

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' UNOPPOSED MOTION FOR EXTENSION OF
TIME TO RESPOND TO DEFENDANT'S AMENDMENT 821 MOTION**

The United States of America, by and through the undersigned Assistant United States Attorney, files this unopposed motion seeking an extension of time within which to file its response to defendant's motion for reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines, and in support states as follows:

1. On February 9, 2024, Casseus filed his motion for reduction of sentence through private counsel, Zeljka Bozanic, Esq. Doc. 64. Upon request of the United States, this Court issued an order that, among other things, permitted the United States to file its response to defendant's motion within 21 days after the receipt of the U.S. Probation Office's Amendment 821 memorandum. Doc. 67.

2. On March 7, 2024, the Federal Public Defender's Office, through Assistant Federal Public Defender (AFPD) Laura Ferro, Esq., filed its notice of appearance for defendant in this case. Doc. 71.

3. On April 13, 2024, the Court issued an order permitted defendant's private counsel to withdraw from representation. Doc. 77.

4. On April 25, 2024, the Probation Office filed its Amendment 821 memorandum in this case, and assessed that defendant is not eligible for a sentence reduction under Amendment 821. Doc. 78. Under the Court's previous order, this filing by the Probation Office would make the United States' response to the existing Amendment 821 filed by defendant's former counsel due on or before May 16, 2024.

5. After receiving the Probation Office's Amendment 821 memorandum, the undersigned spoke by telephone with defendant's current counsel, AFPD Ferro. She advised in substance that she did not intend to adopt the motion filed by predecessor counsel (Doc. 64), and further that she had a conference call scheduled in the near future with defendant to discuss the potential filing of a new motion for reduction of sentence under Amendment 821.

6. Accordingly, the United States respectfully requests that this Court extend the time for the United States to file its response until 14 days after defendant files a new motion for reduction of sentence through his court-appointed counsel.

7. As set forth above, the undersigned has consulted by telephone with AFPD Ferro regarding this matter, and AFPD Ferro advised that she has no objection to the extension of time sought herein.

WHEREFORE, the United States respectfully requests that this Court extend the time for the United States to file its response until 14 days after defendant files a new motion for reduction of sentence through his court-appointed counsel.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 3, 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 the following:

Laura Ferro, Esq.
Assistant Federal Public Defender

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