

Thomas Weber (12709)  
Weber Law  
11629 S 700 E Ste. 160  
Draper, UT 84020  
Attorney: (801)897-1621 tom@law.ninja  
Calendaring: (385)743-0185 admin@law.ninja  
fax: (801)906-6440

---

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

---

UNITED STATES OF AMERICA,	:	MOTION TO INVOKE OF
	:	RIGHT TO
Plaintiff,	:	PHYSICAL PRESENCE AT
	:	SENTENCING HEARING
-vs-	:	
Francisco Perez Medina,	:	Case No. 4:18-cr-00023
Defendant.	:	

---

The Defendant, Francisco Medina Perez, by and through counsel of record, Thomas Weber, invokes his right to be present physically at his sentencing hearing and accordingly requests the sentencing hearing set for Tuesday, May 26, 2020 be continued to a time when he can do so. Mr. Perez Medina bases his motion upon the following grounds:

1. He is aware of his right to be physically present at his sentencing hearing and to address the court directly prior to imposition of sentencing. Defendant hereby reasserts his desire to appear in person before the court to exercise his right of allocution.
2. Mr. Lopez-Hernandez is aware that under General Orders 20-011 and 20-012, in effect in this district, his right to be present physically at his sentencing hearing is limited due the Coronavirus Pandemic until June 15, 2020. In addition, he is aware those orders would allow him to participate by telephone or video link instead of in person at the sentencing hearing on Tuesday, May 26, 2020.
3. He asserts his right to appear in person and allocute prior to sentencing. He acknowledges that not waiving his right to physical presence and consenting to proceed with a telephonic or video

hearing means that his sentencing hearing will need to be set later due to health and safety concerns arising from the Pandemic.

4. With all these considerations in mind, he knowingly and voluntarily invokes his right to appear in person at sentencing and speak directly to the district court at that time.

Defendant requests the court reschedule the sentencing hearing in this matter to a date and time when he may appear in person before this court consistent with his rights.

DATED this 5/22/2020.

/s/ Thomas D. Weber  
Thomas D. Weber  
Attorney for Francisco Perez Medina