

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.

**UNOPPOSED MOTION FOR ORDER EXEMPTING TRIAL EXHIBITS FROM
ELECTRONIC FILING AND FOR EXTENSION OF TIME TO FILE**

Defendant Eric Dean Sheppard respectfully submits Motion for Order Exempting Trial Exhibits from Electronic Filing and for One-Day Extension of Time to File with the Clerk of the Court. In support, Defendant states:

1. Trial commenced on November 27, 2023, and continued until January 12, 2024. The Court admitted over 100 defense exhibits.

2. Many of the exhibits contain voluminous amounts of confidential information that is subject to privacy protections in accordance with Fed. R. Crim. P. 49.1 and/or CM/ECF Administrative Procedures, Section 6.

3. Local Rule 5.3(3)(C) provides:

The following exhibits shall be exempt from mandatory electronic filing and service in the CM/ECF system:

When permitted by order of the Court, exhibits containing voluminous amounts of confidential information that is subject to privacy protections in accordance with Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, or other applicable rule or statute; within ten (10) days of the conclusion of the hearing or trial, unless otherwise ordered, such exhibits must be delivered to the Clerk of the Court either in original physical form or on a CD, DVD, or other electronic medium

containing a copy of the exhibit, but such exhibits are not to be filed and served in the CM/ECF system, and the filer is not required to comply with CM/ECF Administrative Procedures, Section 6, Redaction of Personal Information, Privacy Policy, and Inappropriate Materials.

4. On January 16, 2024, the government obtained approval from the Court to file its trial exhibits with the Clerk of the Court on a thumb drive, in accordance with S.D. Fla. Local Rule 5.3(3)(C). [D.E. 184].

5. Defendant seeks the same relief via this Motion. Defendant must also file some exhibits with the Clerk of the Court, as several defense exhibits are images and videos that are not able to be filed on PACER.

6. Defendant also seeks a one-day extension of time, until January 23, 2024, to file its admitted exhibits on a thumb drive with the Clerk of the Court.

7. This one-day extension is not sought for purposes of delay and will not prejudice any party.

8. Undersigned counsel met and conferred with counsel for the United States, who advised that the government does not oppose this motion.

9. A proposed order is attached.

WHEREFORE, Defendant respectfully request an order permitting the filing of defense exhibits on a thumb drive with the Clerk of the Court, and for a one-day extension of time to do so, until January 23, 2024.

Dated: January 22, 2024.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 22, 2024, the foregoing document was filed via the Court's CM/ECF system to all counsel of record.

/s/ Christopher Cavallo

Christopher Cavallo