



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278*

November 10, 2025

BY ECF

Honorable Jessica G. L. Clarke
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *United States v. Peraire-Bueno, S1 24 Cr. 293 (JGLC)*

Dear Judge Clarke:

The Government respectfully writes to provide the parties' positions with respect to Rule 29 briefing and a trial date in this matter.

The Government's Position

The Government respectfully requests that the Court schedule a conference to discuss Rule 29 briefing and a trial date in this matter. The parties are available for an in-person conference at any time on November 24, 2025, or in the late morning or early afternoon on November 19, 2025.

As further background, the parties have conferred and agree in principle to a Rule 29 briefing schedule in which (i) defense Rule 29 motions shall be filed by December 12, 2025; (ii) the Government's Rule 29 opposition shall be filed by January 16, 2026; and (iii) any Rule 29 reply shall be filed by January 30, 2026. The Government requests that the Court impose page limitations on the parties' briefs; the defendants oppose page limitations and declined to provide an estimate of the anticipated length of their brief.

With respect to scheduling a trial date, the Government understands that counsel for Anton Peraire-Bueno is scheduled to begin a two- to three-week criminal trial in the District of Massachusetts on March 2, 2026, and has another trial conflict beginning on June 1, 2026. Should defense counsel's March 2026 trial be rescheduled or reach a pretrial resolution, the Government respectfully requests a trial date as soon as practicable in late February or early March 2026 (during which the Government and counsel for James Peraire-Bueno are available). Otherwise, the Government respectfully requests that the Court set the earliest possible trial date to accommodate counsel for Anton Peraire-Bueno, which the defendants have represented is April 20, 2026.

The Defendants' Position

The defense respectfully submits that the Court can address these scheduling issues without convening an in-person conference. With respect to page limits on the Rule 29 briefing, the defense explained to the government that they are not yet in a position to provide an anticipated length of their brief. Defendants respectfully submit that, consistent with the Court's local rules and practices, no page limit is warranted and in any event they anticipate that their brief will be shorter than post-trial briefs filed in recent complex cases involving cryptocurrency. *See United States v. Storm*, No. 1:23-cr-430-KPF (S.D.N.Y.), ECF 230 (91 pages); *United States v. Eisenberg*, 1:23-cr-10-AS (S.D.N.Y.), ECF 183 (69 pages). As the mid-trial Rule 29 argument reflects, the motion raises serious questions regarding the sufficiency of the government's evidence that the Peraire-Buenos will efficiently address in their brief.

As for the trial date, the defense does not believe the Court needs to set a trial date at this time. If the Court is inclined to do so, they respectfully request a date on or after April 20, 2026 to account for defense counsel's professional obligations identified in the government's portion of the letter and for Attorney Marx's observance of Passover (April 1-10, 2026).

Respectfully submitted

JAY CLAYTON
United States Attorney

by: _____/s/
Danielle Kudla / Jerry Fang /
Ben Levander / Ryan Nees
Assistant United States Attorneys

Cc: Counsel of Record (by ECF)