

## O'Neal Ordered to Surrender Wednesday After Court Rejects Last Bid to Remain Free Pending Appeal

Former Office of Management and Budget Director Jenifer O'Neal is expected to surrender to federal custody on Wednesday after District Court Judge Mark Kearney denied her latest request to delay her report date while she pursues an appeal.

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Jenifer O'Neal and one of her sons following her conviction on Dec. 11, 2025 on St. Thomas. By. ERNICE GILBERT, V.I. CONSORTIUM.

Former Office of Management and Budget Director Jenifer O'Neal is expected to surrender to federal custody on Wednesday after District Court Judge Mark Kearney denied her latest request to delay her report date while she pursues an appeal.

“Defendant has not demonstrated grounds to further delay Congress’s mandate of incarceration following conviction,” Judge Kearney wrote, finding that Ms. O’Neal’s newly hired attorney Carl Williams “conceded the key issues during oral argument.”

The ruling follows several recent efforts by Ms. O’Neal to avoid entering custody. Last Monday, Judge Kearney denied her request for an eight-week delay in reporting to prison on June 23, granting only a short extension to July 1. Her attorney tried again last Thursday to keep her free pending appeal, filing a 21-page motion for bail that Judge Kearney rejected for being too long and for other deficiencies.

A new motion was filed Saturday, this time complying with the court’s requirements. In that filing, defense counsel argued that Ms. O’Neal does not pose a danger to the community and presents a low flight risk. The motion also claimed there are four “substantial, independently sufficient questions of law and fact” that justify a stay of her surrender date.

According to the defense, those issues could lead the Third Circuit Court of Appeals to reverse Ms. O’Neal’s conviction, order a new trial, or impose an adjusted sentence that does not include incarceration.

During Tuesday afternoon’s hearing, however, Judge Kearney pressed Mr. Williams on key parts of his argument. At one point, the judge appeared to question one of the citations in the defense filing.

“What are you referring to, sir?”

Mr. Williams told the court that he “did not bring his notes,” which would have allowed him to expand on the case law cited in his memorandum. Judge Kearney asked again, noting that the memorandum referenced an alleged split in the Circuit Court’s opinion on an argument being used to support Ms. O’Neal’s continued home detention.

“You know, today’s the day, right?” Judge Kearney asked. “I’m asking you, tell us what it is you’re talking about.”

“At this juncture, and on this call, I cannot be any more specific with the court,” Mr. Williams maintained.

“Your reputation as a lawyer is much more important,” Judge Kearney responded, before moving to another line of questioning. “I appreciate your candor, sir.”

The judge’s next question required Mr. Williams to concede another central point in his argument and acknowledge that language used in one section of the law cannot necessarily be transferred to another section.

“I concur with your assessments, I will fall back, Judge,” Mr. Williams said.

Defense counsel made another concession when he agreed with Judge Kearney that Ms. O’Neal would still have to serve time for her other convictions even if her challenge to the bribery count were successful.

“I can’t disagree with that assessment at this juncture, Judge,” Mr. Williams said.

Judge Kearney's one-paragraph order denying Ms. O'Neal's latest request was accompanied by approximately two pages of footnotes summarizing Tuesday's hearing and reiterating that she must surrender on July 1.

"We focus on whether she has shown her appeal raises a substantial question of law or fact likely to result in reversal, a new trial, a sentence not including imprisonment, or a reduced sentence," Judge Kearney wrote. "She has not. And she largely concedes she cannot meet her burden during today's oral argument."

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