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11 Attorneys for Defendant, Michele Fiore

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,

CASE NO. 2:24-cr-00155-JAD-DJA

15 Plaintiff,

16 vs.

17 MICHELE FIORE,

18 Defendant.

19 **MICHELE FIORE’S MOTION TO VACATE SENTENCING DATE DUE TO**
20 **EXECUTIVE GRANT OF CLEMENCY**

21 Defendant, Michele Fiore, by and through her attorney, Paola M. Armeni, Esq., and Gia
22 N. Marina, Esq. of the law firm of Clark Hill PLLC, moves this Court to Vacate the sentencing
23 date currently set for May 14, 2025, at 1:30 p.m. due to the Executive Grant of Clemency signed
24 on the 23rd of April 2025.

25 **MEMORANDUM OF POINTS AND AUTHORITIES**

26 The President of the United States pursuant to his powers under Article II, Section 2, Clause
27 1, of the United States Constitution, has the authority to “grant Reprieves and Pardons for Offences
28 against the United States, except in Case of Impeachment.” This authority may be exercised at
any time after an offenses’ commission, “either before legal proceedings are taken or during their
pendency, or after conviction and judgment.”¹ “If granted before conviction it prevents any of the

¹ *Ex parte Garland*, 71 U.S. 333, 334, 18 L. Ed. 366 (1866).

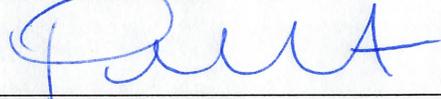
1 penalties and disabilities consequent upon conviction from attaching; if granted after conviction it
2 removes the penalties and disabilities and restores him to all his civil rights.”²

3 On April 23, 2025, the President of the United States, Donald J. Trump exercised his
4 authority and granted Ms. Fiore a **full and unconditional pardon** for those offenses set forth in
5 this case. *See* Exhibit A – a true and accurate copy of the Executive Grant of Clemency.

6 For the foregoing reasons, the sentencing cannot go forward and as such should be vacated.

7 Dated this 24th day of April, 2025.

8 CLARK HILL PLLC

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²*Ex parte Garland*, 71 U.S. 333, 334, 18 L. Ed. 366 (1866).

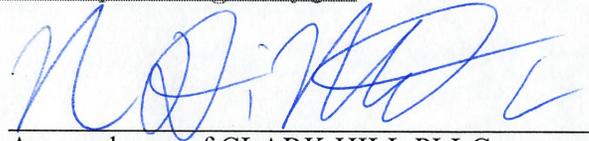
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CERTIFICATE OF SERVICE

The undersigned, an employee of Clark Hill PLLC, hereby certifies that on the 24th day of April, 2025, I served a copy of the **MICHELE FIORE’S MOTION TO VACATE SENTENCING DATE DUE TO THE EXECUTIVE GRANT OF CLEMENCY** via the Court’s CM/ECF electronic filing system addressed to all parties on the e-service list.

Alexander Byrne Gottfried alexander.gottfried@usdoj.gov

Dahoud Askar Dahoud.Askar@usdoj.gov, heather.depremio2@usdoj.gov



An employee of CLARK HILL PLLC

EXHIBIT A

Executive Grant of Clemency

EXHIBIT A

Executive Grant of Clemency

Donald J. Trump

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

BE IT KNOWN, THAT THIS DAY, I, DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES, PURSUANT TO MY POWERS UNDER ARTICLE II, SECTION 2, CLAUSE 1, OF THE CONSTITUTION, HAVE GRANTED UNTO THE INDIVIDUAL NAMED BELOW

A FULL AND UNCONDITIONAL PARDON

For those offenses against the United States individually enumerated and set before me for my consideration:

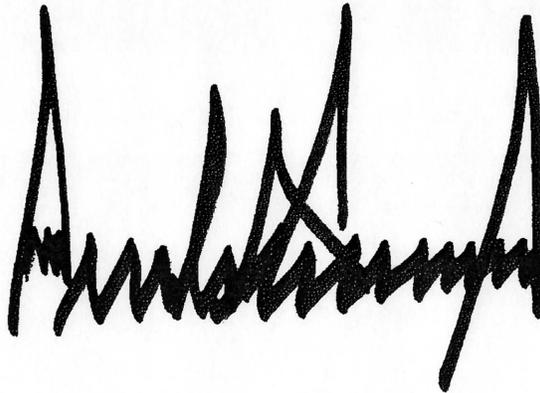
United States v. Fiore, 2:24-cr-155

MICHELE FIORE

I HEREBY DESIGNATE, direct, and empower the Attorney General, as my representative, to immediately sign the grant of clemency to the person named herein. The Attorney General shall declare that her action is the act of the President, being performed at my direction.

IN TESTIMONY WHEREOF, I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

Done at the City of Washington in the District of Columbia this 23rd day of April in the year of our Lord Two Thousand Twenty-five and of the Independence of the United States the Two Hundred and Forty-ninth.

A handwritten signature in black ink, appearing to read "Donald J. Trump". The signature is stylized with large, bold letters and a prominent vertical stroke on the right side.

DONALD J. TRUMP
PRESIDENT