UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-80103-CR-CANNON

UNITED STATES OF AMERICA

v.

DUSTIN SEAN MCCABE,

Defendant.
_____/

UNOPPOSED MOTION TO AMEND JUDGMENT AS TO RESTITUTION AMOUNT

The United States of America hereby moves the Court unopposed to amend the judgment in this case, DE 127, to reflect $44,741.06 in restitution owed to the victims in this case and to cancel the restitution hearing now set for October 30, 2025. In support, the Government respectfully submits the following:

PROCEDURAL BACKGROUND

1. On August 22, 2024, a grand jury sitting in the Southern District of Florida returned an indictment charging the Defendant with one count of seaman's manslaughter, in violation of 18 U.S.C. § 1115, one count of making a false statement within the jurisdiction of an agency of the United States, in violation of 18 U.S.C. § 1001(a)(2), and three counts of wire fraud, in violation of 18 U.S.C. § 1343. DE 3. He made his initial appearance in this District and was arraigned on September 20, 2024, and was released on bond. DE 13.

2. The Defendant proceeded to trial in February 2025, and a federal jury found him guilty on all counts after a seven-day trial. *See* DE 83.

3. On August 6, 2025, this Court sentenced the Defendant to 100 months in prison, followed by three years of supervised release. *See* DE 125; DE 127. The Court's judgment also

included a Criminal Monetary Penalties section that did not set the restitution amount, setting a future hearing on October 30, 2025, to determine that amount. *See* DE 126. The Court further provided that the parties must file any "relevant motions, responses, or stipulations on the matter of restitution" by October 20, 2025. DE 126.

BASIS FOR REQUEST AND REQUEST FOR THIS COURT TO AMEND THE JUDGMENT

4. In the months since sentencing, the Government has made inquiries and determined that the appropriate amount of restitution in this case to be $44,741.06, which consists of victim losses. This amount consists of $5,606.13 due to Tiffany Ghiz, the victim's sister, for funeral and travel expenses to attend the proceedings, as well as $39,135 due to the United States Treasury. The Government has supplied supporting documentation to the defense, and the defense does not contest this amount as an appropriate restitution judgment in this matter.

5. The Government therefore moves this Court to amend the judgment in this matter to reflect $44,741.06 in restitution payable to the victims, to be paid in the manner described in the terms set forth in the Judgment. The United States will provide the Probation Office with a victim list containing contact information for remittance of payment.

6. The undersigned Assistant United States Attorney has conferred with Terrence O'Sullivan and Calisha Francis, counsels for the Defendant, who have indicated that the Defendant does not oppose this motion.

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WHEREFORE, the United States respectfully requests that the Court amend its judgment in this case to reflect a restitution amount of $44,741.06, to be paid in accordance with the conditions set forth in the judgement and cancel the restitution hearing.

Date: October 20, 2025

Respectfully submitted,

JASON A. READING QUIÑONES
UNITED STATES ATTORNEY

BY: */s/ Jacob Koffsky*
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CERTIFICATE OF CONFERRAL

I HEREBY CERTIFY that on June 10-11, 2025, the Government conferred with Terrence O'Sullivan and Calisha Francis, attorneys for the Defendant, who indicated that the defense does not oppose this motion.

/s/ Jacob Koffsky
Jacob Koffsky
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 20, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

/s/ Jacob Koffsky
Jacob Koffsky
Assistant United States Attorney