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May 30, 2024

Honorable Elizabeth A. Pascal
United States Magistrate Judge
Mitchell H. Cohen Federal Courthouse
One John F. Gerry Plaza, Fourth & Cooper Streets
Camden, New Jersey 08101

Re: United States v. Eric Rivera, et al. Crim. No. 24-267 (KMW)

Dear Judge Pascal:

Defendants Eric Rivera, Adrienne Ponzo, and James Wessels were indicted on April 17, 2024. On April 23, 2024, this Court conducted an arraignment of Eric Rivera. At the conclusion of the arraignment, the Court issued the following order:

> TEXT ORDER: Having conducted an arraignment with Defendant Eric Rivera, and the Court noting that Pretrial Services has not received verification of employment from Defendant since July 21, 2023, as required by his conditions of release, the Court ORDERS Defendant to submit verification of employment to Pretrial Services no later than April 30, 2024. In addition, Defendant having notified the Court that he has retained private counsel, private counsel shall enter his appearance on the docket no later than May 7, 2024. So Ordered by Magistrate Judge Elizabeth A. Pascal on 4/24/2024.

ECF No. 27.

Rivera has not complied with the deadline ordered by the Court. Private counsel has not entered an appearance on the docket, and on May 30, 2024, Rivera's anticipated private counsel communicated to the undersigned that they had not yet been retained by Rivera.[1]

[1] On May 30, 2024, Rivera's Pretrial Services officer advised the undersigned that Rivera had not yet provided satisfactory verification of employment to Pretrial Services. Pretrial Services has given Rivera a new deadline of June 3, 2024 to provide the necessary materials.

In addition, the scheduling order agreed to by the parties and signed by Judge Williams required each defendant to provide hard drives capable of receiving discovery to the Government on or before May 8, 2024. ECF No. 29. Neither Rivera nor his counsel of record has provided hard drives to the Government; accordingly, the Government has been unable to provide discovery to Rivera.

The Government respectfully requests the Court set a status conference to address these issues.

Respectfully submitted,

PHILIP R. SELLINGER
United States Attorney

/s/ Daniel A. Friedman
By: DANIEL A. FRIEDMAN
JASON M. RICHARDSON
Assistant U.S. Attorneys

cc: Thomas Burke, Esq. (Via ECF)
Nicholas Zotti, U.S. Pretrial Services Officer (Via Email)