

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

|                                  |   |                              |
|----------------------------------|---|------------------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                              |
|                                  | ) |                              |
| <b>Plaintiff,</b>                | ) |                              |
|                                  | ) |                              |
| <b>v.</b>                        | ) | <b>Case No. 3:20-cr-0012</b> |
|                                  | ) |                              |
| <b>WARREN WHYTE,</b>             | ) |                              |
|                                  | ) |                              |
| <b>Defendant.</b>                | ) |                              |

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**ORDER**

**BEFORE THE COURT** is the Report and Recommendation of the magistrate judge recommending that the Court accept Warren Whyte's ("Whyte") plea of guilty (ECF No. 39) to Count One of the Information. After conducting a *de novo* review of the record and pursuant to Rule 11 of the Federal Rules of Criminal Procedure, the Court finds that Defendant Whyte entered his guilty plea knowingly and voluntarily, and that there was a factual basis for the plea. The Court, therefore, will adopt the Report and Recommendation and find Whyte guilty as to Count One of the Information. Accordingly, it is hereby

**ORDERED** that the Report and Recommendation (ECF No. 39) is **ADOPTED**; it is further

**ORDERED** that Defendant Warren Whyte's plea of guilty as to Count One of the Information is **ACCEPTED**, and that Defendant Whyte is adjudged **GUILTY** on that count; it is further

**ORDERED** that, pursuant to Fed. R. Crim. P. 32(c)(1)(A), the U.S. Probation Office shall conduct a presentence investigation for the preparation of a presentence report; it is further

**ORDERED** that the U.S. Probation Office shall disclose the preliminary presentence report to the parties no later than December 28, 2020; it is further

**ORDERED** that the parties shall submit any objections or corrections to the preliminary presentence report to the U.S. Probation Office no later than January 11, 2021; it is further

**ORDERED** that the U.S. Probation Office shall disclose the final presentence report to the parties and the Court no later than February 9, 2021; it is further

**ORDERED** that the parties shall file their sentencing memoranda no later than February 23, 2021; it is further

**ORDERED** that a sentencing hearing shall be held on Thursday, March 11, 2021, at 9:00 A.M. in STT Courtroom No. 1.

**Date:** October 30, 2020

/s/ Robert A. Molloy  
**ROBERT A. MOLLOY**  
**District Judge**