

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

CASE: 9:24-cr-80103-AMC-1

V.

DUSTIN SEAN MCCABE
Defendant.

**DEFENDANT DUSTIN SEAN MCCABES' UNOPPOSED MOTION TO CONTINUE
RESPONSE DEADLINE BY TWO WEEKS AS TO THE GOVERNMENT'S
OPPOSITION TO DEFENDANT'S MOTION FOR ACQUITTAL**

COMES NOW, Defendant Dustin Sean McCabe, through his attorneys of record Terrence J. O'Sullivan and Calisha A. Francis, respectfully files this Motion asking this Court to continue the Defendant's response deadline to Government's Opposition to the Defendant's Rule 29 Motion for Judgement of Acquittal (the "JOA") Motion, by two weeks. In support of this Motion, the Defendant states as follows:

1. The Defendant was convicted of all counts of the Indictment on March 4, 2025. **See DE 83.** The sentencing in this matter is now set for June 12, 2025, at 10:00 am. **DE 86.**
2. On March 18, 2025, the Defendant filed his JOA Motion. **See DE 95.**
3. The deadline for the Government's response to the Motion was set for April 1, 2025. **See DE 95.** However, the Government filed an Unopposed Motion for Extension of Time to File Response seeking to continue their response deadline.

4. On March 26, 2025, an Order was entered granting the Unopposed Motion for Extension of Time to File and requiring the United States to file its response on or before April 15, 2025.
5. Subsequently, the Government filed their Response in Opposition to the Defendant's JOA on April 12, 2025.
6. Through this Motion, the Defendant respectfully asks for a two-week continuance to the response deadline, with the new response deadline being April 28, 2025.
7. Given the June 12th sentencing date, a two-week extension to the Defendant's response time would leave this matter fully briefed well before the sentencing occurs in June. Also, other time-sensitive matters have interfered with the Defendant's attorneys' ability to complete the response.
8. The Defendant respectfully submits that those factors give this Court good cause to grant the Motion, particularly in light of the Government's lack of objection and the Court's prior ruling that granted the Government's initial Request for an Extension, which ultimately imposed the time constraints on the Defendant's response.
9. This request is not made for purposes of delay or for any other improper purpose. Rather, the requested extension of time is short and is necessary for the due administration of justice.
10. The undersigned counsel has reached out to the Government, and they do not oppose this relief.

WHEREFORE, the Defendant respectfully requests a fourteen-day extension

to the deadline for filing his response to the Government's Opposition to the Defendant's Rule 29 Motion for Judgement of Acquittal Motion.

Respectfully submitted,

Dated: April 16, 2025

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