

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO: 6:22-cr-201-WWB-LHP

EVAN EDWARDS

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: GOVERNMENT’S UNOPPOSED, TIME SENSITIVE
MOTION FOR ORDER DIRECTING THE RELEASE
OF DEFENDANT’S MEDICAL RECORDS (Doc. No.
153)**

FILED: April 26, 2024

THEREON it is ORDERED that the motion is GRANTED.

On March 18, 2024, pursuant to 18 U.S.C. § 4241(d)(1), Presiding District Judge Wendy W. Berger committed Defendant Evan Edwards to the custody of the Attorney General, for hospitalization of the Defendant for treatment in a suitable facility for such a reasonable period of time—not to exceed four months—as is necessary to assess whether there is a substantial probability that in the foreseeable future Defendant will attain the capacity to permit the proceedings in this action to go forward. Doc. No. 136. *See also* Doc. No. 152. Judge Berger further ordered

that Defendant's failure to report to the designated facility as directed would be considered a violation of his pretrial release conditions. Doc. No. 136, at 6.

On March 28, 2024, Judge Berger modified her prior Order, directing the United States to provide a new surrender date to the Bureau of Prisons which would afford sufficient time for transport of Defendant. Doc. No. 145. Judge Berger's Order specifically directed Defendant to "coordinate with the USMS to determine a date on which he shall voluntarily surrender to the custody of the USMS for timely transport to the designated facility. Defendant shall cooperate in the collection of all necessary information by the USMS for the purposes of obtaining medical clearance to be transported." *Id.*, at 2. On April 5, 2024, the United States filed a notice stating that the new surrender date to FMC Devens is May 15, 2024 by 2:00 p.m. Doc. No. 148.

By the present motion, which Defendant's counsel does not oppose, the United States represents that Defendant's third-party custodian, Mary Jane Edwards, is failing to cooperate in the collection of medical information and failing to comply with Judge Berger's March 28, 2024 Order. Doc. No. 153. The United States details the efforts that Defendant's counsel, the United States Marshals Service ("USMS"), and the United States Attorneys Office have undertaken to date, but without the information requested from Mrs. Edwards, the USMS are able to transport Defendant to FMC Devens by the May 15, 2024 surrender date. *Id.* The United States therefore requests an order directing Defendant, through his third-

party custodian Ms. Edwards, to submit to the Court the name of his medical provider on or before April 29, 2024, and to direct the medical provider (once identified) to provide certain medical information to the USMS on or before May 3, 2024. *Id.*, at 5-6.

Upon consideration, and given the lack of objection, the motion (Doc. No. 153) is **GRANTED**. On or before **5:00 p.m. on Monday, April 29, 2024**, Defendant, through his third-party custodian Mary Jane Edwards **SHALL** submit to the Court the name of Defendant's Medical Provider. The Medical Provider (once identified) is **ORDERED** to provide the Medical Information listed on Exhibit A to the motion (Doc. No. 153-1) to the USMS (care of Supervisory DUSM Penelope Knox) by **5:00 p.m. on Friday, May 3, 2024**. Counsel for Defendant is **ORDERED** to provide a copy of Exhibit A and this Order to the Medical Provider once identified. **Given the fast-approaching surrender date for Defendant, these deadlines will not be extended.**

The undersigned reminds both Defendant and Mary Jane Edwards of Mrs. Edwards' obligations as a third-party custodian - in particular to supervise Defendant in accordance with all conditions of release and to use every effort to assure the appearance of Defendant at all scheduled court proceedings. Doc. No. 114, at 3. The undersigned considers surrendering to FMC Devens and cooperating with the United States Marshals as ordered by Judge Berger to fall within the duties that Mrs. Edwards agreed to abide by. In other words, any

continued failure to comply with Judge Berger's Orders may result in further proceedings, including a revocation of pretrial release hearing and other sanctions as afforded by the law.

DONE and **ORDERED** in Orlando, Florida on April 26, 2024.

A handwritten signature in blue ink that reads "Leslie Hoffman Price". The signature is written in a cursive style with a horizontal line underneath it.

LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE