

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

United States of America,
Plaintiff,

v.

Jodie Marie Mann (2)
Defendant.

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No. SA-18-CR-390-2-OLG

SECOND JOINT MOTION TO EXTEND FILING DEADLINE

The United States of America and Defendant Jodie Marie Mann move the Court to continue the filing deadline in the Court’s August 4, 2022, Order requiring Mann and the Government to respond to five questions relating to severance issues pending before the Court, ECF 226. The Government and Mann ask for an extension of the filing deadline until one week after Mann’s co-defendant is sentenced in this case.

In its Order, the Court posed five questions and ordered the Government and Mann to respond by August 18, 2022. The Court extended that deadline to August 26, 2022, following a joint motion to extend the filing deadline until the parties learned whether Mann’s co-defendant, Robert Mikel Ussery would plead guilty. Text Order, Aug. 18, 2022.

Today, August 23, 2022, Ussery pleaded guilty to count two of the indictment (specifically to one of the firearms listed in count two) but declined to plead guilty to count one. The Government will keep count one of the indictment pending against Ussery at least until Ussery is sentenced on count two, at which point the Government will determine whether to dismiss or continue to prosecute the remaining charge against Ussery.

If the Government dismisses count one after Ussery is sentenced on count two, the severance issues pending before the Court will be moot. Therefore, the Government and counsel

for Mann request that the Court extend the deadline to respond to the Court's order until after Ussery is sentenced on count two.

The undersigned counsel for the Government and Mann conferred regarding this motion and the proposed extension. The Government and Mann agree that an extension is appropriate for the reasons stated above and agree to the proposed alternative deadline of one week after Ussery is sentenced on count two. The Government and Mann ask the Court to grant this motion to avoid unnecessary briefing and/or to provide briefing that is tailored to the circumstances of this case as they exist after Ussery is sentenced and the Government determines whether it will dismiss the remaining count against Ussery.

/s/ George W. Aristotelidis

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CERTIFICATE OF SERVICE

I certify that I filed a true and correct copy of the foregoing instrument with the Clerk of the Court using the CM/ECF System, which will transmit notification of such filing to counsel of record to counsel for Defendants.

/s/ Kelly Stephenson
Kelly G. Stephenson
Assistant United States Attorney

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ORDER

Having considered the Second Joint Motion to Extend Filing Deadline and all records and proceedings before it in this matter:

IT IS HEREBY ORDERED that the Government and Defendant Jodie Marie Mann are granted an extension of time to respond to the Court’s Order, ECF No. 226, and their responses are due one week after Mann’s co-defendant, Robert Mikel Ussery, is sentenced on count two of the indictment.

SIGNED AND ENTERED _____, 2022.

THE HONORABLE ORLANDO L. GARCIA
CHIEF UNITED STATES DISTRICT JUDGE