

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

UNITED STATES OF AMERICA :
 : **Case No. 21-cr-129 (ABJ)**
 v. :
 :
GABRIEL AUGUSTIN GARCIA, :
also known as “Gabriel Agustin Garcia,” :
 :
 Defendant. :

UNOPPOSED MOTION TO EXTEND FILING DEADLINE

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves for an extension of its filing deadline to respond to defendant Gabriel A. Garcia’s motion to change venue, filed through his attorney. The Defendant, through counsel, does not oppose this motion.

In support of its motion, the government states the following:

1. The Defendant is charged in a six-count superseding indictment for offenses committed at the U.S. Capitol Building on January 6, 2021. *See* ECF No. 44.
2. On February 1, 2022, the Defendant filed a motion to change venue. *See* ECF No. 54. Attached to that motion is a 47-page document titled “Survey of Washington DC Registered Voters on Opinions Concerning the January 6, 2021 Events at the Capitol Building.” *See* ECF No. 54-1. In support of his motion, the Defendant relies heavily on this jury survey.
3. On February 3, 2022, the government represented that it could file a response within 14 days. The Court subsequently ordered the government’s response due by February 15, 2022 and any reply due by February 22, 2022. *See* February 3, 2022 Minute Order.
4. Upon closer inspection, the motion and jury survey raise legal issues that, to the undersigned’s knowledge, have not yet been litigated by the government in other Capitol Breach

cases. Therefore, the government requires more time to analyze the jury survey, fully brief the legal issues, and respond to the Defendant's arguments.

5. The undersigned has contacted counsel for the Defendant, and the Defendant, through counsel, does not object to an extension of time. The government proposes an additional approximately two weeks, until February 28, 2022, to file its response, and March 7, 2022 for Defendant to file his reply.

WHEREFORE, the government respectfully requests that this Court grant its motion for a two-week extension of its deadline to file a response.

MATTHEW M. GRAVES
United States Attorney
D.C. Bar Number 481052

By: /s/ Angela N. Buckner
Angela N. Buckner
DC Bar #1022880
Assistant United States Attorney
United States Attorney's Office
555 Fourth Street, N.W.
Washington, DC 20530
Phone: (202) 252-2656