

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 1:21-cr-454-PLF
v.	:	
	:	
ANTHONY PUMA,	:	
	:	
Defendant.	:	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE SENTENCING MEMORANDUM AND TO CONTINUE SENTENCING**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Court (1) for an extension of time from November 22, 2022, until January 9, 2023, to file the government’s sentencing memorandum; and (2) to continue sentencing in this case to a date as soon after February 9, 2023, as practicable for the Court and the parties. As explained below, good cause exists for the extension requested in this motion:

1. On May 25, 2021, the defendant was charged by criminal complaint on the following charges in connection with his participation in the January 6, 2021 attack on the U.S. Capitol: Obstruction of an Official Proceeding, in violation of 18 U.S.C. § 1512(c)(2); Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, in violation of 18 U.S.C. § 1752(a)(1); Knowingly Engaging in Disorderly or Disruptive Conduct in any Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of 40 U.S.C. § 5104(e)(2)(D); and Willfully and Knowingly Parading, Demonstrating, or Picketing in any of the Capitol Buildings, in violation

of 40 U.S.C. § 5104(e)(2)(G). A grand jury charged the defendant with the same offenses on July 7, 2021.

2. On August 30, 2022, the defendant pleaded guilty to Count One in the Indictment—Obstruction of an Official Proceeding, in violation of 18 U.S.C. § 1512(c)(2)—pursuant to a plea agreement. At the change-of-plea hearing, the Court also scheduled a sentencing hearing for December 7, 2022, and set deadlines of November 22, 2022, and December 2, 2022, respectively, for the government’s and the defendant’s sentencing memoranda. On November 2, 2022, the Probation Office circulated a draft Presentence Investigation Report to the parties.

3. I am the attorney responsible for preparing the government’s sentencing memorandum and for representing the government at sentencing. In recent weeks, I have been responsible to handle an unusually large number of complex matters with competing deadlines. I accordingly need additional time to prepare a sentencing memorandum that will best assist the Court in sentencing the defendant. These competing obligations, which include an oral argument in the United States Court of Appeals for the Tenth Circuit in Denver, Colorado, later this week, include:

- i. I presented oral argument in *United States v. Haynes*, No. 22-5132 (6th Cir.), on October 20, 2022.
- ii. I prepared a draft of the government’s brief in opposition to certiorari in *Smith v. United States*, No. 21-1576 (U.S. filed Oct. 28, 2022).
- iii. I prepared a draft of the government’s brief in opposition to certiorari in *Judel Espinoza-Gonzalez v. United States*, No. 21-8201 (U.S. filed Nov. 7, 2022).

- iv. I prepared the government's answering brief in *United States v. Coleman*, No. 22-1529 (8th Cir. filed Nov. 10, 2022).
- v. I am presenting oral argument in *United States v. Kolkman*, No. 22-8004 (10th Cir.), on November 17, 2022, in Denver, Colorado.
- vi. I am handling a sentencing hearing on November 21, 2022, in *United States v. Evans*, No. 1:21-cr-142 (D.D.C.), which arises out of the January 6 attack on the U.S. Capitol.
- vii. I am handling a bench trial starting on December 12, 2022, in *United States v. Grider*, No. 1:21-cr-22 (D.D.C.), which also arises out of the January 6 attack on the U.S. Capitol.
- viii. I am handling a jury trial starting on January 30, 2022, in *United States v. Rhine*, No. 21-cr-687 (D.D.C.), which also arises out of the January 6 attack on the U.S. Capitol.

4. An extension of time until January 9, 2023, would allow adequate time for the government to prepare a sentencing memorandum in this case while managing the completing obligations described above.

5. I have conferred with Ms. Maria Jacob, counsel for the defendant, about this motion. Ms. Jacob indicated that the defendant does not object to the extension of time sought in this motion or to a continuance of sentencing. Counsel have also discussed alternative dates for sentencing. In light of the government's and defense counsel's trial schedules in January 2023, the earliest dates on which the government, defense counsel, and the defendant will all be available for a sentencing hearing is February 9, 2023. The parties are available on February 10, 2023, or any day on the week of February 13, 2023.

WHEREFORE, the United States respectfully moves that the time for the government to file its sentencing memorandum in this case be extended from November 22, 2022, until January 9, 2023, and that sentencing be continued to a date as soon after February 9, 2023, as practicable.

November 14, 2022

Respectfully submitted,

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By: /s/ Francesco Valentini
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CERTIFICATE OF SERVICE

I certify that, on November 14, 2022, an electronic copy of the foregoing was served on counsel for the defendant via the Court's ECF system.

/s/ Francesco Valentini
Francesco Valentini