

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

**UNITED STATES OF AMERICA**

**v.**

**JAMES MCGREW,**

**Defendant.**

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**Case No. 21-cr-398-BAH**

**MOTION TO CONTINUE STATUS CONFERENCE**

The United States of America requests to continue the status conference, set for August 19, 2021, for approximately 2 business days to the week of August 23, 2021, or to a date convenient for the Court.<sup>1</sup> As grounds for the motion, the government states:

On June 11, 2021, a federal grand jury returned an Indictment, charging the defendant with: (1) civil disorder, in violation of 18 U.S.C. § 231(a)(3); (2) obstruction of an official proceeding, in violation of 18 U.S.C. § 1512(c)(2),2; (3) assaulting, resisting, or impeding certain officers, in violation of 18 U.S.C. § 111(a)(1); (4) assaulting, resisting, or impeding certain officers using a dangerous weapon, in violation of 18 U.S.C. §§ 111(a)(1) and (b); (5) entering and remaining in a restricted building or grounds with a deadly or dangerous weapon, in violation of 18 U.S.C. §§ 1752(a)(1) and (b)(1)(A); (6) disorderly and disruptive conduct in a restricted building or grounds with a deadly or dangerous weapon, in violation of 18 U.S.C. §§ 1752(a)(2) and (b)(1)(A); (7) engaging in physical violence in a restricted building or grounds with a deadly or dangerous weapon, in violation of 18 U.S.C. §§ 1752(a)(4) and (b)(1)(A); (8) disorderly conduct in a Capitol building, in violation of 40 U.S.C. § 5104(e)(2)(D); (9) act of physical violence in the Capitol

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<sup>1</sup> The government respectfully request a date outside of August 30, 2021 to September 10, 2021, as the undersigned attorney will be out of the country.

grounds or buildings, in violation of 40 U.S.C. § 5104(e)(2)(F); and (10) parading, demonstrating, or picketing in a Capitol building, in violation of 40 U.S.C. § 5104(e)(2)(G). Since that date, the government has produced discovery to the defendant.

The government has a trial originally expected to begin on August 9, 2021. On August 4, 2021, counsel for the defendant in the government's trial informed the Court that the defendant has a medical issue, which has delayed jury selection to August 11, 2021. The government expects that the trial will continue past August 19, 2021. As a result, the government is requesting a status conference date the following week.

The government would further request that the Court exclude the period from August 19, 2021 to the new date for a status conference, finding that the ends of justice served by excluding the period of this continuance outweigh the best interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A).

The defendant assents to the motion.

Sincerely,

CHANNING D. PHILLIPS  
Acting United States Attorney

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