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**U.S. District Court
Eastern District of Virginia - (Richmond)
CRIMINAL DOCKET FOR CASE #: 3:22-cr-00005-DJN-1**

Case title: USA v. Spencer, et al.

Date Filed: 01/05/2022

Date Terminated: 07/26/2022

Assigned to: District Judge David J. Novak

Defendant (1)

Derek George Spencer

54659-066

Philadelphia

Residential Reentry Office

2nd & Chestnut St. - 7th Fl.

Philadelphia, PA 19106

TERMINATED: 07/26/2022

also known as

Dee

TERMINATED: 07/26/2022

also known as

Bruce Wayne

TERMINATED: 07/26/2022

also known as

George Spencer

TERMINATED: 07/26/2022

represented by **Robert James Wagner**

Robert J. Wagner PLC

101 Shockoe Slip

Suite J

Richmond, VA 23219

804-814-8172

Email: robwagnerlaw@gmail.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Amy L. Austin

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TERMINATED: 12/21/2022

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Darius R. Holloway

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TERMINATED: 12/21/2022
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Wayne Roy Morgan , Jr.
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Designation: CJA Appointment

Pending Counts

18:201(b)(1)(C) and 2; PAYMENT OF
BRIBES TO PUBLIC OFFICIAL;
AIDING AND ABETTING;
FORFEITURE ALLEGATION
(2)

Highest Offense Level (Opening)

Felony

Terminated Counts

18:371; CONSPIRACY TO BRIBE A
PUBLIC OFFICIAL AND PROVIDE
CONTRABAND TO FEDERAL
INMATES; FORFEITURE
ALLEGATION
(1)

18:1349; CONSPRIACY TO COMMIT
BANK FRAUD; FORFEITURE
ALLEGATION
(3)

18:1344 and 2; BANK FRAUD; AIDING
AND ABETTING; FORFEITURE
ALLEGATION
(4-7)

Highest Offense Level (Terminated)

Felony

Complaints

Disposition

SENTENCE -IMPRISONMENT
TWENTY-SIX (26) MONTHS WITH
CREDIT FOR TIME SERVED;
SUPERVISED RELEASE THREE (3)
YEARS; FINE NOT IMPOSED,
SPECIAL ASSESSMENT, \$100.00

Disposition

DISMISSED ON MOTION OF
GOVERNMENT

DISMISSED ON MOTION OF
GOVERNMENT

DISMISSED ON MOTION OF
GOVERNMENT

Disposition

None

Plaintiff**USA**represented by **Kenneth R. Simon , Jr.**

DOJ-USAO

United States Attorney's Office

2100 Jamieson Avenue

Alexandria, VA 22314

703-299-3700

Email: kenneth.simon2@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: US Attorney***Michael C. Moore**

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ATTORNEY TO BE NOTICED*Designation: US Attorney*

Date Filed	#	Docket Text
01/05/2022	<u>1</u>	MOTION to Seal Case by USA as to Derek George Spencer, Tylicia Thorogood Jones. (smej,) (Entered: 01/05/2022)
01/05/2022	<u>3</u>	INDICTMENT as to Derek George Spencer (1) count(s) 1, 2, 3, 4-7, Tylicia Thorogood Jones (2) count(s) 1, 2, 3, 4-7. (smej,) (Entered: 01/05/2022)
01/05/2022	<u>5</u>	Minute Entry as to Derek George Spencer and Tylicia Thorogood Jones: Before Magistrate Judge Elizabeth W. Hanes. Appearances: Heather Mansfield, AUSA, and Rachel Steck, Veteran Reporters. Sealed indictment, a true bill, returned before a Magistrate Judge at Richmond. Government's motion for the issuance of a sealed warrant heard and so-ordered. (smej,) (Entered: 01/05/2022)
01/05/2022	<u>6</u>	Arrest Warrant Issued in case as to Derek George Spencer. Clerk hand-delivered to USM for service. (smej,) (Entered: 01/05/2022)
01/05/2022	<u>2</u>	ORDER granting <u>1</u> Motion to Seal Case as to Derek George Spencer (1), Tylicia Thorogood Jones (2). All documents will be sealed until the arrest of the defendant. Signed by Magistrate Judge Elizabeth W. Hanes on 01/05/2022. (tjoh,) (Entered: 01/05/2022)

		01/18/2022)
01/13/2022		Case unsealed as to Derek George Spence and Tylicia Thorogood Jones. (mful) (Entered: 01/13/2022)
01/14/2022	16	Arrest Warrant Returned Executed on 1/12/2022 in case as to Derek George Spencer. (smej,) (Entered: 01/14/2022)
01/18/2022	17	MOTION to Stay <i>and Revoke Defendant's Release Order</i> . (Attachments: # 1 Proposed Order Proposed Order, # 2 Exhibit EDPA Bail Order, # 3 Exhibit EDPA Order to Appear)(Simon, Kenneth) (Entered: 01/18/2022)
01/18/2022	18	ORDER granting 17 Motion to Stay as to Derek George Spencer (1). Signed by District Judge Roderick C. Young on 1/18/2022. (cgar) (Entered: 01/18/2022)
01/18/2022		Set Hearings as to Derek George Spencer: Arraignment and Bond Revocation Hearings set for 1/21/2022 at 11:30 AM in Richmond Courtroom 6300 before District Judge David J. Novak. (cgar) (Entered: 01/18/2022)
01/18/2022	19	Minute Entry for proceedings held before Magistrate Judge Mark R. Colombell:Initial Appearance as to Derek George Spencer held on 1/18/2022; Govt moved to unseal case- GRANTED; Court summarized charges; Deft advised of rights; Deft requested counsel and submitted financial affidavit; Court found Deft qualifies for counsel and appointed CJA counsel; Deft originally appeared in the Southern District of PA and was released on bond with conditions; Govt Motion to Stay Release Order was GRANTED by District Judge Roderick C. Young; Deft was remanded pending a Motion hearing to Revoke Bond and Arraignment set for 1/21/22 at 11:30AM before District Judge Novak. (Tape #FTR.)(jsau,) (Entered: 01/18/2022)
01/18/2022	20	CJA 23 Financial Affidavit by Derek George Spencer (jsau,) (Entered: 01/18/2022)
01/18/2022		CJA 20 as to Derek George Spencer: Appointment of Attorney Wayne Roy Morgan, Jr for Derek George Spencer (jsau,) (Entered: 01/18/2022)
01/18/2022	21	ORDER as to Derek George Spencer remanding the defendant pending the Motion to Revoke Bond and Arraignment set for 1/21/22 at 11:30 a.m. Signed by Magistrate Judge Mark R. Colombell on 1/18/22. (jsau,) (Entered: 01/18/2022)
01/18/2022		Case unsealed as to Derek George Spencer, Tylicia Thorogood Jones (tjoh,) (Entered: 01/18/2022)
01/21/2022	22	Addendum to Pretrial Services Bond Report (Sealed Document) as to Derek George Spencer (taylor, sheree) (Entered: 01/21/2022)
01/21/2022	23	MOTION Judicial Notice of FDIC Insured Status of Victim-Banks by USA as to Derek George Spencer, Tylicia Thorogood Jones. (Attachments: # 1 FDIC Documents)(Moore, Michael) (Entered: 01/21/2022)
01/21/2022	24	Minute Entry for proceedings held before District Judge David J. Novak:Arraignment as to Derek George Spencer (1) Counts 1-7 and Bond Revocation Hearings held on 1/21/2022. Matter came on for bond revocation hearing. Govt adduced evidence. Arguments heard. Findings stated from bench. Deft ORDERED held pending trial.

		Matter continued as to arraignment. Deft wfa and entered plea of not guilty requesting jury trial. Waiver beyond speedy trial act executed. Status or Plea hearing set for February 23, 2022 at 3:00 p.m. Deft remanded to custody. (Court Reporter Tracy Stroh, OCR.)(cgar) (Entered: 01/21/2022)
01/21/2022	25	WAIVER of Speedy Trial executed by Derek George Spencer. (cgar) (Entered: 01/21/2022)
01/21/2022		Set Hearing as to Derek George Spencer: Status or Plea Hearing set for 2/23/2022 at 03:00 PM in Richmond Courtroom 6300 before District Judge David J. Novak. (cgar) (Entered: 01/21/2022)
01/21/2022	27	ORDER OF DETENTION Pending Trial as to Derek George Spencer. Signed by District Judge David J. Novak on 1/21/2022. (cgar) (Entered: 01/21/2022)
01/25/2022	29	ORDER (Scheduling Status Hearing) as to Derek George Spencer - This matter comes before the Court following the arraignment and bond revocation hearing of Defendant Derek Spencer on January 21, 2022. For the reasons stated during the hearing, the Court hereby SCHEDULES either a plea hearing or status hearing on February 23, 2022, at 3:00 p.m. By agreement of the parties, the time period between the hearing on January 21, 2022, and the hearing on February 23, 2022, shall be excluded from the calculation of the deadline for commencing trial under the Speedy Trial Act, 18 U.S.C. § 3161. Signed by District Judge David J. Novak on 1/25/2022. (smej,) (Entered: 01/25/2022)
01/25/2022	31	ORDER (Requiring Government to Adhere to Brady Obligations) - In accord with the Due Process Protections Act and Rule 5(f) of the Federal Rules of Criminal Procedure, this Court confirms the United States' obligation to disclose to the defendants all exculpatory evidence, that is, evidence that favors the defendant or casts doubt on the United States' case, as required by Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and hereby ORDERS the United States to do so. Failure to disclose exculpatory evidence in a timely manner may result in serious consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court. This Order serves as the reminder of prosecutorial obligation and duties in accordance with Rule 5(f). Signed by District Judge David J. Novak on 1/25/2022. (smej,) (Entered: 01/25/2022)
01/26/2022	32	ORDER (Detaining Defendant Pending Trial) as to Derek George Spencer - This matter comes before the Court on the Government's Emergency Motion for Stay and Revocation of Defendant's Release Order (ECF No. 17), moving the Court to revoke an order releasing Defendant and to order Defendant to be detained pending trial. The Court hereby ORDERS that Defendant be detained pending trial. SEE ORDER FOR DETAILS. Signed by District Judge David J. Novak on 1/25/2022. (Copy sent to USMS & USPO) (smej,) (Entered: 01/26/2022)
02/18/2022		Plea Agreement Hearing for Derek George Spencer set for 2/23/2022 at 03:00 PM in Richmond Courtroom 6300 before District Judge David J. Novak. (cgar) (Entered: 02/18/2022)

02/23/2022	33	Minute Entry for proceedings held before District Judge David J. Novak:Plea Agreement Hearing as to Derek George Spencer held on 2/23/2022. Matter came on for plea agreement hearing. Deft readvised of charges and penalties. Deft rearraigned and entered plea of guilty to Count 2 of Indictment. Plea accepted and deft found guilty. Sentencing set for 6/21/2022 at 02:00 PM in Richmond Courtroom 6300 before District Judge David J. Novak. Deft remanded to custody.(Court Reporter Tracy Stroh, OCR.)(cgar) (Entered: 02/23/2022)
02/23/2022	34	PLEA AGREEMENT as to Derek George Spencer. (cgar) (Entered: 02/23/2022)
02/23/2022	35	Statement of Facts as to Derek George Spencer. (cgar) (Entered: 02/23/2022)
02/23/2022	36	Sentencing Guideline Order as to Derek George Spencer. Signed by District Judge David J. Novak on 2/23/2022. (cgar) (Entered: 02/23/2022)
03/09/2022	41	MOTION to Appoint Counsel by Derek George Spencer. (Attachments: # 1 Envelope) (smej,) (Entered: 03/09/2022)
03/09/2022	42	MOTION to Modify Conditions of Release by Derek George Spencer. (Morgan, Wayne) (Entered: 03/09/2022)
03/10/2022	43	ORDER (Denying Motion to Review Detention Status) - This matter comes before the Court on Defendant Derek Spencer's Motion to Review Defendant's Detention Status (ECF No. 42), moving the Court to review Defendant's detention pending sentencing. Defendant's Motion (ECF No. 42) is hereby DENIED. Additionally, Defendant filed a prose motion for the appointment of new counsel. (ECF No. 41.) Because Defendant is represented by counsel, all motions need to be filed by his counsel. Accordingly, the Court hereby DENIES Defendant's Motion (ECF No. 41) and will not entertain any further pro se motions while Defendant is represented by counsel. Signed by District Judge David J. Novak on 3/10/2022. (smej,) (Entered: 03/10/2022)
04/26/2022	44	NOTICE OF ATTORNEY APPEARANCE: Robert James Wagner appearing for Derek George Spencer (Wagner, Robert) (Entered: 04/26/2022)
04/26/2022	45	Consent MOTION for Medical Exam <i>Psychological Evaluation for Competency</i> by Derek George Spencer. (Wagner, Robert) (Entered: 04/26/2022)
04/27/2022	46	Supplemental Memorandum by Derek George Spencer re 45 Consent MOTION for Medical Exam <i>Psychological Evaluation for Competency</i> (Wagner, Robert) (Entered: 04/27/2022)
05/05/2022	47	ORDER granting 45 Motion for Competency Evaluation as to Derek George Spencer (1). Court RESCHEDULES sentencing hearing to July 26, 2022 at 11:00 a.m. Signed by District Judge David J. Novak on 5/2/2022. (cgar) (Entered: 05/05/2022)
05/05/2022		Reset Hearing as to Derek George Spencer: Sentencing reset for 7/26/2022 at 11:00 AM in Richmond Courtroom 6300 before District Judge David J. Novak. (cgar) (Entered: 05/05/2022)
06/14/2022	51	ORDER (Sealing Psychological Evaluation) - This matter comes before the Court on receipt of the Court-ordered Psychological Evaluation Report of Defendant. The

		Psychological Evaluation Report contains confidential medical information protected by Defendant's privacy rights under federal law. Accordingly, pursuant to Local Criminal Rule 49, the Court hereby DIRECTS the Clerk to file the Psychological Evaluation Report under seal. The Report shall remain under seal until further order of the Court. Signed by District Judge David J. Novak on 6/14/2022. (Copies distributed as directed) (smej,) (Entered: 06/14/2022)
06/15/2022	53	PRESENTENCE INVESTIGATION REPORT (Disclosed Presentence Investigation Report) (SEALED - government and defense counsel) as to Derek George Spencer. Objections to PSI due 7/6/2022. (Geurts, Sami) (Entered: 06/15/2022)
07/07/2022	59	PRESENTENCE INVESTIGATION REPORT (Sentencing Presentence Investigation Report) (SEALED - government and defense counsel) with Addendum as to Derek George Spencer. (Geurts, Sami) (Entered: 07/07/2022)
07/12/2022	61	Position on Sentencing by Derek George Spencer (Attachments: # 1 Text Exchanges, # 2 Letter of Support, # 3 Certificate, # 4 Certificate)(Wagner, Robert) (Entered: 07/12/2022)
07/12/2022	62	MOTION to Seal <i>Supplemental Position and Exhibits</i> by Derek George Spencer. (Attachments: # 1 Proposed Order)(Wagner, Robert) (Entered: 07/12/2022)
07/12/2022	63	Memorandum in Support by Derek George Spencer re 62 MOTION to Seal <i>Supplemental Position and Exhibits</i> (Wagner, Robert) (Entered: 07/12/2022)
07/12/2022	64	SENTENCING MEMORANDUM by USA as to Derek George Spencer (Simon, Kenneth) (Entered: 07/12/2022)
07/13/2022		Notice of Correction re 61 Position on Sentencing: Document number 61 includes two pleadings. The filing attorney is instructed to refile the document again using the "Motion for Variance" or "Motion for Downward Departure" docket event. (smej,) (Entered: 07/13/2022)
07/13/2022	65	MOTION for Downward Departure / <i>Variance Sentence</i> by Derek George Spencer. (Attachments: # 1 Text Messages, # 2 Letter of Support, # 3 Certificate, # 4 Certificate)(Wagner, Robert) (Entered: 07/13/2022)
07/14/2022	66	ORDER (Granting Motion to Seal) as to Derek George Spencer - This matter comes before the Court on Defendant's Motion to Seal (ECF No. 62), moving the Court to allow Defendant to file under seal Exhibits 1-4 and 6 of his Sentencing Positions, and his Supplemental Sentencing Position. For the reasons set forth above, and pursuant to Local Rule 49, the Court hereby GRANTS Defendant's Motion. (ECF No. 62.) The Court hereby DIRECTS the Clerk to FILE UNDER SEAL these filings. The documents will remain sealed until further Order of the Court. SEE ORDER FOR DETAILS. Signed by District Judge David J. Novak on 7/14/2022. (smej,) (Entered: 07/14/2022)
07/20/2022	69	RESPONSE in Opposition by USA as to Derek George Spencer re 65 MOTION for Downward Departure / <i>Variance Sentence</i> (Simon, Kenneth) (Entered: 07/20/2022)
07/22/2022	70	MOTION to Seal by USA as to Derek George Spencer. (Attachments: # 1 Proposed

		Order Proposed Order)(Simon, Kenneth) (Entered: 07/22/2022)
07/22/2022	71	ORDER (Granting Motion to Seal) - The Court hereby GRANTS the Government's Motion. (ECF No. 70 .) The Court hereby DIRECTS the Clerk to FILE UNDER SEAL this filing. The document will remain sealed until further Order of the Court. This Order hereby serves as NOTICE to the public that the Court has sealed the document described above. Should any party or any member of the public object to this Order, that party or individual shall file a document with the Court setting forth that objection. The Court will then hold a hearing on the objection. SEE ORDER FOR DETAILS. Signed by District Judge David J. Novak on 7/22/2022. (jpow,) (Entered: 07/22/2022)
07/22/2022	73	REPLY TO RESPONSE to by Derek George Spencer <i>Government Response to Departure/Variance Motion</i> (Attachments: # 1 Letter of Support)(Wagner, Robert) (Entered: 07/22/2022)
07/26/2022	74	Minute Entry for proceedings held before District Judge David J. Novak:Sentencing held on 7/26/2022 for Derek George Spencer (1), Count 2, SENTENCE - IMPRISONMENT TWENTY-SIX (26) MONTHS WITH CREDIT FOR TIME SERVED; SUPERVISED RELEASE THREE (3) YEARS; FINE NOT IMPOSED, SPECIAL ASSESSMENT, \$100.00. Deft advised of right of appeal and remanded to custody. (Court Reporter Melissa Custis, OCR.)(cgar) (Entered: 07/26/2022)
07/26/2022	75	JUDGMENT as to Derek George Spencer (1), Count 2, SENTENCE - IMPRISONMENT TWENTY-SIX (26) MONTHS WITH CREDIT FOR TIME SERVED; SUPERVISED RELEASE THREE (3) YEARS; FINE NOT IMPOSED, SPECIAL ASSESSMENT, \$100.00. Signed by District Judge David J. Novak on 7/26/2022. (cgar) (Entered: 07/26/2022)
07/26/2022	76	Sealed Statement of Reasons as to Derek George Spencer. Signed by District Judge David J. Novak on 7/26/2022. (cgar) (Entered: 07/26/2022)
08/25/2022	77	MOTION for Reconsideration of Bond and Self-Surrender by Derek George Spencer. (Attachments: # 1 Envelope) (smej,) (Entered: 08/25/2022)
08/26/2022	78	ORDER (Denying Motion for Self-Surrender) as to Derek George Spencer - This matter comes before the Court on Defendant's Pro Se Motion for Reconsideration of Bond and Self-Surrender (ECF No. 77), moving the Court to allow him to self-surrender to the Bureau of Prisons ("BOP") upon designation of his place of incarceration by the BOP. Construing the Motion as one for reconsideration of the Judgment under Federal Rules of Criminal Procedure 33 or 35(a), the Court will deny the Motion as untimely, because Defendant filed it more than fourteen days following the entry of the Judgment. Nevertheless, the Court has considered the arguments contained in Defendant's Motion and finds that they lack merit. Accordingly, the Court hereby DENIES the Motion (ECF No. 77.) Defendant shall remain in custody. Signed by District Judge David J. Novak on 8/26/2022. (Copy mailed to defendant at Pamunkey Regional Jail) (smej,) (Entered: 08/26/2022)
09/01/2022	79	Mail Returned as Undeliverable. Mail sent to Derek George Spencer re 78 Order. (smej,) (Entered: 09/01/2022)

09/22/2022	<u>80</u>	Mail Returned as Undeliverable. Mail sent to Derek George Spencer re <u>78</u> Order. (smej,) (Main Document 80 replaced on 9/22/2022) (smej,). (Entered: 09/22/2022)
10/21/2022	<u>81</u>	MOTION Seeking Non-Binding Recommendation for Residential Reentry Center (RRC) Placement by Derek George Spencer. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Letter, # <u>3</u> Envelope) (smej,) (Entered: 10/21/2022)
10/24/2022	<u>82</u>	ORDER (Denying Motion for Recommendation) as to Derek George Spencer - This matter comes before the Court on Defendant's Pro Se Motion Seeking Non-Binding Recommendation for Residential Reentry Center (RRC) Placement (ECF No. 81), moving the Court to issue a non-binding recommendation that he be placed in a residential reentry center for twelve months. On July 26, 2022, the Court sentenced Defendant to a term of imprisonment of twenty-six months (26), with a recommendation that the Bureau of Prisons designate Defendant to a facility in or near Philadelphia, that he receive drug abuse treatment and the he have the opportunity to receive CDL training if available. (ECF No. 75). Defendant now seeks an additional recommendation. However, the time to file a motion to amend or reconsider the Judgment under either Federal Rules of Criminal Procedure 33 or 35(a) has passed. Accordingly, the Court hereby DENIES the Motion (ECF No. 81.) Signed by District Judge David J. Novak on 10/24/2022. (Copy mailed to Mr. Spencer) (smej,) (Entered: 10/24/2022)
11/21/2022	<u>83</u>	Letter from Derek George Spencer regarding special assessment. Copy forwarded to Financial Clerk. (Attachments: # <u>1</u> Envelope) (smej,) (Entered: 11/22/2022)
11/22/2022	<u>84</u>	Financial Clerk Letter re: <u>83</u> Letter from Derek Spencer (tdai,) (Entered: 11/22/2022)
12/19/2022	<u>85</u>	MOTION for Compassionate Release by Derek George Spencer. (Attachments: # <u>1</u> Medical Records, # <u>2</u> Proposed Release Plan, # <u>3</u> Letters, # <u>4</u> Envelope) (smej,) (Entered: 12/20/2022)
12/20/2022	<u>86</u>	ORDER (Appointing Counsel, Setting Briefing Schedule) as to Derek George Spencer. The Clerk is hereby DIRECTED to appoint the Federal Public Defender to represent Defendant for the purpose of Section 603(b) of the First Step Act. If Defendant is eligible for relief, Counsel for Defendant SHALL file a Motion for Compassionate Relief Pursuant to Section 603(b) of the First Step Act no later than 15 days from the entry of this Order. The Court hereby DIRECTS the United States Attorney's Office to respond within 15 days of the filing date of the Motion for Compassionate Release or the Motion to Withdraw. No later than 15 days from the date of entry hereof, the United States Probation Office is hereby DIRECTED to provide the Court with a copy of Defendant's Presentence Report. The Court hereby DIRECTS the Probation Office to file its position on Defendant's Motion for Compassionate Release within 15 days of the filing date of the Motion for Compassionate Release or the Motion to Withdraw. See Order for complete details and deadlines. Signed by District Judge David J. Novak on 12/20/2022. Copy of Order mailed to Defendant and forwarded to USPO as directed. (adun,) (Entered: 12/20/2022)
12/20/2022	<u>87</u>	MOTION to Withdraw as Attorney by Amy L. Austin. by Derek George Spencer.

		(Attachments: # 1 Proposed Order)(Austin, Amy) (Entered: 12/20/2022)
12/21/2022	88	ORDER (Granting Motion to Withdraw, Appointing New Counsel And Setting Revised Briefing Schedule) as to Derek George Spencer - This matter comes before the Court on the Federal Public Defender's Motion to Withdraw as Attorney. (ECF No. 87.) The Court hereby GRANTS the Motion (ECF No. 87) and ORDERS: The Clerk is hereby DIRECTED to appoint Robert J. Wagner to represent Defendant for the purpose of Section 603(b) of the First Step Act. If Defendant is eligible for relief, Counsel for Defendant SHALL file a Motion for Compassionate Relief Pursuant to Section 603(b) of the First Step Act ("Motion for Compassionate Release") no later than twenty-one (21) days from the entry of this Order. The Court hereby DIRECTS the United States Attorney's Office to respond within fifteen (15) days of the filing date of the Motion for Compassionate Release or the Motion to Withdraw and to explain its position regarding Defendant's motion and requested relief. SEE ORDER FOR DETAILS. Signed by District Judge David J. Novak on 12/21/2022. (Copies distributed as directed) (smej,) (Entered: 12/21/2022)
12/21/2022		CJA 20 as to Derek George Spencer: Appointment of Attorney Robert James Wagner. (smej,) (Entered: 12/21/2022)
12/22/2022	89	Compassionate Release Presentence Investigation Report (Initial Compassionate Release Presentence Investigation Report) (SEALED - government and defense counsel) as to Derek George Spencer. (reed, joann) (Entered: 12/22/2022)
01/05/2023	90	Consent MOTION for Extension of Time to File Compassionate Release Motion by Derek George Spencer. (Attachments: # 1 Proposed Order)(Wagner, Robert) (Entered: 01/05/2023)
01/06/2023	91	ORDER (Granting Unopposed Motion to Extend Filing Deadline) as to Derek George Spencer - This matter comes before the Court on Defendant Derek George Spencer's ("Defendant") Motion to Extend Filing Deadline. (ECF No. 90.) Defendant moves the Court to extend his deadline for filing a motion for compassionate release to Friday, February 10, 2023. Upon due consideration, the Court hereby GRANTS the Motion. (ECF No. 90.) Defendant shall file his motion for compassionate release by Friday, February 10, 2023. All other deadlines in the Court's December 21, 2022 Order (ECF No. 88) remain unchanged. Signed by District Judge David J. Novak on 1/6/2023. (Copies distributed as directed) (smej,) (Entered: 01/06/2023)
02/15/2023	92	MOTION for Extension of Time to File Compassionate Release Motion by Derek George Spencer. (Wagner, Robert) (Entered: 02/15/2023)
02/16/2023	93	ORDER (Granting Motion to Extend Filing Deadline) - This matter comes before the Court on Defendant Derek George Spencer's Motion to Extend Filing Deadline. (ECF No. 92.) Spencer moves the Court to extend his deadline for filing a motion for compassionate release for an additional sixty days. the Court hereby GRANTS the Motion. (ECF No. 92.) Spencer shall file his motion for compassionate release by Monday, April 17, 2023. All other deadlines in the Court's December 21, 2022 Order, (ECF No. 88), remain unchanged. The Court shall grant no further extensions. Signed by District Judge David J. Novak on 2/16/2023. (Copies distributed as directed) (smej,) (Entered: 02/16/2023)

03/13/2023	94	Letter from Derek George Spencer. (Attachments: # 1 Exhibit, # 2 Envelope) (smej,) (Entered: 03/14/2023)
03/13/2023	95	Letter from Phyllis Spencer. (Attachments: # 1 Envelope) (smej,) (Entered: 03/14/2023)
04/14/2023	96	MOTION for Compassionate Release by Derek George Spencer. (Attachments: # 1 Ex. 1 - BOP Request, # 2 Ex. 2 - Certificate, # 3 Ex. 3 - Medical Letter, # 4 Ex. 4 - Letter from Mother, # 5 Ex. 5 - Letter from Employer)(Wagner, Robert) (Entered: 04/14/2023)
04/25/2023	97	Compassionate Release Recommendation as to Derek George Spencer (Geurts, Sami) (Entered: 04/25/2023)
05/02/2023	98	RESPONSE in Opposition by USA as to Derek George Spencer re 96 MOTION for Compassionate Release (Attachments: # 1 Exhibit 1 - Medical Records) (Simon, Kenneth) (Attachment 1 replaced on 5/3/2023) (smej,). Modified on 5/3/2023 (smej,). (Additional attachment(s) added on 5/3/2023: # 2 Exhibit 2 - Redacted Progress Report) (smej,). (Entered: 05/02/2023)
05/02/2023	99	MOTION to Seal <i>Medical Records</i> by USA as to Derek George Spencer. (Attachments: # 1 Exhibit Proposed Order)(Simon, Kenneth) (Entered: 05/02/2023)
05/03/2023	100	ORDER (Granting Government's Motion to Seal Medical Records) - This matter comes before the Court on the Government's Motion to Seal Exhibit 1 to its Response in Opposition to Defendant's Motion for Compassionate Release. (ECF No. 99.) the Court finds that the Government has met the applicable requirements for sealing the documents at issue and so hereby GRANTS the Motion. (ECF No. 99.) The Court DIRECTS the Clerk's office to file Defendant's medical records UNDER SEAL as Exhibit 1 to the Government's Response in Opposition. Exhibit 1 SHALL remain under seal until further order of this Court. SEE ORDER FOR DETAILS. Signed by District Judge David J. Novak on 5/3/2023. (Copy sent to USPO) (smej,) (Entered: 05/03/2023)
05/08/2023	101	REPLY TO RESPONSE to by Derek George Spencer re 98 Response in Opposition, <i>Motion for Compassionate Release</i> (Attachments: # 1 Ex. 6 - Medication List, # 2 Ex. 7a - Letter from Mr. Spencer, # 3 Ex. 7b - Graduation Notice)(Wagner, Robert) (Entered: 05/08/2023)
08/28/2023	102	ORDER (Denying Motion as Moot) as to Derek George Spencer - This matter comes before the Court on Defendant's Motion for Compassionate Release (the "Motion" (ECF No. 96)), moving this Court to reduce Defendant's sentence to time served pursuant to 18 U.S.C. § 3582(c)(1)(A). Accordingly, Defendant's Motion for Compassionate Release (ECF No. 96) is hereby DENIED AS MOOT. Should Defendant take the position that denial of his Motion proves inappropriate, he may move to reconsider this Order within fourteen (14) days of the entry hereof. Signed by District Judge David J. Novak on 8/28/2023. (smej,) (Entered: 08/28/2023)
09/27/2023	103	Supervised Release Jurisdiction Transferred to Eastern District of Pennsylvania, Philadelphia Division as to Derek George Spencer. Transmitted Transfer of

	Jurisdiction form; EDPA instructed to retrieve the necessary documents from PACER. (smej,) (Entered: 09/27/2023)
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