

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

UNITED STATES OF AMERICA

v.

Case No. 21-CR-175-2 (TJK)

JOSEPH RANDALL BIGGS, et al.,

Defendants.

MOTION TO AMEND SCHEDULING ORDER

Given the Government's June 6 Third Superseding Indictment, the need for defense counsel to have time to digest and respond to the new indictment, including but not limited to filing any motions to dismiss, this week's saturation by media of much of the country and especially Washington, D.C. with negative coverage about Biggs and his codefendants, the press of these new developments as well as preexisting work in advance of an August 8 trial start, and remarks of defense counsel at a hearing in this matter today, defendant Biggs respectfully moves this Court to amend the current pretrial scheduling order (ECF 346) as set forth below. Defendants Nordean, Rehl, Pezzola and Tarrio consent to and joining in this motion. The following new schedule is proposed:

1. Pretrial motions, including motions to suppress and motions *in limine*, by June 29, 2022 (continued from June 15); oppositions to the motions filed by July 6 (continued from June 29); and replies filed by July 13, 2022 (continued from July 6).
2. The Joint Pretrial Statement (*see*, ECF 346) will be filed July 20, 2022 (continued from July 6).

3. The parties shall appear for a motions hearing and pretrial conference on July 27, 2022 (continued from July 13), at 10:00 a.m.

4. Jury selection and trial shall commence on August 8, 2022, at 9:00 a.m.

All defendants--Biggs, Nordean, Rehl, Pezzola and Tarrio—also object to vacating or moving the trial to a future date. Should the Court, in view of the Third Superseding Indictment, vacate the August 8 trial date, it is respectfully requested that in that event defendants are released from pretrial detention in advance of the new trial date.

Wherefore, and for good cause shown, defendant Biggs and all other defendants ask that this Motion to Amend Scheduling Order be granted.

Respectfully submitted,

COUNSEL FOR JOSEPH BIGGS

Dated: June 9, 2022

By: /s/ J. Daniel Hull
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CERTIFICATE OF SERVICE

The undersigned certifies that on June 9, 2022, defendant Biggs' Motion to Amend Scheduling Order was served via the Electronic Case Filing (ECF) system upon the government and all counsel of record.

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