

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 2:23-cr-9-TPB-KCD

DENIS CASSEUS

**UNITED STATES' MOTION FOR ADDITIONAL TIME
TO RESPOND TO DEFENDANT'S AMENDMENT 821 MOTION**

Denis Casseus has filed a motion asking this Court to reduce his sentence under 18 U.S.C. § 3582(c)(2) based on Amendment 821 to the United States Sentencing Guidelines. *See* Doc. 64. For the following reasons, the United States requests a 21-day extension of time from the receipt of the United States Probation Office's Memorandum addressing the defendant's eligibility for relief to respond to the defendant's motion.

1. Casseus filed his section 3582(c)(2) motion through private counsel, not through the Federal Public Defender's Office. As a result, this Court's Omnibus Order, which establishes an orderly procedure for the processing of these motions in Federal Public Defender cases, does not apply.

2. The Probation Office has not yet prepared a memorandum addressing the defendant's eligibility and suitability for an Amendment 821 sentence reduction. Probation has been triaging this massive undertaking by giving priority based on defendants' expected release dates. Both the United States' response and this Court's

decision should await the Probation Office's memorandum, which will state whether the defendant is eligible for a reduction (and, if so, how much) and identify other matters, such as the defendant's prison disciplinary record (if any), that may factor into the Court's decision.

3. On February 9, 2024, the undersigned spoke by telephone with counsel for the defendant, Zeljka Bozanic, Esq., who indicated that she did not object to the extension of time sought herein.

WHEREFORE, the United States respectfully requests that this Court grant a 21-day extension of time from the receipt of the Probation Office's Memorandum to respond to Casseus' section 3582(c)(2) motion (Doc. 64).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2024, I electronically filed this document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Zeljka Bozanic, Esq.

s/ D. Rodney Brown
D. RODNEY BROWN
Assistant United States Attorney