

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

UNITED STATES OF AMERICA	:	
	:	Case No. 23-CR-00409 (DLF)
v.	:	
	:	
STEVEN BARBER,	:	
	:	
Defendant	:	

**JOINT MOTION TO SET ARRAIGNMENT AND CHANGE OF PLEA HEARING AND
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, and the Defendant respectfully submit this joint motion to set the arraignment and change of plea in this case and exclude time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, in the interest of justice.

Defendant and his codefendant were charged by complaint (23-mj-182-RMM) for violations related to their actions on January 6, 2021. Defendant self-surrendered in Pennsylvania on July 26, 2023, for misdemeanor charges related to entering and remaining in a restricted building or grounds and discovery conduct therein. Defendant is not in custody. The matter was status conference on October 5, 2023 and again on December 7, 2023. Time under the Speedy Trial Act was excluded accordingly in the interest of justice.

In the meantime, the Government provided discovery and a written plea offer. The parties subsequently came to a resolution of this criminal matter. The Government filed an Information in the above case on November 27, 2023. The parties have been in communication with the Court to schedule an initial appearance and change of plea since then. However, given the Court’s

schedule, conflicts with Defense counsel availability, and the holidays, the earliest available date is January 12, 2024.

In the meantime, at the request of the Government, Defendant filed a Notice of Filing on December 15, 2023. See DE 30. The parties are still awaiting an order setting the matter for an arraignment and change of plea with time excluded pursuant to the Notice filed by Defendant. However, the Government received a communication from the Court that the Court wanted Defendant to alternatively file a motion instead of notice that states reasons for the exclusion of time.

Accordingly, the parties are filing this joint motion to allow this matter to be set for a change of plea and arraignment with time excluded accordingly in the interest of justice. As indicated in the Defendant's attachment to his Notice of Filing (Waiver of Speedy Trial), Defendant waives time under the Speedy Trial Act for the setting of the arraignment and change of plea. The Government provided discovery upon receipt of a protective order in this case, negotiated a resolution with Defendant, and came to an agreement in this case to resolve it and are prepared to do so accordingly. The conflicts in the Court and Defendant's schedule along with the holidays prevented this matter from being set in December 2023.

Thus, the parties' jointly request that this Court set this matter for arraignment and change of plea and, consistent with the Defendant's Notice of Filing, exclude time from December 7, 2023 until then, in the interest of justice to allow defendant to plead to written plea agreement that reflects the negotiated resolution of this matter.

Respectfully submitted,

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