

UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
COLUMBIA

UNITED STATES OF AMERICA,)
)
 v.) No. 21-091 (RCL)
)
 ISAAC STEVE STURGEON,)
)
 Defendant.)
 _____)

RENEWED MOTION TO CONTINUE TRIAL

Defendant, Isaac Sturgeon, through counsel, respectfully requests that the Court re-consider its decision to deny his motion to continue trial and grant a continuance of the currently scheduled trial date of May 15, 2023.

BACKGROUND

On August 9, 2023, the Court set a jury trial for May 15, 2023, and set motion deadlines. The parties filed several motions, some of which are still outstanding, and one of which has been resolved. When the parties set this trial date, counsel for Mr. Sturgeon did not know of many unavoidable conflicts that would arise over the next several months – including a trip outside of the country that would require her to travel on May 18 and not return until May 21. Based on these conflicts, counsel for Mr. Sturgeon discussed a trial continuance with counsel for Mr. Bingert and the government, both of whom did not oppose a continuance of the May 15, 2023 trial date. Furthermore, all defendants remain on personal

recognizance bond and have been compliant. Based on the parties agreement at that time, counsel for Mr. Sturgeon filed an Unopposed Motion to Continue Trial on February 28, 2023.

At a status hearing on March 23, 2023, the Court denied Mr. Sturgeon's request for a continuance of his currently scheduled trial date stating, however, that it would try to accommodate his counsel's schedule. The Court also ordered the parties to propose a briefing schedule for the May 15, 2023, trial date and submit it to the Court by this Thursday, March 28, 2023. In advance of that deadline, Mr. Sturgeon respectfully requests the Court re-consider its decision to deny his request for a continuance based on the following reasons.

ARGUMENT

Mr. Sturgeon requested a continuance of the trial date for several reasons. Firstly, counsel for Mr. Sturgeon has travel plans - a wedding of a close friend who decided her wedding date very recently and has arranged for it to be on May 20, 2023, in the Dominican Republic. Undersigned counsel was not aware of this wedding date until February 11, 2023. In addition to the wedding on May 20, there will be a dress rehearsal dinner on Friday, May 19, 2023 – requiring travel the previous day on Thursday, May 18, 2023. Counsel for Mr. Sturgeon is in the bridal party and has known this friend almost her entire life. While undersigned counsel appreciates that the Court will try to accommodate her trip, it would be a burden to Mr. Sturgeon and to Mr. Bingert to require them to spend additional money to stay in hotels in the DMV area for longer in order to put a halt on trial until

undersigned counsel returns. It would also be a burden to the defendants to require them to travel home in the middle of trial only to have them travel back to D.C. the following week. Mr. Sturgeon resides in Montana and Mr. Bingert resides in Pennsylvania.

Secondly, counsel for Mr. Sturgeon has several scheduled trials this year, including two trials that are close in time to May 15, 2023. First, counsel has another January 6 trial that has already been continued multiple times beginning on June 12, 2023. Counsel then has another trial where the defendant is in custody that is scheduled for July 17, 2023. While the Court is also busy and while we are all very busy, it is imperative that undersigned counsel is adequately prepared for each trial so that each defendant receives effective assistance of counsel.

Undersigned counsel has had three jury trials between November, 2022 and February, 2023 – which has even further hampered her ability to adequately prepare for upcoming trials, including Mr. Sturgeon’s case. Undersigned counsel still has much preparation to complete in order to be adequately prepared for this trial, including sifting through hours of video evidence to locate every possible angle her client is viewed in, as well as the global common discovery that has been provided as recently as this past week.

Lastly, there are still several motions that are outstanding that will have an impact on potential defenses as well as potential exhibits presented in this trial. For example, Mr. Sturgeon filed a motion for transfer of venue as well as a motion to present the public authority defense. The outcome of these motions will

undoubtedly have an influence on the defense presentation of evidence.

Furthermore, Mr. Sturgeon has filed a motion to compel discovery as counsel believes there is still outstanding discovery that he is entitled to that has not yet been produced.

Counsel for Mr. Sturgeon has discussed this request with Mr. Sturgeon, who also joins in his counsel's request for a continuance for the reasons discussed above as well as to be able to meet together prior to trial to adequately prepare his defense.

For all of these reasons, counsel for Mr. Sturgeon requests that the Court reconsider its decision and grant his request for a continuance of the trial currently scheduled for May 15, 2023. This is the first defense request for a continuance of the trial and is not done for the purpose of delay and is made in good faith.

The parties have conferred and are available for trial the week of July 31, 2023, and the week of August 7, 2023. If those dates are not available to the Court, the parties can confer further to propose additional dates.¹

Respectfully submitted,

A. J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/

Maria N. Jacob

¹ In conferring with the government regarding its availability, the government mentioned that it does not take a position on this renewed request for a continuance. Co-defendant counsel continues to consent to this request.

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