IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

UNITED STATES OF AMERICA
V.
BARRETT LANCASTER BROWN

Case No: 3:12-CR-317-L 3:12-CR-413-L Hon. Sam A. Lindsay

UNCONTESTED MOTION TO CONTINUE DEADLINE TO SUBMIT OBJECTIONS TO PRESENTENCE REPORT

Defendant BARRETT LANCASTER BROWN files this agreed motion for a continuance and in support thereof, would show the Court the following:

I.

This matter is presently scheduled for sentencing on October XX, 2014. The U.S. Probation Office filed their presentence report on August 8 2014, with objections currently due on August 22, 2014.

The undersigned has encountered an unexpected issue that may not allow timely filing on August 22, 2014. A continuance of **one business day** is needed to address the issue. The continuance would move the deadline to submit objections to August 25, 2014.

The continuance will not effect any hearing or sentencing dates. The undersigned has conferred with the U.S. Probation Office, who is in agreement with this request. The undersigned has also attempted to confer with counsel for the government, who was out of the office and has not had an opportunity to respond.

II.

WHEREFORE, PREMISES CONSIDERED, Defendant Brown moves to continue the

deadline to submit objections to the presentencing report by one business day to August 25,

2014.

Respectfully submitted, <u>-s- Ahmed Ghappour</u> AHMED GHAPPOUR *Pro Hac Vice* UC Hastings College of the Law 200 Macallister St. San Francisco, CA XXXXX 415-598-8508 ghappour@uchastings.edu

CHARLES SWIFT *Pro Hac Vice* Swift & McDonald, P.S. 1809 Seventh Avenue, Suite 1108 Seattle, WA 98101 206-441-3377 206-224-9908 (facsimile) cswift@prolegaldefense.com

MARLO P. CADEDDU TX State Bar No. 24028839 Law Office of Marlo P. Cadeddu, P.C. 3232 McKinney Ave., Suite 700 Dallas, TX 75204 214.744.3000 214.744.3015 (facsimile) mc@marlocadeddu.com Attorneys for Barrett Lancaster Brown

CERTIFICATE OF CONFERENCE

I certify that on August 20, 2014, I conferred with the U.S. Probation Office who does not object to the relief as requested, and on August 21, 2014 I attempted to confer with Ms. Candina Heath, counsel for the government, and received a message informing me that she is out of the office.

/s/ Ahmed Ghappour AHMED GHAPPOUR /s/ Charles Swift CHARLES SWIFT /s/ Marlo P. Cadeddu MARLO P. CADEDDU Attorneys for Barrett Lancaster Brown

CERTIFICATE OF SERVICE

I certify that today, August 21, 2014, I filed the instant motion using the Northern District of Texas's electronic filing system (ECF) which will send a notice of filing to all counsel of record.

/s/ Ahmed Ghappour AHMED GHAPPOUR /s/ Charles Swift CHARLES SWIFT /s/ Marlo P. Cadeddu MARLO P. CADEDDU Attorneys for Barrett Lancaster Brown

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	Criminal Nos. 3:12-CR-317-L
	§	3:12-CR-413-L
BARRETT LANCASTER BROWN	ş	

<u>ORDER</u>

Before the court is the Uncontested Motion to Continue Deadline to Submit Objections to Presentence Report (Doc. 122), filed August 21, 2014. The court **grants** the Uncontested Motion to Continue Deadline to Submit Objections to Presentence Report (Doc. 122). Accordingly, Defendant's deadline to file objections to the Presentence Report is extended to **August 25, 2014**. If written objections to the Presentence Report have been timely made, the probation officer must disclose any revisions or addendum to the Presentence Report by **4:00 p.m., September 2, 2014**. Written objections to these revisions or addendum must be delivered to the court and the probation officer by **4:00 p.m., September 9, 2014**. All other matters set forth in the court's June 19, 2014 Amended Scheduling Order remain unchanged.

It is so ordered this 25th day of August, 2014.

7. Jindsay

Sam A. Lindsay United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	NO. 3:12-CR-317-L
VS.	§	NO. 3:12-CR-413-L
	§	
BARRETT LANCASTER BROWN	§	

GOVERNMENT'S MOTION TO ADD ATTACHMENT A TO THE PLEA AGREEMENT

The United States Attorney for the Northern District of Texas, by and through the undersigned Assistant United States Attorney, files its Motion to Add Attachment A to the Plea Agreement. The Plea Agreement was inadvertently filed without Attachment A. To rectify the omission, the government files this Motion, and respectfully requests the Court to consider the attached Attachment A as part of the previously filed Plea Agreement.

Respectfully submitted,

SARAH R. SALDAÑA UNITED STATES ATTORNEY

<u>/s/Candina S. Heath</u> CANDINA S. HEATH Assistant United States Attorney Texas State Bar No. 09347450 1100 Commerce Street, Third Floor Dallas, Texas 75242-1699 Tel: 214.659.8600 Fax: 214.767.2846 candina.heath@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2014, I electronically filed the foregoing document with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to Brown's attorneys of record.

<u>S/ Candina S. Heath</u> CANDINA S. HEATH Assistant United States Attorney

CERTIFICATE OF CONFERENCE

I hereby certify that on August 1, 2014, I conferred with Barrett Brown's attorney, Ahmed Ghappour, who did not oppose this motion.

<u>S/ Candina S. Heath</u> CANDINA S. HEATH Assistant United States Attorney

ATTACHMENT A

1B3	Item 1	Xbox 360 game console Ser#170792211008
1B4	Item 2	Olympus Digital Voice Recorder VN-5000
1B5	Item 3	One CD-R
†	Item 8	Two CD-R's
†	Item 14	One CD-R
↑	Item 15	Six CD-R's
1B6	Item 4	AT&T 2Wire Gateway Modem Ser#991019147969;
†	Item 9	PC Game "Fallout Trilogy"
1B7	Item 5	HP G72 Laptop Ser#5CB1041K73
1B8	Item 6	Notepad
†	Item 10	Staples Notepad
†	Item 11	Handwritten notes
†	Item 12	Handwritten notes and calendar
†	Item 13	Handwritten notes
†	Item 16	Handwritten notes
1B9	Item 7	Apple IMAC Computer Ser#QT2138LWLF4
1B10	Item 1	Apple IPhone in a "ballistic" case
1B11	Item 2	Leafy green substance in a ziplock bag
1B13	Item 4	Toshiba laptop, Model PSAG0U-0CX01V, Ser#39456859Q
1B14	Item 5	Palm Zire 21 PDA Ser#OOV7V5T4B4MF
†	Item 8	Olympus Digital Voice Recorder VN-7000 with box
1	Item 9	Sony M-470 Microcassette recorder with Microcassette
↑	Item 12	Canon Digital Camera Ser#5155748
1B15	Item 6	Toshiba 250GB External Hard Drive Ser#59E1S0TTSFD6
1B16	Item 7	Green notebook
↑	Item 11	Notes and papers from desk
↑	Item 19	Handwritten notes and papers
1B17	Item 10	Three CD-R's and One diskette
↑	Item 14	Twelve CD's and DVD's
1B18	Item 13	AT&T Blackberry (red cover)
1B20	Item 16	Toshiba Qosmio Laptop Ser#XA303478W
1B25	Item 15	Sony Vaio Laptop, Model PCG-2131L with power cord
1B26	from Item 15	Seagate Momentus 250GB hard drive Ser#6VC2L73M
1B27	Item 17	HP Laptop with Microsoft #00196-201-523-987
1B28	from Item 17	Hitachi hard drive Ser#11081612180053HJMP0C
1B1	Item 1	Papers from desk
1	Item 5	Book – The Declaration of Independence
1B2	Item 2	Toshiba Satellite Laptop Ser#2C115999K with power adapter
1B3	Item 3	Apple iPhone Model A1387
1B4	Item 4	One CD

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	§	3:12-CR-413-L
BARRETT LANCASTER BROWN	Ş	

ORDER

Before the court is the Government's Motion to Add Attachment A to the Plea Agreement, filed August 26, 2014. After consideration, the court determines that the motion should be and is hereby **granted**. Accordingly, attachment A, which was submitted as an exhibit to the government's motion, shall be considered a part of Defendant's Plea Agreement, filed April 2, 2014.

It is so ordered this 29th day of August, 2014.

Sindsay Sam A. Lindsav

Sam A. Lindsay United States District Judge