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April 21, 2022

By Electronic Court Filing

The Honorable Andrew L. Carter, Jr.
United States District Court for the
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States of America v.s. Fowler
Ind. No.: 19-CR-254(ALC)

Dear Judge Carter:

As counsel to Defendant Reginald Fowler, I write to inform the Court that after much deliberation, Mr. Fowler is prepared to forego his right to trial, and, instead, to enter an open plea to the charges contained in the instant indictment. We, therefore, respectfully ask the Court to schedule a Rule 11 change of plea hearing, and we seek guidance as to whether Your Honor will conduct the hearing, or refer it to magistrate's court, and, if the latter, whether the Court would like the government and me to make those arrangements.

I respectfully request that the change of plea hearing be scheduled for this coming Monday, April 25th, and that the hearing occur virtually, if at all possible. Mr. Fowler resides in Arizona, and the daily average of "confirmed and probable" Covid-19 cases in New York City has dramatically increased. The "Last 28 Days Daily Average" was 1,806 cases per day. Alarming, the "Last 7 Days Daily Average" has jumped to 2,159 cases per day. See <https://www1.nyc.gov/site/doh/covid/covid-19-data.page>.

Finally, I ask that the parties' joint pretrial disclosure deadlines be amended insofar as the deadline for motions in *limine* and other notices and materials currently set for tomorrow be extended to Wednesday, April 27th.

I have met and conferred with the government by AUSA Sebastian Swett regarding the requests in this letter, and the government consents to all of them.

Your Honor's consideration is very much appreciated.

Respectfully submitted,

/s/ Edward V. Sapone

Edward V. Sapone

cc: AUSA Sebastian Swett (By ECF)
AUSA Jessica Greenwood (By ECF)
AUSA Samuel Rothschild (By ECF)
AUSA Samuel Raymond (By ECF)