

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : **CRIMINAL NO. 19-599**

CRAIG A. COHEN :

ORDER

AND NOW, this _____ day of _____, 2020, upon consideration of the Joint Motion of the Parties to Continue the Date for the Defendant to Surrender to the Bureau of Prisons, it is HEREBY ORDERED that the motion is GRANTED. For the reasons set forth in the Joint Motion related to COVID-19, the defendant's voluntarily surrender date is continued for 90 days. The defendant must voluntarily surrender to the facility designated by the Bureau of Prisons on July 27, 2020, to begin serving his federal sentence. All conditions of release imposed by this Court at the time of the defendant's sentencing hearing on February 27, 2020, remain in effect.

BY THE COURT:

HON. EDUARDO C. ROBRENO
U.S. District Court Judge

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
v. : **CRIMINAL NO. 19-599**
CRAIG A. COHEN :

**PARTIES’ JOINT MOTION TO CONTINUE THE DATE FOR THE
DEFENDANT TO SURRENDER TO THE BUREAU OF PRISONS**

The government and the defendant jointly request that this Court continue the date for the defendant to voluntarily surrender to the Bureau of Prisons (“BOP”) to begin serving his sentence. The parties request a 90-day continuance of this self-surrender date based on a formal request from the BOP due to extraordinary circumstances related to COVID-19.

On February 27, 2020, this Court sentenced the defendant to 60 months in prison. At the time of sentencing, and in its Judgment and Commitment Order (also dated February 27, 2020), this Court ordered the defendant to voluntarily surrender on April 27, 2020. The BOP designated the defendant to the minimum-security Federal Correctional Institution in Morgantown, West Virginia, for service of his federal sentence.

Based on issues relating to COVID-19, the defendant originally requested a continuance of 60 days to report to his designated facility. Specifically, in a letter dated March 20, 2020, the defendant sent a letter to this Court, stating as follows:

In view of the extraordinary health crisis, and the fact that Mr. Cohen is caring for

the needs of his elderly father who cannot take care of himself during this time, we respectfully request a sixty (60) day extension of the self-surrender date. The government has no objection to this request.

The defendant's letter is attached here as Exhibit A. On March 26, 2020, the government received a letter from the BOP requesting that the government request a continuance of 90 days for the defendant to voluntarily surrender. The letter from the BOP is attached here as Exhibit B. The basis for this request from the BOP is that, under the extraordinary circumstances of the current health crisis due to the spread of COVID-19, the BOP requires inmates to be quarantined for 14 days before they are admitted to the general population of the designated facility. The defendant has been designated to a minimum security prison where there are no facilities that will allow for this quarantine. The BOP has been using local jails to quarantine new BOP prisoners, but space in these facilities is limited. Thus, to allow time for the crisis to subside, and for the defendant to report safely to his designated facility, the BOP requests that the government to seek a continuance of 90 days, until approximately Monday, July 27, 2020, for the defendant to voluntarily surrender.

In light of the unusual health circumstances we are all facing, as well as the facts of this case, the government requests that this Court grant a 90-day continuance for the defendant to voluntarily surrender. The government defers to the judgment of the BOP in this matter at this extraordinary time as it faces the difficult task of managing this public health crisis with new inmates scheduled to enter its facilities. The government further recognizes that the defendant has been fully compliant with the terms of his pretrial and

posts-sentence release and does not appear to present a risk of flight or danger to the community.

Thus, for all the reasons set forth above, the government and the defendant jointly request a 90-day continuance for the defendant to self-surrender to his designated BOP facility, that is, until July 27, 2020. Defense counsel, Hope C. Lefeber, has authorized the government to represent that the defendant joins in this motion.

Respectfully submitted,

WILLIAM McSWAIN
United States Attorney

s/ Louis D. Lappen
LOUIS D. LAPPEN
Deputy United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Joint Motion of the Parties to Continue the Date for the Defendant to Surrender to the Bureau of Prisons has been filed on ECF and thus served upon:

Hope C. Lefeber, Esq.
1500 John F. Kennedy Blvd., Ste. 1205
Two Penn Center
Philadelphia, Pennsylvania 19102-1751

/s Louis D. Lappen
Deputy United States Attorney

Date: March 30, 2020