

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA)
)
 v.) Case No. 4:22-CR-084
)
 BERNARD OKOJIE)

**GOVERNMENT’S MOTION FOR LEAVE TO FILE LATE RESPONSE TO
DEFENDANT’S OBJECTIONS TO GOVERNMENT’S RULE 404(B) NOTICE**

COMES NOW the United States of America, by and through David H. Estes, United States Attorney for the Southern District of Georgia, and the undersigned Assistant United States Attorney, and requests permission to file the attached Response to Defendant's Objections to Government's Rule 404(b) Notice. (Exhibit A).

On December 23, 2022, the court ordered Defendant to file any objections to the Government's Rule 404(b) notice on or before January 13, 2023. (Doc. 54). The court further ordered the Government to file its response to any objections within 14 days from the date Defendant filed his objections. (*Id.*). Defendant filed his objections timely on January 9, 2023. (Doc. 56). Thus, the Government's response to those objections was due on or before January 23, 2023. Undersigned counsel recently appeared in this case to replace departing Assistant United States Attorney Jonathan Porter. (Docs. 49, 50, 51). The undersigned, due to a lack of familiarity with the case, incorrectly believed that Judge Wood's order adopting the Report and Recommendation in this case eliminated the need for the Government to

file a response to Defendant's objections. (Doc. 57). On January 30, 2023, the undersigned recognized her mistake and is now seeking leave to file a late response to Defendant's objections.

The undersigned communicated with counsel for Defendant on January 30, 2023 and he does not oppose this motion. The Government respectfully submits that, given the nature of the Government's response and the fact that the case has not yet been set for trial, Defendant will not be prejudiced by the late filing of the Government's Response.

Respectfully submitted this 30th day of January 2023.

DAVID H. ESTES
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CERTIFICATE OF SERVICE

This is to certify that I have on this day served all parties in this case in accordance with the notice of electronic filing (“NEF”) which was generated as a result of electronic filing in this Court.

Respectfully submitted this 30th day of January 2023.

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