

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DANIEL WARMUS,

Defendant.

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Criminal No. 21-CR-417-PLF

**JOINT MOTION TO CONTINUE OCTOBER 8, 2021 STATUS  
HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America and Defendant, Daniel Warmus, through counsel hereby move this Court for a 60-day continuance of the Status Conference set for October 8, 2021, and further to exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv). In support of its motion, the Government states as follows:

1. Defendant is charged by Information with misdemeanor offenses related to crimes that occurred at the United States Capitol on January 6, 2021.
2. On July 1, 2021, this Court held an Arraignment. The parties discussed the status of discovery and plea negotiations.
3. Since then, the Government has continued to provide discovery to counsel. Specifically, the Government has provided substantial, individualized discovery addressing Mr. Warmus' conduct on January 6, 2021. The Government also has provided discovery from other sources.
4. Additionally, the parties have begun plea negotiations. However, the parties need

additional time to work through their plea discussions and attempt to resolve this case without a trial.

5. On October 4, 2021, the parties conferred on the case status and agreed that a 60-day continuance of the Status Hearing set for October 8 would assist in reviewing and discussing the plea offer and the discovery. The parties also agreed to toll the Speedy Trial Act from the date this Court enters an Order on this motion through and including the date of the next Status Hearing. The parties further request that the Court conduct the next Status Hearing via videoconference.

Accordingly, the parties respectfully request that this Court grant the motion to continue the Status Hearing set for October 8 for an additional 60 days from the date this Court enters an Order on this motion through and including the date of the next hearing, and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest



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**ORDER**

Based upon the representations in the Joint Motion to Continue October 8, 2021 Status Hearing and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, the Court makes the following findings:

Defendant is charged by Information with misdemeanor offenses related to crimes that occurred at the United States Capitol on January 6, 2021. Since Defendant’s Arraignment, the United States has provided substantial discovery, but that process continues. The parties also have begun plea negotiations. The parties request additional time to work through those discussions and the discovery. On October 4, 2021, the parties moved this Court for a continuance of the Status Hearing set on October 8, 2021, to allow the parties additional time to work through discovery and to continue plea negotiations. The parties also requested that this Court toll the Speedy Trial Act from the date this Court enters an Order on this motion through and including the date of the next Status Hearing.

The Court agrees that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(7)(A) based on the factors described in 18 U.S.C. § 3161(h)(7)(B)(i)(ii) and (iv).

Therefore, it is this \_\_\_\_ day of \_\_\_\_\_, 2021,

**ORDERED** that the Joint Motion to Continue October 8, 2021 Status Hearing and to Exclude Time Under the Speedy Trial Act, is hereby GRANTED; it is further

**ORDERED** that this proceeding is continued to \_\_\_\_\_, 2021, at \_\_\_\_\_; and it is further

**ORDERED** that the time period from the date of this Order through and including the date of the next hearing is hereby excluded from the computation of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

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THE HONORABLE PAUL L. FRIEDMAN  
UNITED STATES DISTRICT JUDGE