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Epstein Trial Could Be Held As Soon As June 2020

By **Frank G. Runyeon**

Law360, New York (July 31, 2019, 2:23 PM EDT) -- A Manhattan federal judge on Wednesday tentatively blocked off time on his calendar for June 2020 to try the sex trafficking case against financier Jeffrey Epstein, but declined to set a formal trial date after the parties sparred over the specific timing.

Epstein was **arraigned earlier this month** after a grand jury indicted him on charges based on allegations that he "sexually exploited and abused dozens of girls at his homes" in New York and Florida, according to court filings. He was **denied bail** two weeks ago with the court ruling his application was "irretrievably inadequate" and that he posed a risk to the community.

U.S. District Judge Richard M. Berman held off on setting a formal trial date in the sex trafficking case after the government pushed back on the wealthy financier's attempt to delay the trial until after Labor Day 2020.

Judge Berman excluded time through June 8, 2020, under the Speedy Trial Act and cleared a 9 a.m. slot on that day but declined to call it a trial date.

"Let's just leave it at that," the judge said.

During the hearing, government counsel Alison Moe requested a schedule that went largely uncontested, featuring discovery motions in September and October with a Halloween 2019 discovery deadline and pretrial motions in January and February 2020.

But Epstein counsel **Martin Weinberg** balked at the government's proposal for a four- to six-week trial in June 2020. He requested a date in September, rattling off a list of reasons the case called for an extra three months to allow Epstein to prepare.

"We need time to review a million pages of discovery," Weinberg said, adding that there are other time-consuming tasks to be accomplished, including locating sealed documents in other jurisdictions and getting them unsealed.

There are also "unique and very complex" constitutional issues raised by the nonprosecution agreement that Epstein signed with Florida prosecutors more than a decade ago, Weinberg said.

"There are double jeopardy issues," he added.

Thirteen months, Weinberg said, is appropriate "to prepare a case of this magnitude."

Judge Berman said he was sensitive to defense counsel's need to prepare, given the head start prosecutors have in the case.

"Why don't we extend it to September 2020," Berman said.

The government objected to the proposal.

"We don't think any delay in the case is in the public interest," Moe said, saying 13 months is too long considering the length of time that has passed since the alleged crimes took place.

Epstein himself sat with his hands folded under his chin, surveying the back-and-forth, appearing relaxed and unscathed just more than a week after reports from unnamed sources that he was found sprawled unconscious in his jail cell at the Metropolitan Correctional Center.

After the hearing, Epstein's counsel declined to comment, confirm or deny those reports, with Weinberg staring stony-faced at reporters in the courthouse elevator and wryly asking if anyone wanted to talk about the motions calendar.

"That's the only thing I'm addressing," Weinberg said. As he ducked into a second elevator, the attorney did confirm that there is "no formal trial date" just yet.

Epstein is represented by Michael C. Miller of Steptoe & Johnson LLP, and Martin G. Weinberg.

The government is represented by Alex Rossmiller, Alison Moe and Maurene Comey of the U.S. Attorney's Office for the Southern District of New York.

The case is USA v. Epstein, case number 1:19-cr-00490, in the U.S. District Court for the Southern District of New York.

--Editing by Stephen Berg.