

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

LUKE WENKE,

Defendant.

22-CR-35-JLS-HKS

NOTICE OF MOTION

MOTION BY:

Frank R. Passafiume, Assistant Federal Public
Defender

DATE, TIME & PLACE:

Before the Honorable John L. Sinatra, United States
District Court Judge, Robert H. Jackson United
States Courthouse, 2 Niagara Square, Buffalo, New
York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Frank R. Passafiume, dated October 19, 2023

RELIEF REQUESTED:

One-Week Adjournment of the Revocation Hearing
Date.

DATED:

Buffalo, New York, October 19, 2023

/s/ Frank R. Passafiume

Frank R. Passafiume
Assistant Federal Public Defender
Federal Public Defender's Office
300 Pearl Street, Suite 200
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(716) 551-3341, (716) 551-3346 (Fax)
frank_passafiume@fd.org
Counsel for Defendant

TO: John Fabian
Assistant United States Attorney
Western District of New York
138 Delaware Avenue, Federal Centre
Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

22-CR-35-JLS-HKS

v.

AFFIRMATION

LUKE WENKE,

Defendant.

FRANK R. PASSAFIUME, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Luke Wenke.

2. This matter is scheduled for a Revocation Hearing on October 26, 2023.

3. On October 16, 2023, the defense filed discovery and disclosure demands. That motion remains pending.

4. The matter was previously scheduled for a Revocation Hearing by a colleague in my office. Unfortunately, I am unavailable on October 26, 2023. As a result, this motion requests a one-week adjournment of the Revocation Hearing to a date and time convenient for the Court and parties.

5. Should this motion be granted, the additional time will be spent reviewing the anticipated discovery.

WHEREFORE, it is respectfully requested that the Revocation Hearing be adjourned for One-Week.

DATED: Buffalo, New York, October 19, 2023

Respectfully submitted,

/s/ Frank R. Passafiume

Frank R. Passafiume

Assistant Federal Public Defender

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