

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	Case No. 5:26-CR-00038-FB
	§	
	§	
DEVIN ELDER	§	

**STATUS REPORT & UNOPPOSED MOTION TO CONTINUE
SENTENCING**

TO THE HONORABLE FRED BIERY, UNITED STATES DISTRICT JUDGE FOR THE
WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION:

NOW COMES, Defendant, Devin Elder, by and through undersigned counsel, and
hereby files this Status Report and Unopposed Motion to Continue Sentencing, and in
support of same would show as follows:

1. Mr. Elder is currently set for sentencing on September 9, 2026, at 9:00 a.m.
2. Mr. Elder has continuously cooperated with the Government since the inception
of their investigation into his conduct. This cooperation has included and aims for
transparent and comprehensive liquidation of all available assets to maximize
restitution to the victims.
3. In the same spirit of his cooperation, Mr. Elder has been continuously working
with the Government and their Receiver by providing all relevant information
related to liquidable assets. Again, the purpose of this exercise is to maximize the
net recovery for the victims in this case.

4. While many assets have since been liquidated, there are many assets with significant value currently pending sale.
5. These sales will not finalize prior to the currently scheduled sentencing date on September 9, 2026.
6. Mr. Elder continues to fully cooperate with the Government and scrupulously comply with all conditions of bond.
7. As such, in order to maximize restitution to the victims prior to sentencing, Mr. Elder seeks additional time to allow these assets to finalize sale.
8. Undersigned counsel has conferred with counsel for the Government, AUSA Bill Harris, and he is unopposed to the relief requested in this motion.
9. As such, and for said reasons, Defendant respectfully requests a continuance of sentencing and corresponding deadlines for a period of sixty (60) days.
10. The Defendant acknowledges that any continuance granted in this cause is excludable under the Speedy Trial Act as delay resulting from a continuance granted at the request of defense counsel because the ends of justice served by the continuance outweigh the interest of the public in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Defendant does not waive his rights under the Sixth Amendment.
11. This status report and motion to continue sentencing is not made for purposes of delay, but rather to ensure the most robust recovery possible for all victims involved.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that this Unopposed Motion to Continue Sentencing be granted, and that sentencing be continued for a period of sixty (60) days.

Respectfully Submitted,

By: /s/ John S. Gilmore

John S. Gilmore

Bar No. 24096676

Gerald H. Goldstein

Bar No. 08101000

Goldstein & Orr

315 E. Commerce St., Suite 301

The Historic Staacke-Stevens Bldg.

San Antonio, TX 78205

Office: 210-226-1463

Facsimile: 210-226-8367

johnstuartgilmore@gmail.com

gerrygoldsteinlaw@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2026, a copy of the foregoing was transmitted to the Assistant United States Attorney, Bill Harris, as a registered participant to the PACER electronic filing system.

By: /s/ John S. Gilmore

John S. Gilmore

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for the Government, AUSA Bill Harris, was contacted regarding this motion. Mr. Harris is unopposed to the relief requested in this motion.

By: /s/ John S. Gilmore

John S. Gilmore

UNITED STATES DISTRICT COURT
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v.

DEVIN ELDER

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Case No. 5:26-CR-00038-FB

**ORDER ON DEFENDANT'S UNOPPOSED MOTION TO CONTINUE
SENTENCING**

On _____, this Court considered Defendant's Unopposed
Motion to Continue Sentencing. After consideration of the motion, it is hereby:

_____ GRANTED

_____ DENIED.

SIGNED on _____.

HONORABLE FRED BIERY
U.S. DISTRICT JUDGE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION