

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No. 21-cr-40-TNM
	:	
PATRICK MCCAUGHEY, et al.	:	
	:	
Defendant.	:	Pre-Trial Conference: August 23, 2022

MOTION FOR EXTENSION OF TIME

The United States of America, by and through its attorney, respectfully moves the Court for an extension of time for all parties to file proposed jury instructions and voir dire for “Group 2” defendants in the above-captioned case. Group 2 defendants include defendants David Judd, Steven Cappuccio, Geoffrey Sills, Federico Klein, and Christopher Quaglin.

Trial for Group 2 is currently scheduled to begin on October 3, 2022. Based upon that trial date, the court previously ordered that proposed jury instructions and voir dire should be submitted to the court by the parties by August 16, 2022. On the consent motion of defendant Judd, the Court later extended that deadline to today, August 19, 2022.

The United States now asks that the court vacate the current deadline of August 19, 2022 and to wait to set a new deadline for these filings until the parties appear in court for a previously-scheduled hearing on August 23, 2022. In support of this request, the United States notes the following. Two of the five Group 2 defendants, Christopher Quaglin and Federico Klein have both filed to continue the currently-scheduled trial date. Based upon scheduling discussions with chambers and counsel, it appears likely that this trial will be continued for several months. Further, defendant Sills is currently scheduled to enter a disposition on August 23, 2022 and appears unlikely to proceed to trial with his codefendants. An additional Group 2 defendant is actively

engaged in discussions of a disposition, potentially reducing the total number of trial participants even further. Finally, multiple defendants have expressed an interest in proceeding with a bench trial rather than a jury trial. As stated in the Government's response to Mr. Klein's request for a bench trial, the United States will not oppose a request for a bench trial provided that all defendants remain in a single trial unit. Given that two defendants are seeking a continuance, two may enter into dispositions in the near future, and the potential for a bench trial, the United States contends that it is premature to submit jury instructions and voir dire at this time. The parties will be much better positioned to provide the court with well-thought-out proposals once there is more certainty in when the trial will take place, which defendants will ultimately be included, and whether a jury will even be involved.

The government has consulted with counsel for Group 2 defendants and counsel for defendants Klein, Judd, and Cappuccio do not oppose an extension of time for submitting proposed jury instructions and voir dire. As of the time of filing, the government has not yet received a response from counsel for defendant Sills or defendant Quaglin.

For these reasons, the United States moves that the court vacate the current deadline and wait until the upcoming hearing, scheduled for August 23, 2022, to impose a new deadline for proposed jury instructions and voir dire.

Respectfully submitted,

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