

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

UNITED STATES OF AMERICA

V.

ALAN WILLIAM BYERLY

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CASE NUMBER 21-CR-527

JOINT STATUS REPORT

Pursuant to the Court's July 8, 2022 Minute Order, Alan William Byerly, by and through his attorneys, James J. McHugh, Jr., and Hunter S. Labovitz, Assistant Federal Defenders, Federal Community Defender Office for the Eastern District of Pennsylvania, submits this joint status report to advise the Court about the status of this matter:

1. On September 9, 2021, the United States Attorney for the District of the District of Columbia filed an 8-count superseding indictment charging Alan Byerly with conduct related to incidents at the United States Capitol on January 6, 2021, including assault on a law enforcement officer with a dangerous or deadly weapon in violation of 18 U.S.C. § 111(a)(1) and (b).
2. On November 12, 2021, Mr. Byerly was arraigned before the Honorable Randolph D. Moss and entered a plea of not guilty.
3. Mr. Byerly is currently detained at the Correctional Treatment Facility in Washington, D.C.
4. The parties have reached an agreement to resolve this case by guilty plea. The defendant and defense counsel have signed a plea letter setting forth the plea offer to Mr. Byerly and a statement of offense. Defense counsel provided the government with the signed version of both documents.

5. The parties request that the Court set a hearing for a change of plea as soon as possible at a time and date convenient with the Court's calendar and counsels' schedules.

6. Assistant United States Attorneys Anita D. Eve has advised undersigned counsel that she joins in this status report and has authorized counsel to represent that.

7. Under the Speedy Trial Act, Title 18 U.S.C. § 3161(h)(7)(A), (B) and (C), the period of delay resulting from a continuance is excludable where granting the continuance serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial. Defense counsel agrees that all time between the date of this status report and the date of the change of plea hearing are excludable time under the Speedy Trial Act.

Respectfully submitted,

/s/ James J. McHugh, Jr.
JAMES J. MCHUGH, JR.
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/s/ Hunter S. Labovitz
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Counsel for Defendant Alan William Byerly

Dated: July 18, 2022
Philadelphia, PA

CERTIFICATE OF SERVICE

I, Hunter S. Labovitz, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I filed the attached Unopposed Motion to Modify Scheduling Order and Continue Trial via the Court's Electronic Filing (ECF) system, which sent notification to Anita D. Eve, Assistant United States Attorney, Suite 1250, 615 Chestnut Street, Philadelphia, PA 19106, via her email address (Anita.Eve@usdoj.gov), and to Caroline Burrell, Assistant United States Attorney, 555 4th Street, NW, Washington, DC 20530, via her email address (Caroline.Burrell@usdoj.gov).

/s/ James J. McHugh, Jr.
JAMES J. MCHUGH, JR.
Assistant Federal Defender

/s/ Hunter S. Labovitz
HUNTER S. LABOVITZ
Assistant Federal Defender

DATE: July 18, 2022