

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELLY ANN MOGAVERO,

Defendant.

Case No. 2:15-CR-00074-JAD-NJK

**Findings of Fact, Conclusions of Law and
Order**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Both counsel for the defense and counsel for the government need additional time to prepare for the revocation hearing in this case. The parties have agreed to continue the hearing for at least 60 days because defense counsel needs additional time to consult with Mogavero and prepare her for the hearing.

2. Additionally, the parties have reached a negotiated global resolution to include the revocation violations and a pre-indictment agreement regarding allegations of a new federal law violation that has not yet been charged against the defendant. Mogavero is represented by retained counsel, Mace Yampolsky, Esq., in the new law violation matter. Mr. Yampolsky, Esq. has received a written plea agreement from the government memorializing the global resolution and needs additional time to return a signed agreement to the government because he is out of district until November 25, 2024.

3. The defendant is not incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

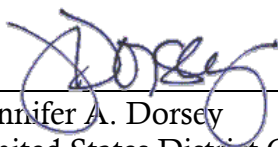
1 5. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow the defense sufficient time within which adequately prepare for the hearing.
3 Additionally, denial of this request for continuance could result in a miscarriage of justice, and
4 the ends of justice served by granting this request, outweigh the best interest of the public and
5 the defendant in a speedy hearing.

6 6. This is the sixth stipulation to continue the revocation hearing.

7 **ORDER**

8 THEREFORE, IT IS HEREBY ORDERED that the revocation hearing in the above-
9 captioned matter, currently scheduled for December 3, 2024, at 11:00 a.m., be vacated and
10 continued to a date and time convenient to this Court, that is on February 10, 2025, at the
11 hour of 10:00 a.m.

12 DATED this 22nd day of November 2024.

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16 Jennifer A. Dorsey
17 United States District Court Judge
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