

**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 75-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 continue 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 as a reason to set this

case for an additional status to allow more time to address those considerations. The government last filed an update on the docket regarding discovery on July 30, 2021 (ECF No. 30). Since that time, the government has sent several discovery letters to defense counsel outlining the ongoing disclosures it is making to defense counsel in this case as well as defense counsel in all cases involving the U.S. Capitol. Additional material has been disclosed to defense counsel, and the process of registering defense counsel for evidence.com so that they can view additional materials is ongoing. The process as a whole will continue to take more time given the voluminous materials involved.

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 75 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 are requesting 75 days rather than 60 days because 60 days would fall among the Winter Holidays. The parties have conferred on availability and are available anytime from January 4, 2022 to January 7, 2022, except from 9:00 a.m. to 12:00 p.m. on January 4; 11:00 a.m. to 1:00 p.m. on January 6; and 10:00 a.m. to 11:30 a.m. on January 7.

WHEREFORE, the parties respectfully request that this Court grant the motion for a 75-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).

Respectfully submitted,

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FOR THE DISTRICT OF COLUMBIA

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v.

JERRY RYALS,
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Defendants.

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:
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CASE NO. 21-cr-244

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 _____, 2022, at _____; and it is further

ORDERED that the time period from October 25, 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