectfully submitted,
DEFENDANT, CHYNNA SAVATH,
By her attorney,

/s/ Daniel J. Cloherty
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true copy of the above document upon all parties with an interest in this matter by electronically filing through this Court's CM/ECF filing system this 11th day of May, 2022.

/s/ Daniel J. Cloherty
Daniel J. Cloherty