

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>CASE NO. 21-MJ-216</b>
<b>v.</b>	:	
	:	
<b>ADAM AVERY HONEYCUTT,</b>	:	
	:	
<b>Defendant.</b>	:	

**JOINT MOTION TO CONTINUE STATUS HEARING  
AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and the defendant Adam Avery Honeycutt, through counsel, respectfully move to continue the status hearing scheduled for January 4, 2022, to January 25, 2022, and to exclude time under the Speedy Trial Act, to allow the defense additional time to review plea paperwork.

The defendant is charged via criminal complaint in this District with two counts related to the January 6, 2021, attack on the U.S. Capitol. Specifically, he is charged with one count of Knowingly Entering or Remaining in any Restricted Building or Grounds without Authority, in violation of 18 U.S.C. § 1752(a), and one count of Violent Entry and Disorderly Conduct on Capitol Grounds in violation of 40 U.S.C. § 5104(e)(2) (“Attack on the Capitol case”).

On February 11, 2021, the defendant had his initial appearance in the Middle District of Florida following his arrest. He was advised of his rights, charges, and penalties. *United States v. Honeycutt*, 3:21-mj-1067, ECF No. 2 (M.D. Fla. Feb. 11, 2021). On February 24, 2021, the defendant waived his right to a preliminary hearing in this case. *Id.* at ECF Nos. 17, 18 (M.D. Fla. Feb. 24, 2021).

On June 1, 2021, the defendant pleaded guilty in the Middle District of Florida to one count of knowingly possessing a firearm by an unlawful user of a controlled substance in violation of 18 U.S.C. §§ 922(g)(3) and 924(a)(2) (“Florida case”). The Florida case stemmed from the execution of a search warrant on his residence in connection with the Attack on the Capitol case. The defendant was ultimately sentenced, on October 13, 2021, to 18 months in prison with respect to the Florida case. His anticipated release date is May 23, 2022.

During his October 5, 2021, hearing before this Court, the Court reviewed the maximum penalties of the charges the defendant faces and also reviewed his rights. The Court scheduled a status hearing for January 4, 2022. The Court also excluded time under the Speedy Trial Act.

The defense needs additional time to review and execute plea paperwork. Accordingly, the parties respectfully request that the Court continue the status hearing until January 25, 2022, and exclude time under the Speedy Trial Act.

The Speedy Trial Act requires that the government file an information or indictment against a defendant within 30 days of arrest. 18 U.S.C. § 3161(b). However, the Act excludes any period of delay when a judge grants a continuance and finds that “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). Here, the exclusion of time through January 25, 2022, best serves the ends of justice and outweighs the interests of the public and the defendant in a speedy trial and indictment. The additional time will afford the defense with the opportunity to review plea paperwork provided by the government and might obviate the need for any trial in this case.

WHEREFORE, the parties respectfully request that the Court continue the hearing until January 25, 2022, and exclude time through and including January 25, 2022, for purposes of any computation under the Speedy Trial Act.

Respectfully submitted,

MATTHEW M. GRAVES  
UNITED STATES ATTORNEY  
D.C. Bar No. 481052

By:     /s/ Kondi J. Kleinman      
KONDI J. KLEINMAN  
California Bar No. 241277  
Assistant United States Attorney  
Fraud Section  
555 4th Street, N.W.  
Washington, D.C. 20530  
(202) 252-6887  
Kondi.Kleinman2@usdoj.gov

LOCKETT LAW  
    /s/ L. Lee Lockett      
L. LEE LOCKETT  
Attorney for Defendant  
Florida Bar No.: 0128120  
1548 The Greens Way, Suite 2  
Jacksonville Beach, Florida 32250  
904-858-9818  
lee@lockettlaw.net