

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

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 21-mj-44**
 :
JOSHUA LOLLAR, :
 Defendant. :

**CONSENT MOTION TO CONTINUE PRELIMINARY HEARING AND FOR
EXCLUDABLE DELAY**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to Continue the Preliminary Hearing in the above-captioned matter, currently scheduled for February 12, 2021, until March 3, 2021. The Government and the defendant agree that there is good cause to extend the date by which an indictment or information must be filed to March 3, 2021, and to adjourn the preliminary hearing in this case from February 12, 2021, to March 3, 2021. Defendant concurs in this request and agrees that it is in his best interest. Defendant has reviewed this motion and agrees to the March 3, 2021 date. In support thereof, the government states as follows:

1. The government and counsel for the defendant have conferred and are continuing to communicate in an effort to resolve this matter. The current restrictions on counsel, particularly those impacting defense counsel's ability to communicate with his client, have slowed this process. Moreover, there is voluminous and evolving discovery. The parties agree that the complaint from January 13, 2021, will remain in full force and effect through the new date of March 3, 2021. The parties agree that this stipulation and any order resulting therefrom shall not affect any previous order of pretrial

detention or pretrial release.

2. The parties, therefore, would respectfully request that the preliminary hearing and the date by which an information or an indictment must be filed be continued until March 3, 2021. The parties agree that the failure to grant this continuance “would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,” 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, “the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial,” 18 U.S.C. § 3161(h)(7)(A), and the parties request an order to that end. The parties agree that pursuant to 18 U.S.C. § 3161, the time from February 12, 2021, through March 3, 2021, shall be excluded in computing the date for speedy trial in this case. Wherefore, the parties respectfully request that the Court continue the Preliminary Hearing in this matter until March 3, 2021.

Dated: January 26, 2021

Respectfully submitted,

MICHAEL SHERWIN
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N.Y. Bar No. 4444188

By: /s/ Mona Sedky
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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 21-mj-45
	:	
JOSHUA LOLLAR,	:	
Defendant.	:	

ORDER

This matter having come before the Court pursuant to a Motion to Continue, upon consent, it is therefore

ORDERED that good cause exists to extend the time by which the Government must file an information or indictment to March 3, 2021, and to adjourn the Preliminary Hearing in this case from February 12, 2021 to March 3, 2021. *See* Fed. R. Crim. P. 5.1(d). The parties shall appear for a Preliminary Hearing at _____ on March 3, 2021.

ORDERED that the complaint and previous order of detention remain in full force and effect.

ORDERED that the period from February 12, 2021 through March 3, 2021 shall be excluded from computing the time within which an information or indictment must be filed under the Speedy Trial Act because the ends of justice served by such a continuance outweigh the interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(1) & (h)(7).

The Court finds that COVID-19 has presented complications here that make it difficult for defense to meet with his client and prepare, that there is voluminous and evolving discovery, and that delay is necessary for the parties to work on a potential resolution.

It Is So Ordered.

G. Michael Harvey
United States Magistrate Judge

Entered: _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Consent Motion to Continue Preliminary Hearing was served upon counsel of record for the defendant through the electronic court filing system, this 26th day of January 2021.

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