

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

**UNITED STATES OF AMERICA**

**v.**

**EDWARD KELLEY,**

**Defendant.**

**CR NO. 22-MJ-96**

**CONSENT MOTION TO CONTINUE PRELIMINARY HEARING**

The United States, through undersigned counsel, hereby files this motion to adjourn the preliminary hearing set for Tuesday, October 18, 2022, in the above-captioned matter, for approximately 60 days, until Tuesday, December 20, 2022.

On October 7, 2022, the Court granted a consent motion to continue the status hearing set for Tuesday, October 18, 2022, in the above-captioned matter, until Tuesday, December 20, 2022, and also excluded the time from calculation under the Speedy Trial Act until the December 20, 2022 hearing, pursuant to 18 U.S.C. § 3161 et seq., on the basis that the ends of justice served by taking such actions outweighed the best interest of the public and the defendant in a speedy indictment and trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), as the continuance provided the parties additional time to continue negotiating a potential pretrial resolution and allowed additional time to review discovery. *See* Dkt. Nos. 20-21.

Although it was intended for the motion to also continue the preliminary hearing set for the same date, the submitted motion and proposed order did explicitly state preliminary hearing. To correct this oversight and to avoid any confusion on the docket, this additional consent motion is filed to likewise continue the October 18, 2022 preliminary hearing for the same reasons and amount of time, until Tuesday, December 20, 2022.

On October 4, 2022, through e-mail correspondence, defense counsel concurred in the government's proposed consent motion to continue both the preliminary and status hearing by 60 days, and to exclude the time under the Speedy Trial Act for the indictment and trial.

Respectfully submitted,

MATTHEW M. GRAVES  
UNITED STATES ATTORNEY  
D.C. Bar Number 481052

By: /s/ Samuel S. Dalke  
SAMUEL S. DALKE  
Assistant United States Attorney – Detailee  
PA Bar No. 311803  
601 D Street N.W., Washington, DC 200530  
Samuel.S.Dalke@usdoj.gov  
717-515-4095

CERTIFICATE OF SERVICE

On this 13th day of October, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

By: /s/ Samuel S. Dalke  
SAMUEL S. DALKE  
Assistant United States Attorney – Detailee