

FILED by <u>SW</u> D.C. ELECTRONIC
Nov 15 2004
CLARENCE MADDOX CLERK U.S. DIST. CT. S. D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 03-14060-CR-GRAHAM-LYNCH**

UNITED STATES OF AMERICA

v.

PAUL ELLIOTT,

Defendant.

UNOPPOSED MOTION FOR LEAVE TO TRAVEL

Defendant, PAUL ELLIOTT, by and through his undersigned attorney, hereby moves this Honorable Court to enter an Order granting him permission to travel to Spring Hill, Florida, from November 24 through November 27, 2004, and as ground and reasons therefor, states the following:

1. On March 5, 2004, Defendant was found guilty of 22 of 24 counts of Health Care Fraud and one count of Destruction, Alteration or Falsification of Records. He was acquitted of two counts of Health Care Fraud and one count of Money Laundering. Sentencing currently is not scheduled Defendant remains free on a \$1 million bond with 10% cash (\$100,000) posted with the Clerk of Court and co-signed by Defendant's wife, Suzann Elliott. Defendant has scrupulously honored all conditions of his release, and Defendant and his wife have surrendered their passports to Pretrial Services.

2. Defendant previously has been granted leave to travel and has returned as scheduled and without incident.

3. Defendant, his wife their children are desirous of traveling by car to the west coast of Florida to spend the Thanksgiving holiday with Defendant's wife's sister, Cathy Pinto. They will be staying with Ms. Pinto at her home located at 13116 Darla Court in Spring Hill, Florida (352/544-

4285). They will leave their home on Wednesday, November 24, 2004, to drive to Spring Hill, Florida, and will return on Saturday, November 27, 2004.

4. Defendant will consent to any other conditions the Court might impose in regard to this trip.

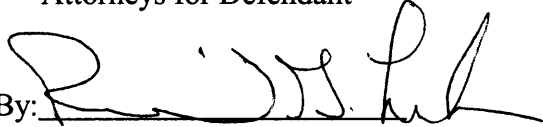
5. The undersigned's assistant has spoken with Assistant United States Attorney Mark Johnson and David Farinacci, Defendant's Pretrial Services Officer, who have no objection to the granting of this motion.

WHEREFORE, for the reasons set forth above, Defendant respectfully requests that this Honorable Court enter an Order granting him leave to travel to Spring Hill, Florida, from November 24 through November 27, 2004, for the aforementioned reasons.

I HEREBY CERTIFY that a true copy hereof has been mailed to **AUSA MARK JOHNSON, ESQ.**, P.O. Box 2497, Ft Pierce, FL 34954-2749; and to **DAVID FARINACCI, United States Pretrial Services**, 505 S. 2nd Street, Ste. 225, Ft. Pierce, FL 34950, this 15th day of November, 2004.

RICHARD G. LUBIN, P.A.
1217 South Flagler Drive
West Palm Beach, FL 33401
Telephone: 561/655-2040
Facsimile: 561/655-2182
Attorneys for Defendant

By:


RICHARD G. LUBIN
Fla. Bar No. 182249