

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	1:24-CR-00358-KMW-1
	)	
TOMMY HAWKINS	)	

MOTION FOR EXTENSION OF TIME TO VOLUNTARILY SURRENDER

Mr. TOMMY HAWKINS, pursuant to 18 U.S.C. § 3143(a)(1), respectfully moves this Court to extend the deadline for voluntary surrender until January 5, 2025.

I. Relevant Procedural History

On May 28, 2024, Mr. Hawkins pleaded guilty to one count of conspiracy to commit mail fraud in violation of 18 U.S.C. § 1349 (Count One). (Plea Agmnt., ECF No. 5.) On that same day, this Court released Mr. Hawkins on conditions pending sentencing. (Order, ECF No. 7.) On October 24, 2024, this Court sentenced Mr. Hawkins to sixty-five months' imprisonment, three years of supervised release, \$5,296,279.11 in restitution, and a \$100 special assessment. (J., ECF No. 17.) On November 26, 2024, undersigned counsel filed a Notice of Appearance. (ECF No. 18.)

II. Factual Assertions

Mr. Hawkins respectfully submits that he received his letter from the BOP on November 12, 2024, notifying him to report to Beckley FC SPC on December 3, 2024. *See* Letter from Susan M. Smalley, United States Probation Officer, N.J.D., to Tommy Hawkins (Nov. 5, 2024).¹ Mr. Hawkins currently has no one to care for his home while he is incarcerated. While he is working diligently to make arrangements for either family to care for his home or to rent it out, with the holidays approaching, he requires more time to finalize plans and to transition his personal property in to storage. Additionally, Beckley, West Virginia is a ten-hour drive from Mr. Hawkins' home, and therefore, he will need to begin traveling at least the day before he is scheduled to surrender. Also, a self-surrender date of January 5, 2025, will allow Mr. Hawkins to spend a final holiday season with his family which will encourage rehabilitation efforts while in custody by reminding him of what he's going to be missing while incarcerated.

Finally, Mr. Hawkins respectfully submits that this Court released Mr. Hawkins on conditions pending sentencing. Mr. Hawkins has not violated any of these conditions. Thus, this Court can extend Mr. Hawkins' self-surrender date knowing that Mr. Hawkins has proven himself to be not a flight risk or danger to

¹ Mr. Hawkins respectfully clarifies that while the letter is dated November 5, 2024, he actually received the letter on November 12, 2024.

the community.

III. Argument and Citation of Authority

This Court has the authority to extend Mr. Hawkins' surrender date. *See* 18 U.S.C. § 3143(a)(1).

IV. Conclusion

Mr. Hawkins, based on the foregoing assertions and argument, prays that this Court extends the self-surrender date until January 5, 2025.

Date: November 26, 2024

Respectfully Submitted,

s/ Katryna Lyn Spearman
Katryna Lyn Spearman, Esq.
Ga. Bar # 616038
kspearman@lowtherwalker.com

Lowther | Walker LLC
101 Marietta St., NW, Ste. 3650
Atlanta, GA 30303
404.496.4052
www.lowtherwalker.com

Attorney for Defendant
Tommy Hawkins

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CERTIFICATE OF SERVICE

I certify that on November 26th 2024, I electronically filed the foregoing MOTION TO EXTEND VOLUNTARY SURRENDER DATE with the Clerk of the United States District Court for the District of New Jersey by way of the CM/ECF system, which automatically will serve this document on the attorneys of record for the parties in this case by electronic mail.

Date: November 26th 2024

Respectfully Submitted,

s/ Katryna Lyn Spearman

Katryna Lyn Spearman, Esq.

Ga. Bar # 616038

kspearman@lowtherwalker.com

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