

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:19-CR-605-WFJ-CPT**

**MICHAEL J. DACORTA**  
\_\_\_\_\_ /

**JOINT MOTION REQUESTING AN APRIL 18, 2022 DATE CERTAIN  
TRIAL COMMENCEMENT DATE**

COMES NOW, the parties, MICHAEL J. DACORTA and the UNITED STATES OF AMERICA, through their respective undersigned counsel, and move this Honorable Court to set the trial in this cause to commence date certain on April 18, 2022, and to conclude during the week of May 2, 2022. As grounds in support the parties show:

1. The trial in this cause is set on this Court's April 2022 Trial Calendar with a status hearing set for Thursday, March 17, 2022 at 9:30 a.m. Docs. 96, 105.

2. Mr. DaCorta was charged on February 17, 2021, by a 3-Count Superseding Indictment with Conspiracy to Commit Wire and Mail Fraud, Illegal Monetary Transaction, and False and Fraudulent Statements on Income Tax Return offenses. Doc. 39. The alleged criminal conduct spanned an

approximately 8-year period between November 2011 and April of 2019. *Id.*

3. The wire and mail fraud conspiracy is alleged to involve a Ponzi style scheme involving over a hundred victims with more than \$50 million in intended loss. The alleged mail and wire fraud relate to Mr. DaCorta's and others offshore FOREX trading activities and the alleged statements they made or omitted to make to induce individuals from around the United States and other foreign countries to either invest or lend money for FOREX trading and other investment opportunities. Doc. 39.

4. The parties anticipate calling at least 6 expert witnesses (three from each side), numerous investors/lenders (multiple from each side), and multiple employees or principals from Mr. DaCorta's business (multiple from each side). The parties also anticipate the testimony of multiple federal law enforcement agents. Many of the anticipated witness reside outside the State of Florida and are from across the United States.

5. The Government anticipates that it will take 7 trial days to present its case-in chief. The Defense anticipates it will take 4-5 days to present its case. Conservatively, the parties anticipate that it will take 12 full trial days for the evidence to be presented to the jury.

6. Given the numerous anticipated witnesses, 6 of whom are expert witnesses and many of whom reside outside the State of Florida and will need to

make advance travel arrangements, the parties respectfully request that a date certain trial date be set in advance to facilitate the calendars of the parties' respective expert witnesses and to facilitate the travel arrangements of the numerous out of state witnesses.

7. The parties are aware that this Court has set the matter of *United States v. Prisciliano Garces Angulo*, 8:21-Cr-16-T-02SPF for a date certain trial to commence April 11, 2022.

8. Counsel for the Government will be in a date certain trial in the case of *United States v. For: Ann Nademus*, Case No.: 8:20-cr-257-JSM-AEP, before the Honorable Judge James Moody starting March 1, 2022, and is requesting that the trial in this cause not commence before the week of April 18, 2022, to provide sufficient time for counsel for the Government to transition from one trial to another.

9. To facilitate sufficient time to complete the anticipated 12-day trial the parties respectfully request that this Court set this matter for trial to commence on Monday, April 18, 2022, and to further reserve the weeks of April 25, 2022, and May 2, 2022, for the completion of the trial and jury deliberations.

10. If the Court is unavailable for trial from April 18, 2022, through the week of May 2, 2022, the parties respectfully request that the Court advise the parties of the Court's unavailability before the March 17, 2022, status hearing so

the parties can consult and advise the Court at the March 17, 2022, status hearing of potential future trial dates mutually convenient to the parties and their respective witnesses.<sup>1</sup>

WHEREFORE, the parties MICHAEL J. DACORTA and the UNITED STATES OF AMERICA respectfully move this Court to enter an Order setting this matter for a date certain trial commencing on Monday, April 18, 2022, and concluding during the week of May 2, 2022, or in the alternative this Court advise the parties of its unavailability from April 18, 2022, through the week of May 2, 2022, before the March 17, 2022, status hearing.

DATED this 24th day of February, 2022.

Respectfully submitted,

ROGER B. HANDBERG  
United States Attorney

A. FITZGERALD HALL, Esq.  
FEDERAL DEFENDER

By: /s/ Rachelle DesVaux Bedke  
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<sup>1</sup> Defense counsel Adam B. Allen has a pre-paid non-refundable out of state makeup Covid-19 vacation from May 7, 2022, through May 23, 2022. Defense counsel Sylvia Irvin has a pre-paid non-refundable out of country makeup Covid-19 vacation from May 10, 2022 through May 20, 2022.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of February, 2022, a true and correct copy of the foregoing was furnished by using the CM/ECF system with the Clerk of the Court, which will send notice of the electronic filing to the listed counsels and following:

Rachelle Bedke, AUSA

/s/ Adam B. Allen  
Adam B. Allen, Esq.  
Assistant Federal Defender