

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

DANIEL ERIC JAY

Criminal Action No.

1:20-CR-228-MHC-JKL

MOTION TO CONDUCT FARETTA HEARING REMOTELY

Undersigned counsel respectfully requests that the Court conduct the upcoming *Faretta* hearing remotely and permit the parties to appear via Zoom.

Background

On July 9, 2020, Defendant Jay was arrested by a criminal complaint in the Western District of Pennsylvania. Doc. 1. On July 28, 2020, a grand jury returned a First Superseding Indictment charging Jay with bank fraud. Doc. 41. On November 19, 2020, a grand jury returned a second superseding indictment charging Jay with bank fraud, wire fraud, and wire fraud conspiracy. Doc. 96.

On January 5, 2021, undersigned counsel moved to withdraw as counsel. Doc. 130. On January 7, 2021, this Court scheduled an in-person *Faretta* hearing to take place on February 12, 2021. Doc. 132.

Request

Undersigned counsel respectfully requests that the upcoming *Faretta* hearing be conducted over Zoom. An in-person hearing would require Mr. Jay to travel from Pennsylvania to Atlanta, Georgia. Given the COVID-19 pandemic, as

well as Mr. Jay's responsibility as a caretaker for his elderly father, a remote hearing would avoid the risks associated with interstate travel during a pandemic. There is also an ongoing possibility of inclement weather, which has the potential to interfere with Mr. Jay's travel plans. Mr. Jay has agreed to conduct this hearing via Zoom.

Respectfully submitted 9th day of February 2021.

/s/ Kamal Ghali
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed this day with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to all parties of record.

Respectfully submitted 9th day of February 2021.

/s/ Kamal Ghali

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