



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 30, 2023

By ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. Devon Archer, 16 Cr. 371 (RA)

Dear Judge Abrams:

The Government writes to follow up on its July 29, 2023 letter apprising the Court of the Second Circuit's mandate affirming the judgment of conviction in this matter.

The Government understands that the defendant is scheduled to provide testimony to Congress tomorrow, July 31, 2023. To be clear, the Government does not request (and has never requested) that the defendant surrender before his Congressional testimony. As the Court knows, to surrender and commence his sentence of imprisonment, the defendant first must be designated to a federal facility by the Bureau of Prisons—a process that can take several weeks or months after the Court sets a surrender date.

Nonetheless, for the avoidance of all doubt, the Government requests that any surrender date, should the Court order one, be scheduled to occur after the defendant's Congressional testimony is completed.

We thank the Court for its consideration.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

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cc: Matthew Schwartz, Esq. (via ECF)
Craig Wenner, Esq. (via ECF)