

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

UNITED STATES OF AMERICA,

v.

PATRICK MONTGOMERY,

Defendant.

Case No. 21-CR-46 (RDM)

**MOTION FOR CLARIFICATION AND NEW DATE
FOR STATUS CONFERENCE**

NOW COMES Defendant, PATRICK MONTGOMERY, through outgoing counsel Duncan Levin, Esq. and respectfully requests (1) clarification of the Court's Order from yesterday as to whether undersigned counsel is required to attend the status conference; and (2) if so, to request a different date for the upcoming status conference due to unavailability.

On June 29, 2023, the Court set a status conference for Friday, July 7, 2023 at 3:00 p.m. It is unclear from the Court's order whether the undersigned's presence is required, as incoming counsel for Mr. Montgomery, John Pierce, Esq., has already filed a notice of appearance, has filed a substitution of counsel, and has filed a letter that he is available for the court's trial schedule. Furthermore, I have been terminated on the Court's docket and am no longer receiving any ECF bounces.

In an abundance of caution, however, should my presence at the hearing be required, I respectfully write to inform the Court of a pre-existing trip out of state at the time of the conference and my unavailability on July 7, 2023 at 3:00 p.m.. Having spoken to chambers about the Court's availability, should my presence be required by the Court, I respectfully ask that it be moved to Wednesday, July 5, at 9 a.m. or 11:30 a.m., or any time Thursday, July 6, or Tuesday, July 11.

Dated: Brooklyn, New York
June 30, 2023

Respectfully submitted,

/s Duncan Levin

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