

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,

Case No. \_\_\_\_\_ -cr- \_\_\_\_\_

Plaintiff,

v.

\_\_\_\_\_,

Defendant.

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**JOINT MOTION TO SCHEDULE CASE FOR CONSOLIDATED PLEA AND  
SENTENCING HEARING AND FOR PREPARATION AND DISCLOSURE OF A  
PRE-PLEA PRESENTENCE REPORT**

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Defendant \_\_\_\_\_, through attorney

\_\_\_\_\_, asks the Court to schedule a date for a consolidated guilty plea and sentencing hearing. Under Federal Rule of Criminal Procedure 32.1(e)(1), the defendant consents to the preparation and pre-plea disclosure of the presentence investigation report. In support of the motion, the defendant states that:

1. The defendant has been charged with \_\_\_\_\_.
2. The parties have reached a plea agreement and the defendant is prepared to plead guilty.
3. The defendant asks the Court to schedule a consolidated plea and sentencing hearing no earlier than 90 days from the date the Court grants this joint motion.

4. The defendant asks the Court to direct the United States Probation and Pretrial Services Office to prepare a presentence report under Fed. R. Crim. P. 32(d) and LR 83.10. The defendant has discussed with counsel the fact that under Fed. R. Crim. P. 32(e)(1), the probation office may not submit the presentence report to the Court or anyone else until after the defendant has pled guilty, unless the defendant has consented to early disclosure in writing. The defendant consents and asks the Court to allow the probation office to disclose the report to the Court and the parties no later than 49 days after this joint motion is granted.

5. Following disclosure of the presentence investigation report, the parties will submit objections within 14 days, and the defendant shall submit an acceptance of responsibility statement within that same time frame. The final presentence investigation report will be disclosed 7 days after receipt of objections. The parties' Positions Regarding Sentencing will be submitted within 10 days after receipt of the final presentence investigation report. The recommendation letter from United States Probation and Pretrial Services Office will be submitted at least 7 days prior to the consolidated plea and sentencing hearing. If necessary, any response to the opposing party's Position Regarding Sentencing must also be filed no later than 7 days before the hearing.

6. Assistant United States Attorney \_\_\_\_\_ does not object to this motion.

7. The defendant agrees that the Court may make a finding that the ends of justice served by the delay in setting the consolidated hearing outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv), and that the Court may exclude the time between the filing of this motion and the date of the consolidated hearing from the Speedy Trial calculation.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_

Counsel for the Defendant

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Assistant U.S. Attorney

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