UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. JOSHUA EDWARDS, Defendant.	)	Case No. 6:22-cr-201-WWB-LHP

DEFENDANT JOSHUA EDWARDS' UNOPPOSED MOTION FOR AN IN-PERSON STATUS CONFERENCE BEFORE THE ASSIGNED U.S. DISTRICT JUDGE WITH THE DEFENDANT'S PRESENCE REQUIRED

The Defendant, Joshua Edwards ("Mr. Edwards"), by and through the undersigned counsel, hereby requests that this Honorable Court schedule a status conference for September 10, 2025 before the assigned U.S. District Judge, the Honorable Wendy W. Berger ("Judge Berger"), with the defendant's presence required for said hearing. In further support of this motion, the undersigned states as follows:

STATEMENT OF FACTS

On December 7, 2022, a federal grand jury returned an indictment charging Mr. Edwards with various fraud offenses, in violation of 18 U.S.C. § 1344, 18 U.S.C. § 1349, 18 U.S.C. § 1014, and 18 U.S.C. § 1546. *See* Doc. 1.

Mr. Edwards's mental competency status was unresolved from the date of his arrest on December 14, 2022, through March 31, 2025, when the Court entered an order adjudicating the defendant competent to stand trial. Docs. 9, 14, 19, 124-125, 209, 215, 242, 251. During this timeframe, Mr. Edwards underwent several competency evaluations. Docs. 69, 71, 72, 96, 97, 121.

Since the undersigned's appointment on February 21, 2024, the undersigned has had significant and consistent difficulties substantively communicating with Mr. Edwards. On numerous occasions, Mr. Edwards has refused to meet with the undersigned when the undersigned has gone to the Orange County Jail to see the defendant. On other occasions where Mr. Edwards has met with the undersigned, he has, for the most part, been unable or unwilling to communicate in any manner that would properly assist in his own defense.

As noted, the Court has already conducted multiple proceedings on the issue of Mr. Edwards's mental competency and has found the defendant competent to proceed to trial. Docs. 242, 251. A status conference is currently scheduled for September 9, 2025 at 9:30 a.m., with a trial set to commence in the October 2025 trial term. Doc. 275.

Since the Court's finding that Mr. Edwards was competent to stand trial, the undersigned has continued to experience challenges in terms of meeting and/or communicating with the defendant. At a hearing on April 8, 2025, Mr. Edwards's

communication with the undersigned briefly improved when he saw his sister in the audience. However, after this hearing, he regressed significantly in his behavior. Specifically, on May 13, 2025, the undersigned attempted an attorney-client video visit but Mr. Edwards did not appear on screen at the scheduled date and time. Later, on May 16, 2025, the undersigned attempted to see Mr. Edwards in-person at the Orange County Jail, however, jail staff informed the undersigned that Mr. Edwards was refusing to meet.

On May 27, 2025, at the undersigned's request, the U.S. Marshals brought Mr. Edwards to the courthouse for an attorney-client meeting. When Mr. Edwards was brought into the room with the undersigned, he put his head down for the entire meeting and refused to speak to the undersigned. The undersigned waited for approximately 20 minutes before leaving Mr. Edwards, who did not say a word to the undersigned.

On June 13, 2025, the undersigned met with Mr. Edwards again at the courthouse. Dr. Kim Spence ("Dr. Spence") accompanied the undersigned to this meeting, with the Court's approval. *See* Docs. 278, 279. Once again, when Mr. Edwards was brought into the room with the undersigned and Dr. Spence, he placed his head down and refused to speak to either the undersigned or Dr. Spence. After approximately 30 minutes, the undersigned and Dr. Spence left Mr. Edwards.

More recently, on July 17, 2025, the Court appointed Corey Cohen, Esq. ("Mr. Cohen") as co-counsel in this case, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Doc. 286. In doing so, the Court found that "given the issues involved and the procedural posture of this case, that this is an extremely difficult case, and that the interests of justice require the appointment of co-counsel to assist Defendant throughout the remainder of this litigation." *Id.* Unfortunately, since Mr. Cohen's appointment, Mr. Edwards has continued to present difficulties with regard to his ability to communicate with counsel. On July 24, 2025, the undersigned and Mr. Cohen met with Mr. Edwards who "was unable to speak about his case or anything relevant to the proceedings." Doc. 288. Thereafter, Mr. Cohen filed a motion seeking the appointment of a psychiatrist or psychologist to determine Mr. Edwards's present competency status. *Id.* The government filed a response in opposition to this motion. Doc. 291.

On August 25, 2025, the Court held a hearing and denied Mr. Edwards's most recent motion seeking another competency evaluation. Docs. 296, 298. At this same hearing, Mr. Edwards had multiple outbursts, where he spoke aloud and on the record in an indecipherable manner.

As noted above, this case is currently in a trial posture. At the same time, Mr. Edwards continues to be unable or unwilling to communicate with his attorneys. Further, Mr. Edwards has recently exhibited erratic behavior in Court.

Based on the status of the case and Mr. Edwards's inability or unwillingness to communicate with counsel, the undersigned would like to have a status conference before Judge Berger so that she can address the undersigned's concerns regarding Mr. Edwards's current condition, as well as schedule an appropriate trial date in this matter. Given the challenges that Mr. Edwards has presented, the undersigned and Mr. Cohen further believe that the defendant's presence should be required at the status conference.

The undersigned has conferred with the government and the government does not oppose this motion. Moreover, the Court's staff has advised the undersigned that September 10, 2025 is an available date for holding the requested status conference.

MEMORANDUM OF LAW

Pursuant to Rule 17.1 of the Federal Rules of Criminal Procedure, the Court "[o]n its own, or on a party's motion, . . . may hold one or more pretrial conferences to promote a fair and expeditious trial." Fed. R. Crim. P. 17.1. "This rule is essentially a codification of the court's inherent power to manage the litigation before it." *United States v. Coia*, 719 F.2d 1120, 1123 (11th Cir. 1983). At such hearings, "[t]he government may not use any statement made during the conference by the defendant or the defendant's attorney unless it is in writing and is signed by the defendant and the defendant's attorney." Fed. R. Crim. P. 17.1.

Here, a status conference is requested "to promote a fair and expeditious trial." The undersigned and Mr. Cohen are concerned about Mr. Edwards's recent in-Court behavior and his current inability/unwillingness to communicate with counsel. The undersigned and Mr. Cohen would like to address these concerns with Judge Berger before a trial date is selected.

CONCLUSION

WHEREFORE, the Defendant, Joshua Edwards, respectfully requests that the Court schedule a status conference for September 10, 2025 before U.S. District Judge Wendy W. Berger, with the defendant's presence required.

Respectfully submitted on this 25th day of August, 2025.

/s/ Andrew C. Searle
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY on August 25, 2025, I filed a copy of the foregoing with the Clerk of the Court via the CM/ECF system. I further certify that all parties to this case are equipped to receive service of documents via that system.

/s/ Andrew C. Searle

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