IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

UNITED STATES OF AMERICA, v. **DAVIDSON LEE CHARLEMAGNE and SASHA CHARLEMAGNE.** Defendants.	**CASE NO. 1:24-cr-08**

GOVERNMENT'S MOTION TO CONTINUE TRIAL AND EXTEND PRETRIAL DEADLINES

The United States of America, by and through Adam F. Sleeper, United States Attorney for the District of the Virgin Islands, and Kimberly Riley, Assistant United States Attorney, respectfully moves this Honorable Court for an order to continue the trial date currently scheduled for February 8, 2027, and to exclude time under the Speedy Trial Act (18 U.S.C § 3161) for excludable delay for the reasons set forth below.

The trial is scheduled for February 8, 2027. A continuance is necessary because lead counsel for the United States has resigned effective Friday, November 19, 2026. Lead counsel was responsible for the majority of the prosecution involved in this complex case including reviewing discovery, developing trial strategy, preparing witnesses, and handling substantive litigation matters. Leading up to trial, the undersigned was responsible for preparing five witnesses and preparing the Government's case in chief as it related to counts 3 through 11 charging only Sasha Charlemagne with false claims. Now, as lead counsel, the undersigned will be responsible for the entire case in chief.

Given the complexity of the case, the USAO for the District of the Virgin Islands has requested assistance from the Public Integrity Section (PIN) of the Department of Justice. PIN has agreed to assist the USAO only if a continuance is granted. In the event that a continuance is granted, a PIN trial attorney will be assigned to the trial team. The newly assigned attorney will need a reasonable amount of time to prepare for trial.

Furthermore, with lead counsel in this matter having resigned, only two criminal AUSAs remain in the Division of St. Thomas and St. John. Continuing the case will allow the USAO to employ the assistance of the Department of Justice and assign another trial attorney who will be able to properly prepare after joining the trial team without unduly prejudicing the defendants. Under the circumstances, proceeding to trial in February would substantially prejudice the Government's ability to effectively present the case and would undermine the interests of justice.

18 U.S.C. Section 3161(h)(7)(A) permits exclusion of time when the Court finds that the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial. Additionally, under § 3161(h)(7)(B)(iv), a continuance is warranted where denial "would deny the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." The Third Circuit has interpreted "effective preparation" under subsection (iv) to have the same meaning as "adequate preparation... for the trial itself" under subsection (ii), confirming that an ends-of-justice continuance may be granted in appropriate circumstances to provide adequate preparation time. *United States v. Fields*, 39 F.3d 439 at 444 (3d Cir. 1994). Here, ensuring that the Government can effectively prepare the case, particularly given the unexpected change in lead counsel and the absence of a prepared co-counsel, satisfies this statutory standard. Given the complexity and

seriousness of the case, and the need to ensure adequate preparation, a continuance of at least sixty (60) days is necessary and appropriate.

Defense counsels have been contacted regarding their positions on this request and oppose a continuance.

The Government would respectfully request the trial be scheduled on or after March 22, 2027. The following dates that Government would not be available in 2027 are as follows: April 8 through April 28, May 13 to May 15, July 7 to July 11, and finally the Government will not be available the month of October.

The Government is available for a telephonic conference with the Court in addressing the need for a continuance and the parties' availabilities; however, the undersigned maintains that a continuance is necessary regardless of the defendants' final positions on the motion.

WHEREFORE, the United States respectfully requests that the Court grant a continuance of the trial date and all associated pretrial deadlines for at least sixty (60) days, or to such date as the Court deems appropriate, and exclude the corresponding period under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

Respectfully submitted,

ADAM F. SLEEPER
UNITED STATES ATTORNEY

DATED: November 23, 2026

By: s/ *Kimberly Riley*

Kimberly Riley
Assistant U.S. Attorney
District of the Virgin Islands
5500 Veterans Drive, Suite 260
St. Thomas, VI 00802
Tel. (340) 774-5757
kimberly.riley@usdoj.gov