

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	Criminal No. <u>18-cr-20144-JTF</u>
Plaintiff,)	
)	
vs.)	
)	
GBEMISOLA AKINSANYA and)	
ADEMOLA ADEOTI,)	
)	
Defendants.)	

MOTION TO DISMISS WITHOUT PREJUDICE

Comes now the United States Attorney for the Western District of Tennessee and his duly authorized Assistant, Debra L. Ireland, and in moving for a dismissal without prejudice, would show the following:

Defendants were set for trial on Monday, April 1, 2019. Only one defendant, Ms. Akinsanya, has been released on bond.

While preparing for trial, the United States learned that a necessary witness had left the United States and was no longer cooperating with investigators. The government sought a continuance of trial in order to allow for time to remedy the situation.

The United States has determined that at this time, it cannot obtain the testimony of the out-of-country witness in a timely fashion. In addition, the government has learned that a second necessary witness is likely unavailable and cannot be compelled to testify.

In the interest of justice, the United States thus moves for dismissal without prejudice in the above styled and numbered cause.

Undersigned counsel has notified attorneys for the defendants. Counsel for Ms. Akinsanya has no objection. Counsel for Mr. Adeoti has yet to respond.

WHEREFORE, PREMISES CONSIDERED, the United States moves this Court to dismiss the case without prejudice.

Respectfully submitted,

D. MICHAEL DUNAVANT
United States Attorney

By: /s/ Debra L. Ireland
Assistant United States Attorney

CERTIFICATE OF SERVICE

I, Debra L. Ireland, Assistant United States Attorney, do hereby certify that a copy of the foregoing Motion was forwarded by electronic means, via the Court's Electronic Filing System, to Claiborne Ferguson, Esq., Attorney for Defendant Akinsanya, and Wilvin Carver, Esq., Attorney for Mr. Adeoti.

This 9th Day of April, 2019.

/s/ Debra L. Ireland
Assistant United States Attorney

CERTIFICATE OF CONSULTATION

I, Debra L. Ireland, Assistant United States Attorney, do hereby certify that I have consulted with Claiborne Ferguson, Attorney for Defendant Akinsanya, and he has no objection to the government's motion. I have also notified Wilvin Carter, Attorney for Defendant Adeoti.

This 9th Day of April, 2019.

/s/ Debra L. Ireland
Assistant United States Attorney