



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RCH/AXB/LZ
F. #2022R01030

*610 Federal Plaza
Central Islip, New York 11722*

September 5, 2023

By ECF

The Honorable Joanna Seybert
United States District Court
Eastern District of New York
Central Islip, New York 11722

Re: United States v. Samuel Miele
Criminal Docket No. 23-327 (JS)

Dear Judge Seybert:

The government respectfully submits this letter on behalf of all parties to request an adjournment of the status conference scheduled for September 5, 2023 in the above-referenced matter, and a corresponding exclusion of Speedy Trial time. This is the parties' first request for a continuance and their second request for a Speedy Trial waiver to accommodate ongoing discovery review and plea negotiations.

As the Court will recall, on August 16, 2023, the defendant was arraigned on a five-count indictment charging him with wire fraud and aggravated identity theft. Following the arraignment, on August 21, 2023, citing "meaningful discussions about possible dispositions of this matter," the parties jointly requested that the Court enter an order pursuant to 18 U.S.C. § 3161(h)(7)(A), excluding from the computation of Speedy Trial time the period from August 21 to September 5, 2023. (ECF:14.)

The parties now write to advise the Court that the government has made two substantial discovery productions in accordance with Rule 16 of the Federal Rules of Criminal Procedure and that negotiations concerning a potential resolution of this case without the need for a trial are active and ongoing. Under these circumstances, the parties respectfully submit that excluding additional Speedy Trial time to accommodate the defendant's ongoing discovery review and facilitate plea discussions will serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial.

The parties have conferred with the Court's deputy and understand that Your Honor is available on October 6, 2023, at 10:30 a.m., for a continued status conference. Accordingly, the parties jointly request that the status conference scheduled for September 5

be adjourned to October 6, 2023, and that a corresponding exclusion of Speedy Trial time be ordered under 18 U.S.C. § 3161(h)(7)(A). A proposed Order is attached for the Court's convenience.

Respectfully submitted,

BREON PEACE
United States Attorney

By: _____ /s/

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U.S. Department of Justice

By: _____ /s/

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cc: Clerk of the Court (via ECF and email)
Counsel of Record (via ECF and email)