

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:24-cr-0025
	)	
FRANCISCO HERNANDEZ PENALOZA,	)	
	)	
Defendant.	)	
	)	

ORDER

THIS MATTER comes before the Court on the Report and Recommendation of the United States Magistrate Judge dated December 10, 2025, ECF No. 97, recommending that the Defendant's plea of guilty to Count Two of the Indictment, Possession with Intent to Distribute Cocaine on Board a Vessel Subject to the Jurisdiction of the United States, a violation of Title 46, United States Code, Sections 70503(a)(1), 70506(a), and Title 18, United States Code, Section 2, be accepted, and the defendant be adjudged guilty. After careful consideration and review, and there being no objection, it is hereby

ORDERED that the Report and Recommendation, ECF No. 97, is **ADOPTED**; it is further

ORDERED that Defendant Francisco Hernandez Penaloza's plea of guilty as to Count Two of the Indictment is **ACCEPTED**, and that Francisco Hernandez Penaloza 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

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ORDERED that the U.S. Probation Office shall disclose the preliminary presentence report to the parties **no later than February 13, 2026**; 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 March 6, 2026**; 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 March 20, 2026**; it is further

ORDERED that the parties shall file their sentencing memoranda **no later than April 2, 2026**; and it is further

ORDERED that a sentencing hearing shall be held on **April 17, 2026, at 11:30 A.M.** in STT Courtroom No. 1 before Chief Judge Robert A. Molloy.

Dated: January 5, 2026

/Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge