

**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 June 2, 2025, the Court entered an Order (ECF No. 222) denying Ms. Brown's Motion to Motion to Continue Plea Hearing "[g]iven the trial schedule."
2. Shortly thereafter, the Court entered an Order (ECF No. 225) granting Defendant Shamise Wright's Second Motion to Continue Pretrial and Trial Dates (ECF No. 209) and continued the trial, previously scheduled for June 9, 2025, to July 14, 2025.
3. As set forth in Ms. Brown's Motion to Continue Plea Hearing (ECF No. 219), 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 on June 5, 2025.
4. Moreover, Ms. Brown is unable to afford a flight arriving prior to 9:00 a.m. on June 5, 2025.¹

¹ Compare, e.g., Google Flights, <https://www.google.com/travel/flights/s/bKUcwZn4NukT2SNw8> (last visited June 3, 2025) (\$363), with Google Flights, <https://www.google.com/travel/flights/s/iFWkixBZTNajvqAG7> (last visited June 3, 2025) (\$99). The most affordable flight option is from Newark, New Jersey (EWR) to Charleston, West Virginia (CRW) on Breeze Airways. These flights are scheduled to depart at 12:09 p.m. and land at 1:49 p.m. on

5. Considering the continuance of the trial date, Ms. Brown requests that the Court continue the plea hearing, currently scheduled for June 5, 2025, at 9:00 a.m., for a period of at least two weeks.

6. This would allow sufficient time for Ms. Brown to have the necessary repairs to her car performed so that she can drive from the City of Orange, New Jersey to Charleston, West Virginia for the plea hearing or to book a flight further in advance of the plea hearing, which would reduce the financial strain on herself and her family.

7. This would also allow Ms. Brown to provide more notice to her employer of the need to take time off and arrange for necessary childcare.

8. Further, the requested continuance would still allow for the plea hearing to take place well in advance of the current trial date.

9. Prior to making this Motion, the undersigned conferred with Assistant United States Attorney Jonathan Storage on June 2, 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 for a period of at least two weeks.²

Tuesdays, Thursdays, and Sundays. Should the Court grant this Motion, Ms. Brown requests that the Court consider these flight options in scheduling the plea hearing.

² For scheduling purposes, the undersigned notes that he will be travelling out of state from June 9, 2025, to June 17, 2025. Should the Court grant this Motion, the undersigned requests that the plea hearing not be scheduled during this time.

DAMISHA BROWN

By Counsel

/s/ Clayton T. Harkins

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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 June 3, 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)