

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date:	4/5/2024	Case Number:	2:24-cr-00053
Case Style:	USA vs. Lydia Spencer		
Type of hearing:	Plea Hearing		
Before the Honorable:	2516-Berger		
Court Reporter:	Lisa Cook	Courtroom Deputy:	Kierstin Tudor
Attorney(s) for the Plaintiff or Government: Holly Wilson			
Attorney(s) for the Defendant(s): Rachel Zimarowski			
Law Clerk:	Isabella Anderson		
Probation Officer:	Michele Wentz		

Court Times

Start Time	End Time	Court Time Description
9:59 AM	10:57 AM	Non-Trial Time/Uncontested Time

Time in court: 0 hours and 58 minutes. Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 10:00 a.m.

Actual Start 9:59 a.m.

Defendant present in person and by counsel.
 Counsel note appearances on the record.
 Defendant placed under oath.
 Court FINDS Defendant competent to go forward.
 Ms. Wilson summarizes plea agreement.
 Court DEFERS acceptance of plea agreement but ORDERS original plea agreement filed.
 Defendant waives reading of Information.
 Defendant pleads guilty to charge in single-count Information.
 Defendant advised of right to be indicted.
 Defendant executes waiver of indictment; same witnessed by counsel.
 Court ACCEPTS waiver of indictment.
 Court reads statute with which Defendant is charged.
 Defendant advised of elements of offense which Government would have to prove at trial.
 Defendant gives her account of the offense.
 Government provides a proffer re: factual basis for the plea.
 Defendant advised of the penalties which may apply based upon the plea.
 Defendant advised of right to plead not guilty, to remain silent, and to stand trial.
 Defendant executes written guilty plea form; same ORDERED filed.
 Court FINDS Defendant is competent and capable of entering an informed plea.
 Court FINDS sufficient factual basis for Defendant's plea.
 Court FINDS that Defendant understands the consequences of the plea.
 Court FINDS that Defendant understands the rights being given up.
 Court FINDS Defendant's plea to be voluntary.
 Court ACCEPTS plea.
 Court ADJUDGES Defendant guilty.
 Sentencing SCHEDULED for July 25, 2024, at 10:00 a.m.
 Defendant REMANDED pending sentencing.
 Court holds deadlines in 2:23-cr-118 in abeyance.
 Court recessed at 10:47 a.m.