

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-151

TERRY JOHNSON,

Defendant.

MOTION TO ADJOURN PLEA HEARING

The United States of America, by and through its attorneys, Richard G. Frohling, Acting United States Attorney, and William J. Roach, Assistant United States Attorney, hereby requests that this Court adjourn the change of plea hearing, currently scheduled for September 24, 2021. The government requests the Court schedule the case for a new change of plea date sometime after October 13, 2021.

As grounds for this motion, the government submits the following:

(1) Terry Johnson has been charged in a Superseding Indictment with various drug charges. His case is currently scheduled for a change of plea hearing on September 24, 2021. The parties believe the case will be resolved by guilty plea but do not have a signed plea agreement at this time. The case has been slightly delayed due to Johnson's recent arrest on drug charges occurring while on release conditions in the above case. Brown County state prosecutors have filed drug charges against Johnson that they are willing to dismiss should a federal charge be filed that accounts for the conduct. The undersigned recently received reports and other evidence

pertinent to that new drug case which needs to be further reviewed and shared with Johnson's counsel. The reports and evidence are not overly voluminous and can be reviewed in short order.

(2) The parties are optimistic that they can reach an agreement on both the charges in the Superseding Indictment and those stemming from his recent arrest. Accordingly, the government requests this Court authorize a brief, several week adjournment of the case to allow the parties to review the new reports and finalize a plea agreement in the case.

(3) The government asserts that Attorney Michelle Jacobs joins in this request on behalf of Johnson. Given their current obligations, the parties jointly request a plea date be scheduled after October 13, 2021.

(4) Should the Court agree to this adjournment, the parties would respectfully request the Court make a Speedy Trial finding that the delay is justified under the stated circumstances.

Dated at Green Bay, Wisconsin, this 23rd day of September, 2021.

Respectfully submitted,

RICHARD G. FROHLING
Acting United States Attorney

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