

CASE NO. 18-5752

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

UNITED STATES OF AMERICA, Appellee,

- vs -

HEATHER ANN TUCCI-JARRAF, Appellant.

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

**UNOPPOSED MOTION OF APPELLANT HEATHER ANN
TUCCI-JARRAF TO EXTEND DEADLINE FOR
FILING ELECTRONIC TRANSCRIPT ORDER FORMS**

DENNIS G. TEREZ
Ohio Bar: 0030065
P.O. Box 22128
Beachwood, Ohio 44122
Phone: 216-256-4059
Facsimile: 216-932-8901
njcdgt@yahoo.com

Counsel for Appellant Heather Ann Tucci-Jarraf

The appellant in this case, Heather Ann Tucci-Jarraf, through counsel, moves the Court for an order to extend by 30 days the deadline for filing electronic transcript order forms and otherwise to hold in abeyance the schedule in this case. On September 25, 2018, the Court appointed undersigned counsel to represent Ms. Tucci-Jarraf in this appeal, which is from a trial, conviction, and sentencing hearing. In that same order, the Court ordered that the electronic transcript order forms be filed by October 9, 2018. Transcripts are presumably rather voluminous given the lower court proceedings in this case. Out of an abundance of caution, I wish to confer with Ms. Tucci-Jarraf prior to making a final determination regarding the transcripts to request in this case. Moreover, additional time is needed to familiarize myself with this case before making a final determination regarding transcript requests.

While I have contacted Ms. Tucci-Jarraf by letter, it is my intention to communicate with her on this issue via a legal telephone call arranged by prison officials. Ms. Tucci-Jarraf has not yet responded by way of either letter or telephone call. She is presently incarcerated at FCI Dublin, California. The matter of communication is always complicated when dealing with incarcerated individuals who need to put a new attorney name on their call list at the prison before being allowed to make calls to that attorney. Attorney-client communication by telephone is further complicated in this instance by the fact that the undersigned counsel will

be in the People's Republic of China for one week starting on October 7, 2018. During that week given the restrictions in China, the undersigned counsel will not have access to any cellphone or gmail service.

This motion is not intended for any dilatory purpose, and no party will be prejudiced should the Court grant it. The Federal Bureau of Prisons has calculated September 13, 2021 as Ms. Tucci-Jarraf's outdate. In addition, the assistant United States attorney handling this appeal on behalf of the government has indicated to the undersigned counsel that the government does not oppose this motion.

WHEREFORE, for the foregoing reasons, undersigned counsel moves the Court for an order extending to and including November 8, 2018 the deadline for filing electronic transcript order forms and otherwise placing in abeyance the briefing schedule in this case to allow defense counsel to communicate with his client and to make a determination regarding transcript requests.

Respectfully submitted,

/s/ Dennis G. Terez

DENNIS G. TEREZ

Ohio Bar: 0030065

P.O. Box 22128

Beachwood, Ohio 44122

Phone: 216-256-4059

Facsimile: 216-932-8901

njcdgt@yahoo.com

Attorney for Appellant Heather Ann
Tucci-Jarraf

October 4, 2018

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2018, a copy of the foregoing Unopposed Motion of Appellant Heather Ann Tucci-Jarraf to Extend Deadline for Filing Electronic Transcript Order Forms was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Dennis G. Terez
DENNIS G. TEREZ
Attorney for Appellant Heather Ann
Tucci-Jarraf