

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

**Case No. 19CR151**

FRANCISCO MARTINEZ,

Defendant

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STATUS REPORT AND REQUEST FOR CALENDARING OF  
HEARING ON DEFENDANT'S MOTIONS TO SUPPRESS  
EVIDENCE

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The defendant, Francisco Martinez, by counsel, Edward J. Hunt, Hunt Law Group, S.C., provides this Status Report and requests that a hearing be scheduled on defendant's Motions to Suppress Evidence. In support of this Status Report and request that a hearing be scheduled the defendant makes the following showing:

1. This matter was scheduled for a hearing on the defendant's Motions to Suppress Evidence for July 27, 2020. Prior to that date, counsel for the Government and defense counsel were engaged in negotiations which were believed in good faith to be leading towards resolution of this case short of trial. Additionally, counsel for the defendant was informed during negotiations with the Government that there may be law enforcement witness problems in that two law enforcement witnesses are traveling from high COVID-19 states (Florida and Arizona) and there may be state rules in effect that prohibit them from traveling to Wisconsin. And so, on July 22, 2020, the defendant filed a Motion to Adjourn Hearing on Motions to Suppress Evidence. (Docket No. 148). On July 23, 2020, the Court entered a text only Order granting Motion to Adjourn Evidentiary Hearing on Defendant's Motions to Suppress Evidence. (Docket No. 149). The clerk was directed to remove the evidentiary hearing from the Court's calendar. The final pre-trial and jury trial dates remain as scheduled. (Id.).

2. The parties hoped to resolve this case through negotiations. The negotiations depended upon an interpretation of key provisions of the United States Sentencing Guidelines as they apply to this particular defendant. On July 24, 2020, counsel for the Government informed counsel for the defendant that a United States Probation Officer had determined that key provisions of the United States Sentencing Guidelines would preclude the defendant's eligibility for a significant sentence reduction. This past Monday evening, July 27, 2020, counsel traveled to Green Bay to present to the client the change in the understanding of the parties as well as the circumstances of the United States Sentencing Guidelines precluding a significant sentence reduction. Since the client is not eligible for a significant sentence reduction as previously expected under the United States Sentencing Guidelines, the client is committed to going to trial once again. All parties sincerely and in good faith engaged in efforts to resolve this case short of trial. Unfortunately, it was not to be.

Accordingly, the defendant requests that the Court schedule again an evidentiary hearing on the defendant's Motions to Suppress Evidence.

Dated this 29<sup>th</sup> day of July, 2020.

Respectfully submitted,

/s/Edward J.Hunt  
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