

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

UNITED STATES,

Plaintiff,

v.

Case No: 6:20-cr-97-GAP-LHP

JOEL MICAH GREENBERG,

Defendant.

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**UNOPPOSED MOTION FOR AN EXTENSION OF TIME UNTIL  
NOVEMBER 21, 2022 TO FILE SENTENCING MEMORANDUM**

The Defendant, JOEL GREENBERG, by and through his undersigned counsel, moves this Honorable Court to extend the date for the filing of his sentencing memorandum from November 15 to November 21, 2022. In support of his request for an extension, Mr. Greenberg states the following:

**STATEMENT OF FACTS**

***Procedural History***

1. On July 11, 2022, this Court entered an Order setting sentencing deadlines in this case. *See* Doc. 148.

2. Pursuant to that Order, the Government timely filed its motion to reduce Mr. Greenberg's sentence under USSG § 5K1.1 on November 10, 2022. *See* Doc. 154.

3. The deadline for the filing of sentencing memorandums in this case is

November 15, 2022.

***Grounds for the Extension***

4. The undersigned requires additional time to file Mr. Greenberg's sentencing memorandum for multiple reasons.

5. Because of the recent tropical storm (Nicole) and associated federal and state court closures on November 9 and November 10, as well as the federal holiday on November 11, 2022, the undersigned has had multiple case matters continued to this week. Indeed, today the undersigned has already spent five hours in both state court and in an extensive proffer with the Government. Both events were continued from last week. Moreover, the undersigned rescheduled his meeting set for last week with another in-custody client for later today. Said meeting is critical as it involves the review and execution of a plea agreement in a case that is set for trial on November 28, 2022. *See United States v. Silfrain et al*, Case No. 6:22-cr-59-WWB-DCI (M.D. Fla. 2022).

6. Additionally, the client was just retained and entered his notice of appearance today in *United States v. Suliman*, Case No. 1:21-cr-6-AW-GRJ (N.D. Fla. Nov. 15, 2022)(date of suppression hearing). The undersigned has been preparing for and will be attending a hearing on Mr. Suliman's motion to suppress, which is scheduled for tomorrow in Gainesville, Florida. *See id.* After that hearing, the undersigned is traveling to San Diego, California for a sentencing hearing on November 17, 2022. *See United States v. Ingram et al*, Case No. 3:21-cr-2216-CAB (S.D. Cal. Nov. 17, 2022)(date of sentencing). The undersigned is returning to

Florida from California on November 18, 2022.

7. Finally, the undersigned's request for additional time to file Mr. Greenberg's sentencing memorandum has been impacted by two recent events in his case. First, the undersigned has been preparing a response to the Government's § 5K1.1 motion, which he intends to file tomorrow. Additionally, the undersigned is currently in the process of resolving an unexpected issue (both today and tomorrow) that could impact Mr. Greenberg's sentence.

8. The undersigned has consulted with United States Attorney Roger Handberg, who does not oppose the requested extension.

#### **MEMORANDUM OF LAW**

Rule 45(b) of the Federal Rules of Criminal Procedure states that “[w]hen an act must or may be done within a specified time period,” the court may extend the time for a good cause on a party's motion.” Fed. R. Crim. P. 45(b)(1). The undersigned is moving for an extension of time to adequately prepare Mr. Greenberg's sentencing memorandum. Considering the seriousness of the penalties that Mr. Greenberg faces, the undersigned submits that the requested extension of until November 21, 2022, is necessary to provide adequate representation to Mr. Greenberg as contemplated by the Sixth Amendment to the United States Constitution.

WHEREFORE, the Defendant, Joel Micah Greenberg, requests that the motion to extend the time for filing his sentencing memorandum be granted and that the time for the filing of the parties' sentencing memorandums be extended

until November 21, 2022.

/s/ Fritz Scheller  
Fritz Scheller

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel in this case on November 14, 2022.

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