

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 21-cr-541 (PLF)
	:	
FI DUONG,	:	
	:	
Defendant.	:	

NOTICE

At the arraignment on September 17, 2021, the United States of America, by and through the Acting United States Attorney for the District of Columbia, orally moved to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, *nunc pro tunc* for the period of time starting September 3, 2021 through the date of the next scheduled hearing, December 7, 2021, in the interest of justice for reasons proffered at the hearing. The defendant objected to the exclusion of time *nunc pro tunc* for September 3, 2021 through September 17, 2021, but did not object to the exclusion of time for September 17, 2021 through December 7, 2021. The Court ordered the exclusion of time for September 17, 2021 through December 7, 2021 only, and requested additional authority on the issue of whether time between September 3, 2021 and September 17, 2021 was properly excludable *nunc pro tunc*.

The United States hereby withdraws its September 17, 2021 oral motion to exclude time under the Speedy Trial Act *nunc pro tunc* for September 3, 2021 through September 17, 2021 and requests that the Court's Order excluding time between September 17, 2021 and December 7, 2021

remain as issued for all the reasons proffered at the September 17, 2021 hearing.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
DC Bar No. 415793

By: _____ */s/ Stuart Allen*
STUART D. ALLEN
D.C. Bar No. 1005102; N.Y. Bar No. 4839932
Assistant United States Attorney
National Security Section
555 Fourth Street, N.W.
Washington, D.C. 20530
stuart.allen@usdoj.gov
(202) 252-7794