

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE No. 22-20290-CR-BLOOM/OTAZO-REYES

UNITES STATES OF AMERICA

Plaintiff,

v.

ERIC DEAN SHEPPARD,

Defendant.

/

**DEFENDANT'S UNOPPOSED MOTION
TO CONTINUE CALENDAR CALL AND TRIAL**

Defendant, Eric Dean Sheppard ("Sheppard"), respectfully files this Unopposed Motion to Continue Calendar Call and Trial. In support of this Motion, Defendant states:

1. On June 29, 2022, an Indictment was returned charging Sheppard with six (6) counts of Wire Fraud, in violation of 18 U.S.C. §1343 [D.E. 3].
2. The trial date for this matter is currently set for January 17, 2023, with a calendar call of January 10, 2023 and a plea agreement due by January 6, 2023.
3. Unfortunately, undersigned lead counsel (Jayne Weintraub) has undergone unexpected emergency back fusion surgery that has substantially impacted the undersigned's ability to work. Specifically, undersigned counsel is not expected to be able to return to work for at least ten (10) weeks from this writing.
4. Due to the uncertainty of the actual recovery period, it is respectfully requested that the Court set a status report with the parties, or one in writing to be to be filed with the Court in February, 2023, to ensure the dates set will be able to be abided by without further delay.

5. Additionally, because of the volume of discovery and complexity of the charges, the defense requires additional time to review the discovery, conduct an investigation, and prepare the defense. Accordingly, a continuance is necessary so that the Defendant can properly prepare for trial.

6. Defendant respectfully requests a continuance of approximately six (6) months.

7. Defendant knowingly and intelligently waives his speedy trial rights under the Speedy Trial Act as necessary for purposes of this Unopposed Motion, and requests, in the interest of justice, that the Court exclude speedy trial time from January 17, 2023, through the new date set for trial.

8. The undersigned counsel conferred with Assistant United States Attorney Marty Fulgueira Elfenbein regarding the relief sought in this Unopposed Motion. AUSA Elfenbein does not oppose the relief sought.

WHEREFORE, Defendant, Eric Dean Sheppard, respectfully requests that this Court grant this Unopposed Motion to Continue Calendar Call and Trial, and for such other and further relief as may be just and proper.

Dated: November 7, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 7, 2022 the foregoing document was filed via the Court's CM/ECF system to all counsel of record.

/s/ Jayne C. Weintraub
Jayne C. Weintraub