

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-MJ-94 (ZMF)
	:	
JON SCHAFFER,	:	
	:	
Defendant.	:	
_____	:	

CONSENT MOTION TO CONTINUE DETENTION HEARING

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files the above-captioned motion to continue the detention hearing currently scheduled on April 6, 2021, for approximately two weeks to April 21, 2021. Granting the consent motion would be in the best interests of both parties. In support thereof, the government states as follows:

1. The government and counsel for the defendant have conferred and are continuing to communicate about this matter. There is voluminous and evolving discovery that impacts the question of detention. The government is in the process of producing preliminary discovery and anticipates making productions of voluminous discovery in the coming weeks, to include cell-phone extractions and surveillance video. Furthermore, the current restrictions on counsel, particularly those impacting defense counsel’s ability to communicate with his client, have slowed this process.
2. For these reasons, including those explained under seal, both parties at the status hearing held on April 2, 2021, requested the court to toll Speedy Trial and to hold in abeyance the defendant’s motion to dismiss (ECF 4) that was filed on March 9, 2021. That request was granted, and a preliminary hearing and status date is now scheduled

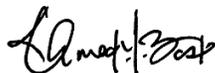
for May 3, 2021.

3. The matter of detention that arises before this court stems from a Motion for Review of Detention Order (ECF 11) and Amended Motion for review of Detention Order (ECF 14) that were filed by the defendant on March 20 and 31, 2021, that collectively seek reversal of the detention order that was issued by Magistrate Judge Zia M. Faruqui on March 19, 2021. For the same reasons that animated the parties' request to continue matters on April 2, 2021, both parties now request to continue the detention hearing currently scheduled on April 6, 2021, for approximately two weeks, to April 21, 2021. The parties agree that, unless otherwise requested, the government will file a response to the defendant's motion for release on or before April 19, 2021.
4. Finally, the parties believe that the failure to grant this continuance "would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence," 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, "the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial," 18 U.S.C. § 3161(h)(7)(A), and the parties request an order to that end. Wherefore, the parties respectfully request that the Court continue the detention hearing in this matter until April 21, 2021.

Dated: April 4, 2021

Respectfully submitted,

CHANNING B. PHILLIPS
ACTING UNITED STATES ATTORNEY



By: _____

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ORDER

This matter having come before the Court pursuant to a Motion to Continue Detention Hearing, upon consent, it is therefore

ORDERED that good cause exists to adjourn the Detention Hearing in this case from April 6, 2021 to April 21, 2021. *See* Fed. R. Crim. P. 5.1(d). The parties shall appear for a Detention Hearing at _____ on April 21, 2021.

ORDERED that the government shall file a reply to the defendant’s Motions for Review of Detention Order (ECFs 11, 14) on or by April 19, 2021.

The Court finds that COVID-19 has presented complications here that make it difficult for defense to meet with his client and prepare, that there is voluminous and evolving discovery, and that delay is necessary for the parties to work on a potential resolution.

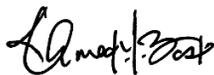
It Is So Ordered.

BERYL A. HOWELL
Chief Judge
United States District Court for the District of
Columbia

Entered: _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Consent Motion to Continue Detention Hearing was served upon counsel of record for the defendant through the electronic court filing system, this 4th day of April 2021.



By:

Ahmed M. Baset
Assistant United States Attorney