

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

UNITED STATES OF AMERICA,

v.

FELIPE MARQUEZ,

Defendant.

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No. 21-cr-00136 (RC)

JOINT MOTION TO CONTINUE STATUS CONFERENCE

Mr. Felipe Marquez, through undersigned counsel, and joined with the United States Attorney for the District of Columbia, request that the status conference currently scheduled for May 5, 2021 at 10:30 a.m. be continued for 60 days, and time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161. In support, the parties submit as follows:

1. On January 15, 2021, Mr. Marquez was charged via criminal complaint with one count of Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority in violation of 18 U.S.C. 1752(a)(1) and one count of Violent Entry and Disorderly Conduct on Capitol Grounds in violation of 40 U.S.C. 5104(e)(2). *See* ECF No. 1.
2. On January 19, 2021, Mr. Marquez was arrested in his home jurisdiction of the Southern District of Florida. *See* ECF No. 5 at 1.
3. On February 3, 2021, Mr. Marquez had his Initial Appearance in U.S. District Court for the District of Columbia where he was released on his personal recognizance subject to conditions. *See* ECF No. 8.
4. On February 19, 2021, Mr. Marquez was indicted by a federal grand jury for Obstruction of an Official Proceeding in violation of 18 U.S.C § 1512(c)(2) and 18 U.S.C. § 2;

Entering and Remaining in a Restricted Building or Grounds in violation of 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building or Grounds in violation of 18 U.S.C. § 1752(a)(2); Entering and Remaining in Certain Rooms in the Capitol Building in violation of 40 U.S.C. § 5104(e)(2)(C); and Disorderly Conduct in a Capitol Building in violation of 40 U.S.C. § 5104(e)(2)(D). *See* ECF No. 9.

5. On March 3, 2021, Mr. Marquez was arraigned on the indictment and entered a plea of not guilty to all counts. A status conference was then set for May 5, 2021 at 10:30 a.m. *See* Minute Entry.
6. However, as the Court is well aware, the discovery involved in the January 6, 2021 Capitol cases is voluminous. As such, Assistant United States Attorney, Jeffrey Nestler, was only recently able to provide undersigned counsel with preliminary discovery.
7. Undersigned counsel has not yet had a chance to review this discovery which she understands includes social media data, cell phone extraction data, as well as custodial interview files. Accordingly, Mr. Marquez has also not had a chance to review and confer with undersigned about these materials.
8. Additionally, the parties have begun preliminary negotiations about a pre-trial disposition, but need additional time to work through options and approvals.
9. Accordingly, the parties now jointly move this Court to continue the status conference, currently scheduled for May 5, 2021, for a period of 60 days. Such a continuance will allow for the continued provision and review of discovery, as well as allow the parties to continue discussions regarding a possible resolution of this matter short of trial.
10. The parties have discussed that July 7, 8, or 9, would be agreeable dates if the Court's schedule will allow.

11. The parties also request that time be excluded from calculation, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, until the date of the continued status conference in this matter. The parties submit that a continuance of approximately 60 days is warranted and that an order excluding time would best serve the interests and ends of justice and outweigh the interests of the public and defendant in a speedy trial.

WHEREFORE, Mr. Marquez asks in conjunction with the United States, that this Honorable Court continue the Status Conference currently scheduled for May 5, 2021 at 10:30 a.m. for a period of 60 days, and toll time under the Speedy Trial Act until the new hearing date.

Respectfully submitted,

A.J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/
CARA HALVERSON
Assistant Federal Public Defender
625 Indiana Ave. NW, Ste. 550
Washington, D.C. 20004
(202) 208-7500
Cara_halverson@fd.org

CHANNING D. PHILLIPS,
ACTING UNITED STATES ATTORNEY

/s/
JEFFREY S. NESTLER
Assistant United States Attorney
555 Fourth Street NW,
Washington, DC 20530
202-252-7277
Jeffrey.Nestler@usdoj.gov

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ORDER

Before the Court is a Joint Motion to Continue Status Conference. For the reasons set forth therein, it is hereby

ORDERED that the current status hearing set for 10:30 a.m. on May 5, 2021 be continued to July ____, 2021 at ____ a/p.m.; and it is further

ORDERED that the time between March 3, 2021 and July ____, 2021 be excluded from calculation under the Speedy Trial Act. The Court finds that the ends of justice served by the granting of such continuance outweigh the best interests of the public and Defendant in a speedy trial, as the continuance will provide the parties with additional time to engage in the discovery process and pretrial negotiations.

DATE:

Rudolph Contreras
United States District Judge