

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

**UNITED STATES OF AMERICA**

**v.**

**CHRISTIAN CORTEZ**

**Case No. 1:21-cr-317 (TSC)**

**DEFENDANT'S MOTION TO CONTINUE**

Defendant Christian Cortez hereby moves to vacate the March 4, 2022 status hearing scheduled in the above-captioned matter, and for a 90-day continuance. A new status hearing date is requested.

On April 23, 2021, Defendant was charged in a five-count indictment with obstruction of an official proceeding, entering an remaining in a restricted building, disorderly conduct in a restricted building, disorderly conduct in a capitol building, and parading, demonstrating or picketing in a capitol building based on the events at the United States Capitol on January 6, 2021. He remains on bond and resides in Texas.

Undersigned counsel has identified certain legal and factual issues that require further investigation. Undersigned counsel needs more time to complete his investigation and analysis, and then to file pretrial motions, if necessary, and to prepare for trial, if necessary. Moreover, additional time is needed to discuss the case with Mr. Cortez.

Defense counsel has received an unprecedented amount of discovery in this case, as explained by the government in the United States' Memorandum Regarding Status of Discovery as of February 9, 2022. (Doc. 40). This includes over 24,000 closed circuit videos, and over 2,800 body worn camera video files. The defense understands that a complete review of the discovery provided by the government is impossible. However, at this time, Mr. Cortez and undersigned counsel have been unable to complete their investigation. Defense counsel has recently been provided with access to the FPD relativity workspace, and is in the process of learning how to use this workspace to more efficiently review discovery.

Additionally, Mr. Cortez is currently in on-going plea negotiations with the government.

The defendant respectfully submits that the best interests of justice served by granting this motion for a continuance substantially outweigh the interests of the defendant and the community in a speedy trial, and that failure to grant the continuance would deprive defense counsel of sufficient time to prepare for trial.

The United States is unopposed to this motion for continuance.

Respectfully submitted,

MARJORIE A. MEYERS  
Federal Public Defender  
Southern District of Texas No. 3233  
Texas State Bar No. 14003750

By /s/ Amr A. Ahmed

AMR A. AHMED  
Assistant Federal Public Defender  
Southern District of Texas No. 3088803  
Virginia State Bar No. 81787  
440 Louisiana, Suite 1350  
Houston, TX 77002-1056  
Telephone: 713.718.4600  
Fax: 713.718.4610

**CERTIFICATE OF CONFERENCE**

I further certify that I conferred with Department of Justice Trial Attorneys Kathryn Fifield and Troy Edwards and determined that the United States is unopposed to this motion for continuance.

By /s/ Amr A. Ahmed  
AMR A. AHMED

**CERTIFICATE OF SERVICE**

I certify that on March 2, 2022, a copy of the foregoing was served by Notification of Electronic Filing and emailed to Department of Justice Trial Attorneys Kathryn Fifield and Troy Edwards.

By /s/ Amr A. Ahmed  
AMR A. AHMED

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

**UNITED STATES OF AMERICA**

**v.**

**BENJAMIN LAROCCA and**

**CRISTIAN CORTEZ**

**Case No. 1:21-cr-317 (TSC)**

**ORDER**

The Court has considered the Motion for Continuance, wherein counsel for Defendant, Cristian Cortez, has represented that more time is needed to conduct discovery, prepare pretrial motions, and prepare for trial, and that failure to grant a continuance would result in a miscarriage of justice. Based on the representations made in the Motion for Continuance, the Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public, as well as the Defendant, to a speedy trial. The Court also finds that pursuant to Title 18 U.S.C. § 3161(h)(7)(A) & (B), failure to grant a continuance would result in the miscarriage of justice, and that a continuance is necessary to allow reasonable time for trial preparation.

The Motion for Continuance is therefore GRANTED. It is ORDERED that this matter is scheduled for a status hearing on \_\_\_\_\_, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
TANYA S. CHUTKAN  
UNITED STATES DISTRICT JUDGE