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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>v.<br><br>CASSIE WILL-DARNALL,<br><br>Defendant. | Case No. 5:24-cr-292-PCP<br><br>**UNITED STATES' OPPOSITION TO DEFENDANT'S MOTION TO EXTEND SELF-SURRENDER DATE (DOC. 118)** |

The United States opposes Defendant Cassie Will-Darnall's Motion To Extend Self-Surrender Date (Doc. 118). Because circumstances have not materially changed since sentencing, the Motion schedule denied.

The Defendant seeks to extend her self-surrender date by 60 days so she can "hire and train a replacement caregiver for her mother," who purportedly requires daily care. (Doc. 118.) The Defendant claims that her mother Sandra Will "does not currently have a caregiver. Her caregiver left on Dec 9th 2025." (Doc. 118-1 at 6.) She also claims that claims her mother "receives no daily care aside from my assistance." (*Id.*) The facts of this case show otherwise.

On December 18, 2025, the Defendant filed an unopposed motion seeking to extend her self-surrender date by five so that she could participate in a mediation relating to child custody. (Doc. 113.)

The Court granted that motion. (Doc. 114.) In her first request to extend the self-surrender date, the Defendant did not mention that her mother needed a new caregiver. U.S. Pretrial Services Officer Yaneyla Arevalo Arellano confirmed to the undersigned that the Defendant travelled to Colorado from December 17 through 23, 2025 for a ski trip approved by the Court. (*See* Doc. 107.) The Defendant's mother did not go on this trip. (Ex. 1 at 2.)

It appears that the current request is simply an effort to delay the Defendant's inevitable self-surrender. Other than the Defendant's uncorroborated self-serving statements submitted in support of the instant Motion, there is no evidence to support this request. Defense counsel told the undersigned he was "advised that the former caregiver was Esther Moomjian." (Ex. 2.) Ms. Moomjian spoke to the Court in support of the Defendant at the sentencing on September 24, 2025. She described the Defendant as her "best friend," who she has known for over 25 years. Doc. 100 at 17:16.) At the time of the sentencing, the Defendant was seeking a non-custodial sentence in part to care for her mother and her son. (Doc. 84 at 27:9-24.)

Ms. Moomjian told the Court, "I actually live with Sandra, but I am not her caretaker. I am never home. I have a completely separate life . . . . It is true, Cassie has been her primary caretaker. She's been very patient, more patient than I could be." (Doc. 100 at 16:16-18, 23-24.) Ms. Moomjian moved out of Ms. Will's home in December and moved into the Defendant's rental until attached to the Defendant's residence located at 111 Belwood Gateway, Los Gatos, CA. (Ex. 2.) The Court ordered Defendant to forfeit her interest in that property at sentencing. (Docs. 100 at 40:17-20, 111 at 7.)

The Defendant claims that her mother is unable to dress, bathe, or manage her medications without assistance. (Doc. 118 at 1: 27-28.) The Court has the opportunity to evaluate Ms. Will at the Defendant's sentencing. At that hearing, Ms. Will told the Court that she depends on the Defendant "not just for everyday tasks, including reading the documents and bills, using technology and the phone, organizing and attending doctor meetings and medicines and keeping me safe, but also for emotional support." (Doc. 100 at 14:3-7.) The Court considered this information when imposing its custodial sentence. Moreover, Ms. Will apparently does not have a caregiver. (Ex. 1 at 2.) She lives alone and golfs several times a week. (*Id.*) The Defendant's ex-wife and the mother of her son informed law enforcement that the Defendant took their son to the driving range in late December. (*Id.*)

It is not credible that the Defendant's best friend "unexpectedly quit" caring for Ms. Will and moved into the Defendant's rental unit, that the Defendant left her mother to go on a week-long ski trip without any caregiver in place for a woman who purportedly cannot dress or bathe herself, and that her mother is unable to care for herself. (*See* Doc. 118-1 at 6 (Defendant claims her mother "receives no daily care aside from my assistance.").

It appears that the Defendant may be seeking a 60-day continuance in the hope that she can again take her son to spring training in Arizona in March. (Ex. 1 at 1.) The Defendant previously misled U.S. Pretrial Services and the government by seeking permission to travel for a memorial service without disclosing that the week-long the trip was to spring training in Arizona with her son. (Ex. 3.) The Court subsequently approved the travel with more information. (Docs. 37, 28.) It also appears the Defendant may be drinking alcohol in violation of her conditions of release. (Ex. 1 at 1-2.)

It is time for the Defendant to start serving her sentence. This Motion is a last-ditch effort to delay serving her sentence. The Court previously considered the needs of the Defendant's family in fashioning its sentence. Nothing has materially changed since that decision in September. The Motion should be denied.

DATED: January 7, 2026

Respectfully submitted,

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United States Attorney

/s/
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