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Elena Ruth Sassower, Coordinator

By Fax: 202-879-2844 (2 pages)
11:35 a.m.

May 28, 2004

Judge Brian Holeman
Superior Court of the District of Columbia
Criminal Division
500 Indiana Avenue, N.W.
Washington, D.C. 20001

RE: Postponement of June 1st sentencing date
United States of America v. Elena Ruth Sassower, M-4113-03
"Disruption of Congress"

Dear Judge Holeman:

This is to request postponement of the Tuesday, June 1st sentencing date until such time as I have received, and had sufficient opportunity to review with my legal advisor, Mark Goldstone, the pre-sentence report being prepared by Erika Westry of the Court Services and Offender Supervision Agency for the District of Columbia (202-442-1454).

As far as I know, Ms. Westry has not completed the pre-sentence report. When I spoke with her sometime after 2:00 p.m. yesterday, she was still working on it and assured me that it would not be finalized – and, indeed, I believed it could not be finalized-- until I had spoken with her supervisor, Karen McDaniel, concerning matters that had arisen with respect to the report's content and my rights. I left three voice messages for Ms. McDaniel yesterday (202-442-1441) – at 9:12 a.m., 1:50 p.m., and 4:02 p.m. – and, additionally this morning at 9:32 a.m. I have received no return call from Ms. McDaniel. Nor have I received a return call from Ms. Westry, for whom I left a voice mail message yesterday at 4:38 p.m. and today at 9:30 a.m., advising that I had still not heard from Ms. McDaniel.

Mr. Goldstone, who was expecting to receive such pre-sentence report yesterday – and, as I understood, called your law clerk, Sara Pagani, in the afternoon to ask that it be promptly e-mailed to both of us -- is now out-of-town and without e-mail access until Monday night, May 31st.

Ex "A-1"

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I assume there is a statutory provision or rule affording me – as well as the prosecution – sufficient opportunity to review the pre-sentence report and to provide written comment and/or other substantiating matter. As Ms. Westry was unable to answer my questions with respect thereto, that was one of the essential items for discussion with Ms. McDaniel.

There is no prejudice in deferring the June 1st date of sentencing – and Ms. Pagani indicated, when she called me on May 5th to tell me that you had decided to order a pre-sentence report, that the June 1st date could be changed, if necessary. Indeed, I was advised by Ms. Westry that the usual time frame for pre-sentence reports is about seven weeks – which is understandable considering the substantial caseload and other responsibilities they handle

Please advise – including as to the applicable statutory or rule provision – so that I might be guided accordingly.

Thank you.



ELENA RUTH SASSOWER
Defendant *Pro Se*

cc: Court Services and Offender Supervision Agency for the District of Columbia
ATT: Erika Westry, Community Supervision Officer
Karen McDaniel, Supervisory Community Supervision Officer
Assistant U.S. Attorney Aaron Mendelsohn
Mark Goldstone, Esq.

Judge DeLema

TRANSMISSION VERIFICATION REPORT

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