



State of Maryland. As the Court is aware, the Defendant has a pending perjury charge in the Anne Arundel County Circuit Court: *State of Maryland v. Pugh*, C-02-CR-19-002849. This case was supposed to have been resolved in a single court hearing prior to her federal reporting date. Instead, the case has been postponed multiple times because of the national pandemic. That case has now been rescheduled to May 14, 2020. To require the Defendant to surrender to BOP custody in Alabama, only to then have to be immediately returned to Maryland for the final adjudication of her state law charges, serves no legitimate purpose, unduly burdens the United States Marshals Service in having to unnecessarily transport the Defendant back to Maryland, could cause undue delays in the state court proceedings, and frustrates the Defendant's access to BOP programs that she can benefit from while serving her sentence in a designated facility.<sup>1</sup> Moreover, if the Defendant is not transferred back for the May court date, the State of Maryland may place a detainer on the Defendant, thereby limiting her access to certain beneficial programs while incarcerated and eliminating early halfway house placement.

4. As for the second unanticipated event, the designation of FCI Aliceville as the Defendant's location to serve her sentence, an extension of the current surrender date would allow the Defendant time to petition the BOP to change her designation to a facility consistent with the First Step Act's requirement that BOP "place [a] prisoner in a facility as close as practicable to the prisoner's primary residence, and to the extent practicable, in a facility within 500 driving miles of that residence." 18 U.S.C. § 3621(b). Undersigned counsel has begun the process of requesting BOP to reconsider their determination in light of the First Step Act's

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<sup>1</sup> Undersigned counsel was also informed by the Federal Public Defender's Office today that the BOP is imposing a temporary halt to moving persons into the BOP system. This email communication is attached hereto as **Exhibit A**.

mandate and the factors outlined by Congress, which all point to, as this Court recommended, the Defendant's placement at FPC Alderson, West Virginia.

5. Accordingly, the Defendant requests an extension to June 1, 2020 to surrender to BOP custody for service of her sentence.

Dated: April 8, 2020

Respectfully submitted,

/s/

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Andrew C. White (Federal Bar No. 08821)  
SILVERMAN THOMPSON SLUTKIN & WHITE, LLC  
201 N. Charles Street, Suite 2600  
Baltimore, Maryland, 21201  
(410)-385-2225 (t)  
(410)-547-2432 (f)  
awhite@silvermanthompson.com

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on April 8, 2020, a copy of the foregoing motion was filed via ECF and a copy sent to Assistant United States Attorney Marty Clarke, 36 South Charles Street, 4th Floor, Baltimore, MD 21201.

/s/

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Andrew C. White

**From:** Brendan Hurson <Brendan\_Hurson@fd.org>

**Date:** April 8, 2020 at 10:48:38 AM EDT

**To:** Jim Wyda <Jim\_Wyda@fd.org>

**Subject: No Movement into BOP**

Just confirmed that while folks are being designated, the BOP has indicated that there will be no movements into the BOP system at this time. So our guys will be remaining at CDF, DDOC, and NNRJ. Trying to find out a ballpark on how long that will be, but I don't think anybody knows.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA,**

**v.**

**CATHERINE E. PUGH**

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**CASE NO.: DKC-19-00541**

**ORDER**

Upon consideration of the Defendant's Motion to Extend Reporting Date, and for good cause shown, it is this \_\_\_\_ day of April, 2020,

ORDERED that the motion is GRANTED. The Defendant's reporting date is extended to June 1, 2020, at an institution designated by the United States Bureau of Prisons. All terms and conditions of the Defendant's current release are to remain in full force and effect.

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DEBORAH K. CHASANOW  
United States District Judge