

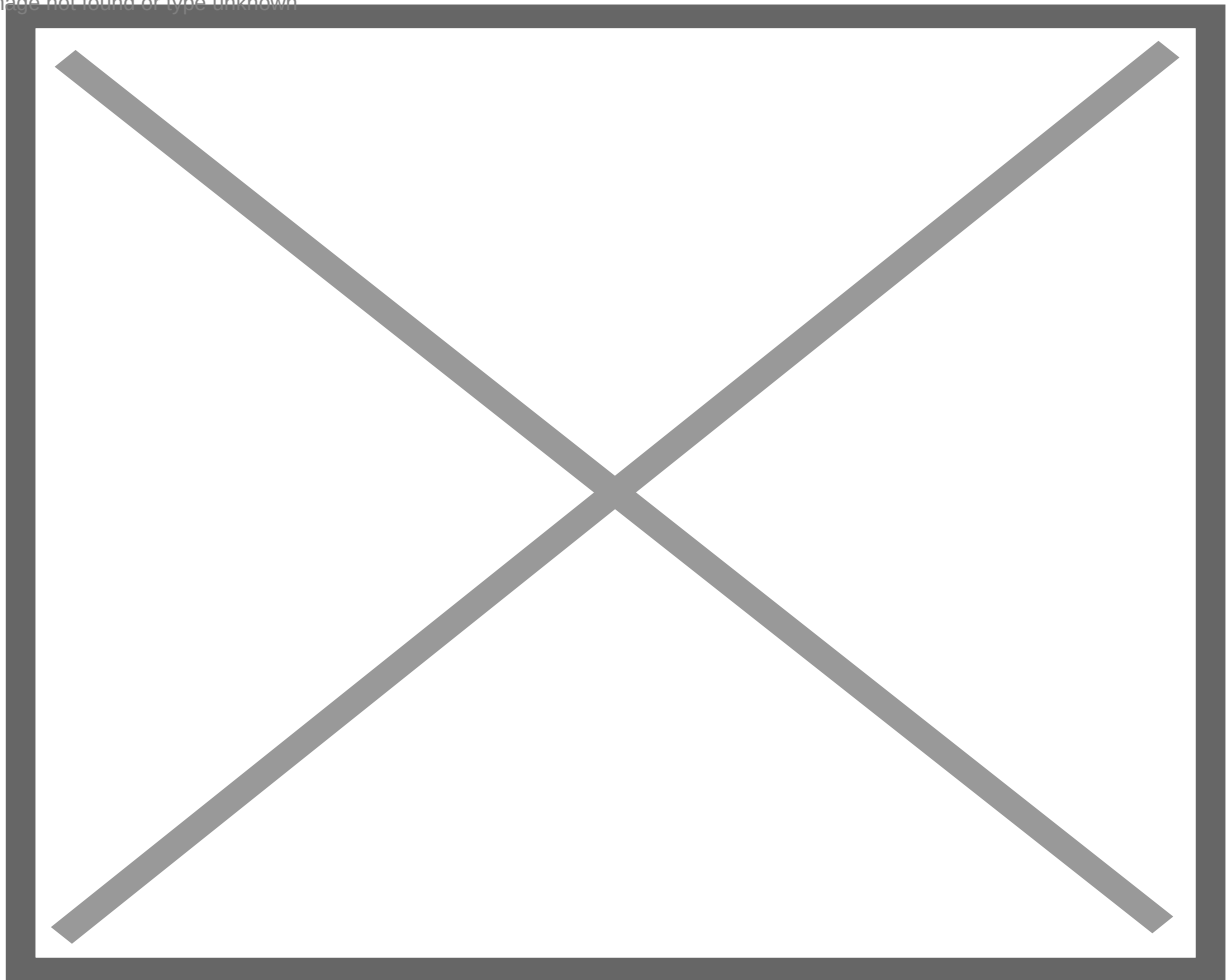
Third Circuit Asked to Release O'Neal While Mon Ethos Convictions Are Appealed

Jenifer O'Neal is asking the Third Circuit to release her from federal custody while she appeals her fraud, bribery and money laundering convictions, arguing that unsettled questions of federal bribery law could require reversal or a new trial altogether.

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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.

Jenifer O'Neal this week renewed her request to be released from federal custody while her appeal moves forward, taking the matter to the Third Circuit Court of Appeals after the District Court denied her previous bid.

A 23-page motion filed Monday returns to her central argument that each of her convictions depends on an unresolved question about the precise conduct required to constitute bribery under federal law.

“This Court has never answered” the question; “whether a public official commits bribery when the sole ‘official’ act attributed to her is a general directive that pending federal-grant invoices be processed in the ordinary payment cycle, a directive that names no contractor and identifies no invoice,” the motion begins.

The filing argues that the District Court avoided resolving that question by interpreting [18 U.S. Code § 666](#) to mean that no “official acts” are required to sustain a conviction. At the same time, the motion notes, the lower court acknowledged that the unanswered legal issue is “significant” and “fairly debatable.”

Ms. O’Neal’s attorneys contend that the substantial legal question, combined with their assertions that she is neither a flight risk nor a danger to anyone and is not pursuing the appeal merely to delay her sentence, means she meets the standard for release pending appeal.

Her counsel also pointed to another former public official “in materially similar circumstances” who [was granted](#) release by the Third Circuit while his appeal proceeded. That decision was issued on the same day the District Court denied Ms. O’Neal’s request.

The latest filing covers much of the same ground as her previous challenges. It first questions whether her convictions can withstand the standards established by two Supreme Court rulings: [McDonnell v. United States](#) in 2016 and [Snyder v. United States](#) in 2024.

The motion also asks whether presenting one theory to a grand jury and abandoning it at trial created a fatal variance in the case ultimately tried.

A third question concerns Ms. O’Neal’s stated demands that she not receive a payment by wire transfer [because such payments could be traced](#). The filing asks whether those statements establish that she foresaw an interstate wire.

The motion further asks the Third Circuit to determine whether rulings in Ms. O’Neal’s favor on the preceding questions would require her convictions to be reversed or entitle her to a new trial.

District Court Judge Mark Kearney has rejected the premise of those arguments several times since the former Office of Management and Budget director was convicted of fraud, bribery and money laundering in the [Mon Ethos corruption case](#).

The appeal now places those questions before the Third Circuit. Ms. O’Neal’s counsel is due to submit a brief supporting the arguments by August 20.

Prosecutors, meanwhile, continue to oppose releasing Ms. O’Neal from federal custody while her appeal proceeds. The court granted them an extension until August 3 to file their response.