



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 12, 2018

BY ECF

The Honorable Naomi Reice Buchwald
United States District Judge
500 Pearl Street, Room 2270
New York, New York 10007

**Re: *United States v. William McFarland,*
SI 17 Cr. 600 (NRB)**

Dear Judge Buchwald:

The Government respectfully writes to update the Court on recent developments, as well as request that the Court adjourn the sentencing and Government's sentencing submission deadline in the above-captioned matter, and set a bail revocation hearing no later than June 26, 2018.

Today, the Government unsealed a Criminal complaint charging William McFarland with wire fraud and money laundering, in connection with conducting a sham ticket scheme in which he purported to sell fraudulent tickets to exclusive fashion, music, and sporting events through NYC VIP Access, a company controlled by the defendant, and also caused the fraud proceeds to be sent to others' financial accounts in an effort to conceal his ownership and control of the funds. See United States v. William McFarland, 18 Mag. 5026. The defendant was arrested this afternoon, and presented this evening before Magistrate Judge Gorenstein. Title 18, United States Code, Section 3142(d) provides that a judicial officer shall order detention of a defendant for a period of not more than ten days if: (a) the defendant is or was, at the time the offense was committed: (i) on release pending trial for a felony under Federal law, or (ii) on release pending imposition of sentence for any offense under Federal law, and (b) may flee or pose a danger to any other person or the community. Pursuant to Title 18, United States Code, Section 3142(d), Judge Gorenstein ordered the defendant detained until June 26, 2018. If, and only if, your Honor does not revoke the defendant's bail in the above-captioned matter, Judge Gorenstein has set the following bail conditions for the defendant's release after June 26: \$1 million personal recognizance bond, to be co-signed by four financially responsible persons and secured by \$500,000 in cash or property; travel to be restricted to the Southern and Eastern Districts of New York; home incarceration; and strict pretrial supervision. The defendant is ordered detained until all conditions are met. Accordingly, the Government respectfully requests that the Court set a bail revocation hearing no later than June 26, 2018.

As the Court is aware, the Government's sentencing submission is due tomorrow, and the defendant is currently scheduled to be sentenced on June 21. The Government respectfully

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requests an adjournment of both the due date for its sentencing submission and the defendant's sentencing. The Government proposes that the Court set a new sentencing schedule which would allow time for the Probation Office to prepare an amended Final Presentence Report ("PSR"), and for the parties to file sentencing submissions after the Probation's Office issuance of any amended PSR. Specifically, the Government wishes to provide to the Probation Officer information pertaining to the defendant's obstruction in making false statements to the Probation Officer in connection with his preparation of the PSR, as well as additional information pertaining to the charges described in the above-referenced criminal Complaint and other criminal conduct that has not yet been charged.

Respectfully submitted,

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cc: All Counsel of Record (by ECF)
Probation Officer Paul Hay (by electronic mail)