

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

CENGIZ JAN COMU (01)

NO. 3:19-CR-112-K

GOVERNMENT'S OPPOSITION TO DEFENDANT COMU'S MOTION TO
CONTINUE SENTENCING HEARING

The United States submits this response in opposition to defendant Cengiz Jan Comu's motion to continue his November 9, 2022 sentencing hearing. (ECF 438.)

The sentencing hearing should proceed as planned for at least three reasons.

First, Comu is the lead amongst eleven other defendants across three cases arising from the EarthWater fraud, and he should be sentenced first because it will facilitate an orderly and efficient process for sentencing the remaining eleven defendants.

Second, the government has already prepared for the November 9, 2022 hearing date, including by arranging for at least one victim to appear on that date to be heard. Continuing the sentencing date again will be prejudicial to this witness.

Third, Comu will not be prejudiced by proceeding on November 9, 2022 as currently scheduled. He pleaded guilty in March 2020. Since that time, his counsel has had ample opportunity to prepare for his sentencing, which they have. Among other things, counsel prepared voluminous objections to both the PSR (filed June 3, 2020) and the PSR

Addendum (filed August 26, 2020). In addition, Counsel has had over two years since that time to prepare a sentencing memorandum and to prepare for the upcoming hearing, and counsel has been on notice about the current sentencing hearing date for over two months.

For all of these reasons, the United States respectfully requests the Court deny Comu's motion to continue his sentencing hearing.

Date: October 25, 2022

Respectfully submitted,

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