

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUBEN NMI ORTIZ, JR.,
ALEJANDRO NMI LOPEZ,
HECTOR M. GOMEZ-SALAS,
OSCAR NMI ALONSO,
GABIEL Y. BONILLA,
CEDRIC D. COHEN,
TERRY A. JOHNSON,
RICHARD D. GUYETTE, and
JAMES H. PARKINSON,

19-CR-151

Defendants.

MOTION TO ADJOURN FINAL PRETRIAL AND TRIAL

The United States, by United States Attorney Matthew D. Krueger and Assistant United States Attorney William J. Roach, hereby requests the Court adjourn the final pretrial and trial in the above case and reschedule the matter currently set for trial on March 1, 2021. The government requests the Court convert the final pretrial scheduled for February 5, 2021, 2021, to a counsel only telephone status conference.

As grounds, counsel submit the following:

1. The defendants in this matter have been charged in one or more counts contained in a Superseding Indictment returned on September 10, 2019, which alleges violations of the following: (a) conspiracy to distribute and possess with intent to distribute controlled substances, and possession with intent to distribute controlled substances (21 U.S.C. §§ 841 and 846); (b) possession with intent to distribute controlled substances on certain specified dates; (c) money laundering (18 U.S.C. § 1956); and (d) possession of a firearm in furtherance of a drug trafficking offense (18 U.S.C. § 924(c)).

2. For the reasons set forth below, the government respectfully requests the final pretrial be converted to a counsel only telephone conference status hearing. The government further requests that a new final pretrial hearing and jury trial date be scheduled.

3. In support, the government states that until recently it had been preparing for trial as to defendant Gabiel Bonilla, and discussing plea agreements as to the other defendants. To date, two defendants (Stephanie Ortiz and Francisco Martinez) have entered guilty pleas with sentencing dates scheduled. Approximately two weeks ago, the government met with a cooperating source who alleged that one of the several confidential informants who assisted in the case was involved in conduct warranting law enforcement investigation. Investigators have now met with another cooperating individual as well as the confidential informant concerning this alleged conduct. One further individual needs to be interviewed before the investigation details will be released to the government to determine what, if any, obligations under

Brady/Giglio and other disclosure rules may be triggered. Consequently, all trial preparations and final plea negotiations have been temporarily halted.

4. The government has contacted counsel for the above defendants about this request and can advise that there is no opposition to this request.

5. For these reasons, the government respectfully requests the Court adjourn the jury trial set for March 1, 2021, and convert the final pretrial set for February 5, 2021, to an attorney only telephone conference to discuss further scheduling. Additionally, the government requests the Court find the delay is excludable under the Speedy Trial Act for the reasons stated.

Dated at Green Bay, Wisconsin, this 2nd day of February, 2021.

Respectfully submitted,

MATTHEW D. KRUEGER
United States Attorney

By:

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