

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA §
V. § SA-18-CR-390 - OLG
ROBERT MIKELL USSERY, §
Defendant §

**DEFENDANT’S MOTION FOR EXPEDITED PREPARATION OF
PRESENTENCE INVESTIGATION REPORT AND SENTENCING
HEARING**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW counsel for ROBERT MIKELL USSERY, the Defendant in the above styled and numbered cause, and files this *Defendant’s Motion for Expedited Preparation of Presentence Investigation Report and Sentencing Hearing* and for *Good Cause* and in support thereof would show this Honorable Court the following:

1. Defendant Robert Mikell Ussery (“Defendant”) accepted responsibility and entered his Plea of Guilty to Count Two of the 2nd Superseding Indictment – *Felon in Possession of a Firearm* – a Mossberg, Model 500, 12 gauge shotgun, serial number J310149, in violation of Title 18, United States Code, Section 922(g)(1), see ECF Doc 179.

2. A United States Probation Office calculation of Defendant's estimated Guideline sentencing range and calculation made available to the government and Defendant, though hardly definitive, calculated a range and term of imprisonment, already completed and / or entered into by the Defendant's current period and time of incarceration, and again, though it is understood that the exact calculated range has not yet been finally determined, -- is already at 51 months, time served. The 51 months does not consider good time and hard time of which the Defendant may be entitled. Accordingly, it appears that Defendant's time of incarceration, to date, may have entered his guideline range; and
3. And this Motion is sought so that Justice may be Served.

WHEREFORE, PREMISES CONSIDERED, the undersigned Counsel respectfully prays that *Defendant's Motion for Expedited Preparation of Presentence Investigation Report and Sentencing Hearing* be Granted.

Respectfully Submitted,

/s/ Thomas Joseph McHugh

THOMAS JOSEPH MCHUGH

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ATTORNEY FOR ROBERT MIKELL USSERY

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of August 2022, I electronically filed the foregoing *Defendant's Motion for Expedited Preparation of Presentence Investigation Report and Sentencing Hearing* with the Clerk of Court using the CM/ECF system which will send notification of such filing to Karina O'Daniel, Assistant United States Attorneys, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216, and a copy will be sent by Hand-Delivery to Defendant Robert Mikell Ussery.

/s/ Thomas Joseph McHugh
THOMAS JOSEPH MCHUGH

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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V. § SA-18-CR-00390-OLG
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§
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ORDER

On this date this Court came on to be considered the *Defendant’s Motion for Expedited Preparation of Presentence Investigation Report and Sentencing Hearing* and after considering same, is of the opinion and does so find that the Defendant’s Motion is well taken and should be in all respects GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Defendant’s Relief is appropriate and therefore should be granted.

SIGNED THIS _____ day of August 2022.

ORLANDO GARCIA
CHIEF UNITED STATES DISTRICT JUDGE