

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)	
)	
v.)	USDC No. 21-mj-173 (ZMF)
)	
William D. Merry, Jr.)	<i>defendant.</i>

UNOPPOSED MOTION TO CONTINUE PRELIMINARY HEARING

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., (“counsel”) appointed by this Court under the Criminal Justice Act, with the consent of the United States, respectfully moves the Court to continue the preliminary hearing, now set for August 9, 2021 at 10:00 a.m., for sixty (60) days, on a date convenient to the parties and the Court.

The parties continue plea negotiations in an effort to resolve the matter without a trial. Further, the government has advised that it expects to complete its disclosure of pretrial discovery roughly thirty (30) dates from the date of this filing, material which will then have to be reviewed by counsel and shared with his client.

It will serve the interests of justice to continue the preliminary hearing. Counsel has discussed with the defendant waiving the time under the Speedy Trial Act between August 9, 2021 and the next scheduled court date, and the defendant agrees to do so. Likewise, the government is prepared to waive the time noted.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Jessica Arco, Esq., U.S. Department of Justice and attorney of record for the government in the instant case, this 29th day of July, 2021.

/s/

Nathan I. Silver, II

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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ORDER

Upon good cause shown in Defendant's Unopposed Motion to Continue Preliminary Hearing, the lack of opposition from the United States, and other evidence before the Court in the record of the case, it is hereby

ORDERED, this ____ day of _____, 2021, the preliminary hearing previously set for August 9, 2021, is hereby VACATED, and it is further

ORDERED, that the preliminary hearing is set for _____, 2021, at ____ a.m./p.m., to be conducted on video conference, and it is further

ORDERED, that the time from August 9, 2021, until _____, 2021, shall not be included under the Speedy Trial Act.

Hon. Zia M. Faruqui, Magistrate Judge
United States District Court for the District of Columbia

Cc: Nathan I. Silver, Esq.
6300 Orchid Drive
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By ECF

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