

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:22-cr-39-SPC-NPM

DANIEL JOSEPH TISONE

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**ORDER**<sup>1</sup>

Before the Court is Defendant Daniel Tisone's Motion to Continue Sentencing Date (Doc. 62), along with the Government's response (Doc. 63).

Defendant has pled guilty to fraud and firearm offenses and is set for sentencing on December 5, 2022. (Doc. 59; Doc. 60). But he now asks to continue his sentencing ninety days. He wants more time to repair and sell properties damaged from Hurricane Ian so he may pay restitution. The Government agrees partially to a continuance. It does not oppose a thirty-day continuance and requests Defendant provide assurances that he's preserving the value of certain assets to be used to compensate victims.

After considering the record and the parties' papers against the applicable law, the Court will continue the sentencing hearing for approximately forty-five days. It also finds Government's requested

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assurances to be reasonable and necessary to prevent further diminishment of Defendants' property.

Accordingly, it is

**ORDERED:**

Defendant Daniel Tisone's Motion to Continue Sentencing Date (Doc. 62) is **GRANTED in part and DENIED in part**.

1. Defendant's Motion is granted to the extent that sentencing hearing is now set for **January 30, 2022, at 9:30 a.m.** The Clerk is **DIRECTED** to issue a notice of hearing under separate cover.
2. Defendant must file – **under seal** – on or before **November 13, 2022**, the following proof and information:
  - a. proof the mortgage on 550 Starboard Drive, Naples, Florida 34103 is current
  - b. proof the mortgage is current on 1001 10th Avenue South, #101, Naples, Florida 34102
  - c. proof of payment of all insurance premiums for both properties
  - d. proof of payment of proof of payment of all association fees
  - e. full copies of all policies, including flood policies both subject properties

f. notification and proof of any compensation provided by any insurers, FEMA, or government agencies with respect to any damages or loss to the properties

**DONE AND ORDERED** in Fort Myers, Florida on October 31, 2022.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: Counsel of Record