

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

**UNITED STATES OF AMERICA**

v.

**BRIAN E. STENZ,  
Defendant.**

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**Case No.: 1:21-CR-456-BAH**

**UNOPPOSED MOTION TO CONTINUE OCTOBER 15, 2021  
STATUS CONFERENCE FOR 30 DAYS**

The United States of America, through counsel, respectfully requests the Court to grant the Unopposed Motion to Continue the October 15, 2021 Status Conference for 30 days. The Government further requests the Court exclude the period of the continuance from the computation of time under the Speedy Trial Act. In support of this motion, the Government states as follows:

1. On July 16, 2021 the Court held a Status Conference in this case. The parties discussed that discovery had been provided to counsel for the Defendant, and that the Government would continue to supplement discovery. The Court set the next Status Conference for September 17, 2021.
2. The Government continues to provide supplemental discovery.
3. On September 14, 2021, the Government filed an Unopposed Motion to Continue the Status Conference, which the Court granted. The Court set the next Status Conference for October 15th, 2021.
4. On September 21, 2021, the undersigned was assigned to take over this case for AUSA Frances Blake.
5. On September 30, 2021, the undersigned filed a Notice of Substitution of Counsel.
6. The parties have discussed the possibility of pretrial resolution of this case and are in the process of finalizing the parameters of a plea agreement but need additional time to do so.

7. On October 6, 2021, counsel for Defendant and the United States agreed that the October 15, 2021 hearing, should be continued for approximately 30 days. The parties in that discussion also agreed to exclude from the computation of time under the Speedy Trial Act the time between October 15, 2021 and the next set Status Conference. The parties also request that the Court conduct the next setting via videoconference.

8. WHEREFORE, for the foregoing reasons, the Government respectfully requests that the Court grant this Motion to Continue the October 15, 2021 Setting for 30 Days, and further requests that the Court exclude the period from October 15, 2021 until the next setting in this case from the computation of time under the Speedy Trial Act.

Respectfully submitted,

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

By: /s/ Grace Albinson  
GRACE ALBINSON  
NY Bar No. 4952697  
Trial Attorney, U.S. Department of Justice  
Capitol Riot Detailee  
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**CERTIFICATE OF SERVICE**

On October 6, 2021, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/ Grace Albinson  
GRACE ALBINSON  
Trial Attorney  
Capitol Riot Detailee

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**CASE: 1:21-CR-456-BAH**

**ORDER**

Based upon the representations in the United States’ Unopposed Motion to Continue, and upon consideration of the record, the Court makes the following findings:

The unusual complexity of the Capitol Attack investigation warrants the requested continuance. Given the number of individuals currently charged across the Capitol Attack investigation and the nature of those charges, the on-going investigation of many other individuals, the volume and nature of potentially discovery materials, and the reasonable time necessary for effective preparation by all parties taking into account the exercise of due diligence, the failure to grant such a continuance in this proceeding would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice. Accordingly, the ends of justice served by granting a request for a continuance outweigh the best interest of the public and the defendant in a speedy trial.

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

**ORDERED** that the United States’ Unopposed Motion to Continue, is hereby GRANTED;  
it is further

**ORDERED** that this proceeding is continued to October/November\_\_\_\_, 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 an indictment must be filed under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

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THE HONORABLE BERYL A. HOWELL  
UNITED STATES CHIEF DISTRICT JUDGE