

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NO: 6:18-cr-216-Orl-41TBS

SARAH VICTORIA TERRERO FRANCIS

Defendant.

ORDER

This case comes before the Court without a hearing on Defendant Sarah Victoria Terrero Francis' Unopposed Motion for Payment of Travel Expenses (Doc. 29).

Defendant is accused of assaulting flight crew members who were engaged in the performance of their duties, while onboard an aircraft in the special aircraft jurisdiction of the United States, in violation of 49 U.S.C. § 46504 (Doc. 15). Defendant has entered into a Plea Agreement with the government, indicating her intent to plead guilty as charged (Doc. 28). Defendant is scheduled to enter her plea in the United States District Court in Orlando, Florida on November 26, 2018 (Doc. 27).

Defendant resides in York, Pennsylvania (Doc. 29, ¶ 2). She represents that she is indigent and thus, unable to pay for transportation to Florida to appear at her change of plea and sentencing hearings (Id.). This is consistent with the Court's earlier finding that Defendant is unable to afford counsel to defend this case (Doc. 5) Now, Defendant is asking the Court to direct the United States Marshal to pay for Defendant's one-way airline ticket from Pennsylvania to Florida so that she may appear as directed in this action (Id., ¶ 3). The government does not oppose the motion (Id., ¶ 4).

Title 18 of United States Code § 4285 provides that the Court may, “when the interests of justice would be served thereby and the United States judge or magistrate judge is satisfied, after appropriate inquiry, that the defendant is financially unable to provide the necessary transportation to appear before the required court on his own, direct the United States marshal to arrange for that person's means of noncustodial transportation or furnish the fare for such transportation to the place where his appearance is required, and in addition may direct the United States marshal to furnish that person with an amount of money for subsistence expenses to his destination, not to exceed the amount authorized as a per diem allowance for travel under section 5702(a) of title 5, United States Code. When so ordered, such expenses shall be paid by the marshal out of funds authorized by the Attorney General for such expenses.”

The Court finds that Defendant is unable to pay for her transportation to this Court to appear as required and that the interests of justice will be served by directing the United States Marshal to provide for her transportation to this Court. Therefore, the motion is **GRANTED**. The United States Marshal shall furnish transportation or the fare for transportation for Defendant to travel from Pennsylvania to the United States District Court in Orlando, Florida to appear for the entry of her plea and sentencing.

DONE and ORDERED in Orlando, Florida on October 26, 2018.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
United States Marshal
United States Pretrial Services Office
Sarah Victoria Terrero Francis