

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**AHMAD SALIM SALTI,**

**Defendant.**

**Case No. 14-40138-01-DDC**

**MEMORANDUM AND ORDER**

The court grants defendant's unopposed Motion to Stay Execution of Restitution Order (Doc. 90). Fed. R. Crim. P. 38(e)(1) allows a district court to stay "any sentence providing for restitution under 18 U.S.C. § 3556[,]" if defendant appeals. Although defendant has filed a notice of appeal and the Tenth Circuit has docketed his appeal, the court concludes that it retains jurisdiction to enter a stay under Fed. R. Crim. P. 38(e)(1). *See United States v. Goodyear*, No. CR-17-179-HE, 2019 WL 4180521, at \*2 (W.D. Okla. Aug. 8, 2019), report and recommendation adopted, No. CR-17-00179-001-HE, 2019 WL 4179527 (W.D. Okla. Sept. 3, 2019) (concluding that defendant's notice of appeal did not divest the court of jurisdiction over the government's application for post-judgment writ of garnishment and defendant's related argument that the court stay its garnishment order); *see also United States v. Alvarez*, No. 14-CR-1748-GPC, 2015 WL 13187313, at \*2 (S.D. Cal. Apr. 10, 2015) (granting stay of restitution order pending appeal under Fed. R. Crim. P. 38(e)(1) even though defendant had filed notice of appeal). Because the parties agree that a stay of the court's restitution order is reasonable, and a stay would not prejudice the government nor the victim, the court grants the unopposed Motion to Stay Execution of Restitution Order (Doc. 90).

**IT IS THEREFORE ORDERED BY THE COURT THAT** defendant's unopposed  
Motion to Stay Execution of Restitution Order (Doc. 90) is granted.

**IT IS SO ORDERED.**

**Dated this 15th day of October, 2021, at Kansas City, Kansas.**

**s/ Daniel D. Crabtree**  
**Daniel D. Crabtree**  
**United States District Judge**