

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	Crim. No. 13-10238-DPW
ROBEL KIDANE PHILLIPOS (3),)	
)	
Defendant.)	

**GOVERNMENT’S OPPOSITION IN PART TO
DEFENDANT’S MOTION TO CONTINUE HIS SENTENCING**

The United States hereby opposes in part the defendant Robel Phillipos’ (“defendant” or “Phillipos”) motion to indefinitely continue his sentencing hearing. The government does not object to a brief continuance of one to two weeks based upon defense counsel’s overseas travel-related communication difficulties. The government, however, objects to any further continuance of the defendant’s sentencing. The defendant was convicted of two counts of making false statements, not obstruction of justice like his co-defendants. Accordingly, the Supreme Court’s decision in the *United States v. Yates* is simply not relevant to Phillipos. Regardless of what conduct the Supreme Court deems sufficient to violate Section 1519, Phillipos’ false statements will remain the same -- he lied about entering Dzhokhar Tsarnaev’s dormitory room on the evening of April 18, 2013 and observing his friends remove evidence from that room.

CONCLUSION

WHEREFORE, for the reasons set forth above, the Government respectfully requests that the Court only continue defendant Phillipos’ sentencing for one to two weeks and deny

defendant Phillipos' motion for an indefinite continuance of his sentencing.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/ B. Stephanie Siegmann
B. STEPHANIE SIEGMANN
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Certificate of Service

I do hereby certify that a copy of this motion was served upon counsel of record via ECF on this 26th day of January 2015.

/s/ B. Stephanie Siegmann
B. Stephanie Siegmann