

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 21-cr-244
v.	:	
	:	
JERRY RYALS,	:	
ANTHONY GRIFFITH,	:	
	:	
Defendants.	:	

**JOINT MOTION TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia; Jay Mykytiuk, counsel for Jerry Ryals; and David Benowitz, counsel for Anthony Griffith, hereby move this Court for a 60-day continuance of the above-captioned proceeding, and further to exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7). In support of its motion, the parties state as follows:

1. Defendants are charged via indictment with offenses related to crimes that occurred at the United States Capitol on January 6, 2021. Both defendants are currently released on their personal recognizance.
2. The parties have continued to be engaged in plea discussions. However, the parties agree that more time will be needed to potentially work out a disposition in this case short of trial. The parties would like additional time to continue these discussions.
3. The government would also point to the current status of discovery, outlined further in its

status report of July 30, 2021 (ECF No. 30), as a reason to set this case for an additional status to allow more time to address the considerations outlined in that status report.

4. All the parties agree that given these considerations, the ends of justice would be served by continuing this case for another status hearing in approximately 60 days, and that those ends of justice outweigh the best interests of the public and defendants in a speedy trial during that time.
5. The parties have conferred on availability and are available anytime from October 25, 2021 to October 29, 2021, except from 11:30 a.m. to 1:00 p.m. on October 26 through October 29. The parties are choosing this week rather than the weeks of October 11 and October 18 due to the schedule of one of the defense counsels. That defense counsel begins a trial the week of October 11.

WHEREFORE, the parties respectfully request that this Court grant the motion for a 60-day continuance of the above-captioned proceeding, and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7).

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ORDER

Based upon the representations in the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, it is hereby, this _____ day of _____, 2021,

ORDERED that the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, is hereby GRANTED; it is further

ORDERED that this proceeding is continued to _____, 2021, at _____; and it is further

ORDERED that the time period from August 11, 2021 through and including the date of the next hearing is hereby excluded from the computation of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

THE HONORABLE COLLEEN KOLLAR-KOTELLY
UNITED STATES DISTRICT JUDGE