

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>v.</b>	)	<b>No. 21-cr-0275 (ABJ)</b>
<b>JAMES MATTHEW HORNING</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**UNOPPOSED MOTION TO CONTINUE STATUS CONFERENCE**

James Matthew Horning, through undersigned counsel, respectfully request that the status conference currently scheduled for June 30, 2022 be continued for 60 days, and time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161. In support, the dense submits as follows:

1. On February 24, 2021, Mr. Horning was charged via criminal complaint with violations of 18 U.S.C. § 1512(c)(2), 18 U.S.C. §1752(a)(1), and (2) , and 40 U.S.C. §5104(e)(2)(D), and (G) for allegations arising out of conduct on January 6, 2021. *See* ECF No. 1.
2. On March 4, 2021, Mr. Horning was placed on pre-trial release and ordered to abide by standard conditions. To this date, he has been compliant with his pre-trial release conditions. *See* ECF Nos. 18, 19, 25, 28, 30.
3. On April 2, 2021, the government filed an Indictment alleging the same charges described above. Mr. Horning entered a plea of not guilty to these charges on April 30, 2021.
4. Undersigned counsel noticed her appearance on June 8, 2022, as prior counsel has left the office.
5. Undersigned counsel understands that there has been discussions regarding a potential pre-trial resolution in case.

6. Undersigned counsel requests that the Court grant a continuance so that she can get up to speed fully on this case, review the relevant discovery, and have meaningful conversations with Mr. Horning about this pre-trial resolution.
7. Undersigned counsel has conferred with the government, who has no objection to this request.
8. Accordingly, Mr. Horning now moves this Court to continue the status conference, currently scheduled for June 30, 2022, for a period of 60 days. Such a continuance will allow for counsel to review the case, as well as allow the parties to continue discussions regarding a possible resolution of this matter short of trial.
9. The parties also request that time be excluded from calculation, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, until the date of the continued status conference in this matter. The parties submit that a continuance of approximately 60 days is warranted and that an order excluding time would best serve the interests and ends of justice and outweigh the interests of the public and defendant in a speedy trial pursuant to the factors described in 18 U.S.C. §3161(h)(7)(A), (B)(i), (ii), and (iv).

WHEREFORE, Mr. Horning asks that this Honorable Court continue the Status Conference currently scheduled for June 30, 2022, for a period of 60 days, and toll time under the Speedy Trial Act until the new hearing date.

Respectfully submitted,

A.J. KRAMER  
FEDERAL PUBLIC DEFENDER

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/s/

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