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July 16, 2024

**BY ECF**

Hon. Ronnie Abrams  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *United States v. Jason Galanis, et al.*, 16 Cr. 371 (RA)

Dear Judge Abrams:

We represent the defendant Devon Archer and write to respectfully seek an adjournment of the current sentencing date, and a corresponding adjournment of sentencing submissions. The primary reason for this request is to allow Mr. Archer to complete his ongoing cooperation with Congressional and Department of Justice investigations, and to allow the Court to have all relevant information about that cooperation at sentencing. I have conferred with the government, which has no objection to this request.

When the Court originally granted Mr. Archer's habeas petition and ordered resentencing, Your Honor asked the parties to submit a schedule for resentencing and accompanying submissions. [ECF No. 1095]. The parties jointly recommended that the Court order the Probation Department to prepare a revised Presentence Investigation Report, and asked that "upon receipt of the revised PSR, that they then be afforded an opportunity to propose an appropriate schedule for supplemental sentencing submissions," citing Mr. Archer's cooperation with Congressional "and other ongoing investigations," of which we noted that the government was specifically aware [ECF No. 1096]. The Court ordered the revised PSR, but at the same time scheduled sentencing for August 2, with Mr. Archer's sentencing submission due July 17. [ECF No. 1100].

We respectfully submit that there is good cause to adjourn Mr. Archer's sentencing so that he can complete his cooperation, and so that the Court can have a complete picture of it, along with all of the other facts relevant to sentencing. With respect to the Congressional investigations, Mr. Archer continues to produce documents to the House Oversight and Judiciary Committees and otherwise respond to their inquiries—as recently as earlier today—and we anticipate that he will provide testimony in open hearings in the coming weeks, although no precise date has been set.

Further, the admittedly somewhat cryptic reference to "other ongoing investigations" in our May 22 letter referred to Mr. Archer's cooperation with an ongoing prosecution pending in the United States District Court for the District of Vermont, *United States v. Serhat Gumrukcu*, No. 22 Cr. 58, in which the defendant is charged with conspiracy to commit murder-for-hire and substantive murder-for-hire in violation of 18 U.S.C. §§ 1958 and 2, and conspiracy to commit

wire fraud in violation of 18 U.S.C. §§ 1343 and 1349. (To be clear, Mr. Archer is a potential witness in those proceedings, as he was a victim of the defendant's fraud, and was not in any way involved in the alleged criminal conduct in that case.) Trial in that matter is scheduled to begin on September 23, 2024, and last approximately one month. Mr. Archer has been actively cooperating with the government in that case, including by voluntarily producing documents and appearing as recently as earlier today for an interview with prosecutors and the FBI.

We respectfully submit that in light of Mr. Archer's ongoing cooperation with Congress and the Department of Justice, it would be appropriate to defer sentencing until after his cooperation is complete. We anticipate that will be no later than November 5, 2024. While we appreciate that this case has been pending for some time, we respectfully submit that there will be no prejudice from adjourning Mr. Archer's sentencing by a few months, and that the interests of justice will be served by allowing Mr. Archer to complete his cooperation and by the Court having all relevant facts at its disposal at the time of sentencing.

As noted, the government has no objection to this request.

Thank you for your consideration.

Respectfully,

/s/ Matthew L. Schwartz

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