

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **Criminal No. 21-mj-245**  
 :  
**PHILIP S. GRILLO,** :  
 :  
 **Defendant.** :

**JOINT MOTION TO CONTINUE NOVEMBER 26, 2021 STATUS HEARING AND TO  
EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States, by and through its attorney, the United States Attorney for the District of Columbia, and Defendant Grillo hereby jointly move to continue the November 26, 2021, status hearing scheduled for 3:00 p.m. before Magistrate Judge Meriweather. In support of the motion, the parties state as follows:

1. On September 21, 2021, the government filed United States' Unopposed Motion to Continue September 27, 2021 Status Hearing and to Exclude Time Under the Speedy Trial Act (ECF No. 21). In that motion, the parties proposed a next date of December 2, 2021, to the extent the Court was amenable to that date.

2. On September 24, 2021, the Court granted the government's motion and scheduled the next status hearing for November 26, 2021 (ECF No. 22). Government counsel will be on annual leave and out of the jurisdiction on November 26, 2021. That date is also considered a court holiday in defense counsel's home jurisdiction.

3. Accordingly, the parties request a short continuance to a date on which both counsel will be available. The parties remain available for a status hearing on December 2, 2021. The parties are also available to have the hearing December 6-9, 2021, to the extent the Court is available.

4. The government respectfully requests to incorporate into this motion the argument made in its recent motion (ECF No. 21) as to why an ends-of-justice tolling of the Speedy Trial Act is warranted.

5. Furthermore, Defendant Grillo has been advised of his rights under the Speedy Trial Act and agrees to exclude from the Speedy Trial Act calculation November 26, 2021, until the next status hearing date. The parties agree that setting this future date would best serve the interests and ends of justice and outweighs the interests of the public and the defendant in a speedy trial.

WHEREFORE, for the reasons described above, the parties respectfully request that the Court grant this motion to continue the status hearing set for November 26, 2021 and exclude the time within which an indictment must be filed and the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

Respectfully submitted,

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

By: /s/ Christine M. Macey  
CHRISTINE M. MACEY  
Assistant United States Attorney  
DC Bar No. 1010730  
555 Fourth Street, N.W., Room 5243  
Washington, DC 20530  
Christine.Macey@usdoj.gov  
(202) 252-7058

/s/ Michael P. Padden  
MICHAEL PADDEN, ESQUIRE  
Federal Defenders of New York  
NY Bar No. 162-8932

One Pierrepont Plaza, 16th Floor  
Brooklyn, NY 11201  
Michael\_Padden@fd.org  
(718) 330-1240