

O'Neal Seeks Eight-Week Delay Before Prison Surrender, Citing Need for Appeal Counsel and Medical Care

Jenifer O'Neal's temporary attorney Carl Williams asked Judge Mark Kearney to delay her prison surrender by eight weeks, arguing she needs time to secure appellate counsel, complete preliminary appeal work and attend immediate medical appointments.

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Former Office of Management & Budget Director Jenifer O'Neal, left, and her daughter.
By. ERNICE GILBERT, V.I. CONSORTIUM.

Jenifer O'Neal's new attorney, Carl Williams, has asked District Court Judge Mark Kearney to reconsider an order requiring her to surrender into custody by Tuesday, arguing that the former

Office of Management and Budget director needs additional time to retain counsel for her appeal.

Mr. Williams, who says he has only been temporarily retained, is also asking the court to delay the start of Ms. O'Neal's prison sentence by eight weeks.

Ms. O'Neal was [sentenced last week to seven years](#) in prison after Judge Kearney said she "traded her integrity for cash" in the Mon Ethos corruption scandal. According to Mr. Williams, she now "requires additional time to retain qualified representation" after dismissing her trial attorney, Dale Smith.

Ms. O'Neal has accused Mr. Smith of failing to handle her matter with due care, citing late filings and a failure to request a trial separate from her co-accused, among [other alleged issues](#).

In the motion, Mr. Williams argued that the roughly two-month delay "is narrowly tailored and necessary to protect Defendant's right to effective appellate representation." He confirmed that his role is limited to "preparing and filing the instant motion and seeking relief from the order of surrender," and indicated uncertainty over whether he would represent Ms. O'Neal on appeal.

Mr. Williams assured the court that the request "is not filed for purposes of untoward delay."

If the court allows Ms. O'Neal to remain out of prison for eight more weeks, Mr. Williams said she believes she "will be able to complete the necessary preliminary appellate work, establish a legal relationship with retained appellate counsel of her choosing, and meaningfully assist in the development of the framework of her appeal."

Mr. Williams also argued that Ms. O'Neal's anticipated appeal raises substantial questions of law and fact that could result in a reversal of her conviction or a new trial.

In asking the court to allow Ms. O'Neal to remain free temporarily, Mr. Williams cited her compliance with release conditions and the fact that she was granted permission to travel on several occasions. He argued that those factors demonstrate she is unlikely to flee.

He also argued that Ms. O'Neal does not pose a danger to the community and requires "immediate medical appointments" to address "several medical issues."

Mr. Williams also pointed to the sentencings of former Sports, Parks and Recreation Commissioner Calvert White and Benjamin Hendricks, who were convicted in separate fraud and bribery cases involving a Mon Ethos contract. Mr. White was given five weeks between judgment and remand into custody, while Mr. Hendricks was given almost eight weeks.

The prosecution, according to Mr. Williams, objects to any further delay in Ms. O'Neal reporting to prison.

The motion comes one day after Judge Kearney scheduled a hearing for next Tuesday, stating that Ms. O'Neal either "needs to retain counsel or knowingly agree to proceed without counsel on her appeal."