

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL CASE NO.
)	1:21-CR-00346-BAH-1
GLEN MITCHELL SIMON)	

UNOPPOSED MOTION TO CONTINUE DEFENDANT'S
PRETRIAL MOTIONS FILING DEADLINE

COMES NOW the Defendant, GLEN MITCHELL SIMON, by and through undersigned counsel and respectfully requests a 30-day extension of time in which to file pretrial motions in this case. Pretrial motions are currently due today, June 16, 2021, and a Status Conference in this case is currently scheduled for June 25 2021 at 12:00 p.m. before the Honorable Judge Beryl A. Howell. Mr. Simon respectfully requests that he be allowed to file Pretrial Motions on July 16, 2021. In support of this Motion, Defendant shows as follows:

1.

After being charged in a criminal complaint from this district, Mr. Simon was arrested in the Northern District of Georgia and made his initial appearance there on May 5, 2021. (CM/ECF for N.D. Ga., Case no. 2:21-mj-09 at Docs. 1, 4). The magistrate judge held a detention hearing, and Mr. Simon was released on conditions of supervision. (CM/ECF for N.D. Ga., Case no. 2:21-mj-09 at Docs. 6, 7, 8). A criminal information was thereafter filed in this district. (Doc. 6).

Mr. Simon was arraigned on the information on May 12, 2021 and was ordered to remain under the same conditions of release. (Doc. 16). He resides in the Northern District of Georgia, and is subject to supervision by federal probation officers there. He has not had any issues or violations while on pretrial release.

2.

The Court held a status conference on May 14, 2021, and issued a scheduling order requiring, *inter alia*, the government to produce available discovery on June 11, 2021, and Mr. Simon to file discovery motions on June 16. The government produced discovery on June 11 and produced additional discovery on June 16. The government also produced, prior to June 11, the discovery resulting from the search of Mr. Simon's cell phone.

The discovery is voluminous, including the contents of Mr. Simon's cell phone and social media accounts, photo and video evidence, and law enforcement reports. Due to the nature of the evidence produced, undersigned counsel has not had sufficient time to review the evidence, determine the appropriateness of any pretrial motions, and discuss potential pretrial motions with Mr. Simon. Counsel needs additional time for these purposes, and requests a 30-day continuance of the deadline for filing motions.

This is Mr. Simon's first request for an extension. If granted, the continuance would affect the deadlines imposed by the Court for any responses by the government, and replies by Mr. Simon, to the discovery motions.

3.

Counsel has conferred with Assistant United States Attorney ("AUSA") Amy Larson and AUSA Laura Hill regarding this continuance, and they have no objection to this motion.

4.

Under 18 U.S.C. § 3161 et seq., the interests of justice in granting the continuance outweigh the public's and the Defendant's right to a speedy trial. Thus, the time between now and the new deadline for pretrial motions should be excluded from speedy trial calculations.

WHEREFORE, Mr. Simon respectfully requests that he be given until July 16, 2021, in which to file Pretrial Motions. A proposed Order is attached.

Dated: This 16th day of June, 2021.

Respectfully Submitted,

/s/ Rebecca Shepard

Rebecca Shepard

Georgia Bar No. 780692

Attorney for Glen Simon

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion to Continue Defendant's Pretrial Motions Filing Deadline has been formatted in Times New Roman 14 pt., in accordance with Local Rule 5.1B, and was electronically filed this day with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following counsel of record:

Amy Larson, Esq.
Laura Hill, Esq.
Assistant United States Attorney
555 4th Street, NW
Washington, DC 20530

Dated: This 16th day of June, 2021.

/s/ Rebecca Shepard
Rebecca Shepard
Georgia Bar No. 780692
Attorney for Glen Simon

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ORDER GRANTING ADDITIONAL TIME TO FILE PRETRIAL MOTIONS

The Court finds that due to delays in defense counsel reviewing discovery in this case, it was necessary to extend the time for the Defendant to file pretrial discovery motions. The Court finds that the interests of justice in continuing the pretrial motions deadline substantially outweigh the interests of the public and defendant in the speedy resolution of this matter, and thus the Clerk is directed to count as excludable any delay occurring in extending the motions deadline. 18 U.S.C. § 3161, *et seq.*

IT IS HEREBY ORDERED that the the Defendant shall file Pretrial Motions by ____, 2021.

SO ORDERED, this ____ day of _____, 2021.

HON. BERYL A. HOWELL
UNITED STATES DISTRICT JUDGE

Proposed Order Submitted By:
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