



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*Jakob K. Javitz Federal Building
26 Federal Plaza
New York, New York 10278*

March 9, 2026

BY ECF AND EMAIL

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Roman Storm*, S1 23 Cr. 430 (KPF)

Dear Judge Failla:

The Government respectfully writes to request that the Court set a trial date for retrial in the above-referenced case. As the Court knows, on August 6, 2025, a jury found the defendant guilty as to Count Two of the Superseding Indictment and failed to reach a unanimous verdict as to Counts One and Three. The Government intends to retry the defendant on Counts One and Three and expects that the retrial will last approximately three weeks.

While the Government is aware that the defendant's Rule 29 motion, (Dkt. 229), is currently pending, the Government requests that the Court set a date for the retrial to avoid further unnecessary delays that may result from additional scheduling conflicts that could arise on the part of the parties or the Court if the trial schedule is not addressed until after the resolution of the Rule 29 motion. Indeed, while the Government is prepared to retry the case as early as this spring, the defense has communicated to the Government that it will not be available until certain windows in the fall and winter. Specifically, the defense communicated to the Government, and asked that the Government pass on to the Court, the following:

The defense believes that setting a new trial date now is premature in light of the pending Rule 29 motion, which will not be resolved until at least April 9 when it is scheduled for argument. That said, based on the government's trial estimate of approximately three weeks, the defense is available to start trial in late September / early October or early December.

To avoid the emergence of further scheduling conflicts and any additional delays, the Government respectfully requests that—if the Court’s schedule allows—the Court schedule the retrial to begin on or about October 5 or 12, 2026, which is consistent with the dates the defense team has indicated it is available.

Respectfully submitted,

JAY CLAYTON
United States Attorney

By: 

Ben Arad
Thane Rehn
Assistant United States Attorneys
(212) 637-6521
(212) 637-2354

Kevin Mosley
Special Assistant United States Attorney

cc: Brian Edward Klein, Esq.
Keri Curtis Axel, Esq.
Kevin Michael Casey, Esq.
Viviana Andazola Marquez, Esq.
Ashley Martabano, Esq.
Becky S. James, Esq.
Emily Stierwalt, Esq.
David E. Patton, Esq.