IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v. CRIMINAL ACTION NO. 2:24-cr-00192

KISHA SUTTON -01,
SHAMIESE WRIGHT -02,
DAMISHA BROWN -06,

Defendants.

ORDER

The Court has reviewed the *Defendant's Motion to Continue Trial and Pre-Trial Deadlines* (Document 130) filed in this matter. By arraignment order entered on February 7, 2025 (Document 99), Defendant Shamiese Wright was scheduled for trial on April 14, 2025; by arraignment order entered on February 20, 2025 (Document 116), Defendant Kisha Sutton was, likewise, scheduled for trial on April 14, 2025; and by arraignment order (Document 137) entered on March 17, 2025, Defendant Damisha Brown was scheduled for trial on April 28, 2025. The Court finds that all Defendants should be joined for trial.

In the current motion, Defendant Kisha Sutton moves to continue the trial and related pretrial deadlines. The motion is made on the grounds that counsel requires additional time to review discovery, for attorney-client consultation, and for determining whether the filing of pretrial motions will be necessary. The requested delay is not attributable to lack of diligent

preparation or failure to obtain evidence or witnesses on the part of the United States, or to congestion of the Court's calendar.

WHEREFORE, finding that the interest of the public and the Defendants in a speedy trial is outweighed by the ends of justice served by granting a continuance to allow for adequate preparation, the Court further finds that Defendant Kisha Sutton has set forth good cause for a continuance.

The Court does hereby **ORDER** that the motion (Document 130) be **GRANTED**. The trial of this matter as to Defendants Kisha Sutton, Shamiese Wright, and Damisha Brown, is **CONTINUED** to **June 9, 2025, at 9:00 a.m.**, in Charleston, West Virginia. Counsel should be prepared to select a jury **on the preceding Friday** if so ordered by the Court. The Court **ORDERS** the deadline for filing superseding indictments, if any, shall be thirty days prior to the trial date and that the parties submit their respective witness lists and any proposed voir dire and jury instructions (which shall be numbered) no later than **May 27, 2025**.

The Court further **ORDERS** that a pretrial motions hearing as to Defendants Kisha Sutton, Shamiese Wright, and Damisha Brown be **SCHEDULED** for **May 20, 2025, at 10:00 a.m.**, in Charleston, West Virginia, before the Honorable Omar J. Aboulhosn, and that any motions to be addressed at the pretrial motions hearing, as well as any motions in limine and motions to suppress, shall be filed no later than **May 6, 2025**. Excluded from magistrate referral are motions in limine and motions to suppress. Accordingly, any motions to extend the deadline for the filing of motions in limine or motions to suppress shall be submitted to and addressed by the undersigned.

The Court **ORDERS** that the parties notify the Court of any proposed plea agreement in sufficient time such that a plea hearing may be scheduled by the Court no later than a week before

trial. Furthermore, the parties are put on notice that, should a scheduled plea hearing not be completed, the Court will not consider the same to be good cause to support a continuance of the trial.

The Court **FINDS** that the time between April 14, 2025, and June 9, 2025, is excludable from the computation of time within which trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(6) and 3161(h)(7). Lastly, the Court has reviewed the *Government's [Motion] to Continue Trial [Date] and Case Related Deadlines* (Document 157) and **ORDERS** that the same be **TERMINATED** as **MOOT** given the ruling contained herein.

The Court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Aboulhosn, to the Defendants and their respective counsel, to the United States Attorney, to the United States Probation Office, and to the Office of the United States Marshal.

ENTER: April 2, 2025

IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA