

**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-00192-06
Judge Irene C. Berger**

DAMISHA BROWN,

Defendant.

MOTION TO CONTINUE PLEA HEARING

Defendant Damisha Brown, by counsel, submits the following Motion to Continue Plea Hearing. In support of this Motion, Ms. Brown states as follows:

1. On May 28, 2025, the Court entered an Order granting Ms. Brown's Motion to Appear Remotely at Plea Hearing or, in the Alternative, Motion to Continue Plea Hearing and continued the plea hearing to June 5, 2025, at 9:00 a.m. The Court further ordered Ms. Brown to appear at this hearing in person as a condition of her bond. *See* Order, ECF No. 214.

2. Ms. Brown currently does not have a reliable vehicle to drive from the City of Orange, New Jersey to Charleston, West Virginia for the plea hearing. Specifically, the brakes on her vehicle need replaced and she is financially unable to have her vehicle repaired prior to the plea hearing.

3. Ms. Brown is working to secure an alternative form of transportation to attend the plea hearing in person as ordered by the Court. The most affordable and quickest option is a flight from Newark, New Jersey (EWR) to Charleston, West Virginia (CRW) on June 5, 2025. The flight is scheduled to depart at 12:09 p.m. and land at 1:49 p.m. The cost of the flight is \$79.00.¹

¹ *See* Google Flights, <https://www.google.com/travel/flights/s/yd5ZmwLdCK9voCHo8> (last visited May 29, 2025).

4. By comparison, the cheapest flight from Newark, New Jersey (EWR) to Charleston, West Virginia (CRW) on June 4, 2025, is \$363.00, nearly five times the cost of the flight above.² Ms. Brown has limited financial resources and is unable to afford to fly in prior to plea hearing.

5. Accordingly, Ms. Brown requests that the Court continue the plea hearing until 3:00 p.m. or later. Ms. Brown believes that this would allow sufficient time for her to travel from the airport to the courthouse. This would also allow Ms. Brown to miss the least amount of time from work as she would only need to request off on June 5, 2025, and June 6, 2025.

6. Prior to making this Motion, the undersigned conferred with Assistant United States Attorney Jonathan Storage on May 29, 2025, who advised that the Government has no objection to a continuance.

WHEREFORE, Ms. Brown requests that the Court enter an Order continuing the plea hearing until 3:00 p.m. or later.

DAMISHA BROWN

By Counsel

/s/ Clayton T. Harkins

Clayton T. Harkins (WVSB# 13409)

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² See, e.g., Google Flights, <https://www.google.com/travel/flights/s/DPDmgDMZE2NVuguPA> (last visited May 29, 2025).

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CERTIFICATE OF SERVICE

I, Clayton T. Harkins, do hereby certify that the foregoing **Motion to Continue Plea Hearing** was served upon all parties via the CM/ECF Court System on May 30, 2025:

Jonathan Storage
United States Attorney's Office
300 Virginia Street East, Suite 4000
Charleston, West Virginia 25301
Counsel for the United States of America

/s/ Clayton T. Harkins

Clayton T. Harkins (WVSB# 13409)