

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : **CASE NO. 21-cr-225 (DLF)**
 :
 TRENISS JEWELL EVANS, III, :
 :
 Defendant. :

UNOPPOSED MOTION TO EXCLUDE TIME UNDER SPEEDY TRIAL ACT

The United States of America, by and through the United States Attorney for the District of Columbia, respectfully moves this Court to exclude time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) from February 4, 2022 until the date of the rescheduled plea hearing on February 11, 2022 or such date as determined by the Court. In support whereof, the government states as follows:

1. Pursuant to the Court’s Minute Order of January 31, 2022, the plea hearing previously scheduled in this case for January 31, 2022 was rescheduled to February 4, 2022 at 12:00 p.m.

2. On February 3, 2022, defendant’s current counsel entered his appearance in this case and filed a Motion for Substitution of Counsel. *See* ECF Nos. 28, 29. Defendant also filed an unopposed motion for an approximate two-week continuance of the February 4, 2022 plea hearing.¹ *See* ECF No. 30. The parties are both available for a rescheduled plea hearing on February 11, 2022.

¹ Defendant’s Unopposed Motion for Continuance stated that he requested time “to review all discovery specifically for purposes of complying with the court’s order to provide all relevant video evidence, which prior counsel did not do.” That is inaccurate. In fact, as stated in the government’s January 27, 2022 Notice of Filing, the government worked “in consultation with the defense,” ECF No. 26, to upload video footage responsive to the Court’s January 18, 2022 Minute Order, including video footage selected by defense counsel. Further, the parties understood that the January 18, 2022 Minute Order, which called for the parties to submit “video that shows the defendant’s actions on January 6, 2021,” was intended only to assist the Court in determining that there is a “factual basis for the plea,” pursuant to Fed. R. Crim. P. 11(b)(3), and did not preclude the proffer of additional evidence at sentencing.

3. The government moves, pursuant to 18 U.S.C. § 3161(h)(7)(A), to exclude time under the Speedy Trial Act in the interests of justice from February 4, 2022 until the date of the rescheduled plea hearing on February 11, 2022 or such date as determined by the Court. This additional period is necessary to allow new defense counsel to review discovery in this case and familiarize himself with the case. Therefore, the government respectfully submits that the ends of justice served by such exclusion would outweigh the best interest of the public and the defendant in a speedy trial.

4. Counsel for the government has conferred with defense counsel regarding this motion. The defendant does not oppose the motion and waives his rights under the Speedy Trial Act.

WHEREFORE, the government respectfully moves that the time from February 4, 2022 until the date of the rescheduled plea hearing on February 11, 2022 or such date as determined by the Court be excluded from computation under the Speedy Trial Act.

Respectfully submitted,

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