

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES

v.

LEWIS CANTWELL,

Defendant.

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Criminal No. 21-0089(EGS)

DEFENDANT’S CONSENT MOTION TO CONTINUE STATUS HEARING

Defendant Lewis Cantwell (“Cantwell”), by and through undersigned counsel, and pursuant to Fed. R. Crim. P. 45(b), hereby moves this Honorable Court for a brief continuance of the status hearing currently scheduled for October 22, 2021.

In support of this motion, Mr. Cantwell states as follows:

1. The Court has scheduled a status hearing in this matter on October 22, 2021.
2. Undersigned counsel will be in trial in the United States District Court for the District of Maryland beginning October 21 for jury selection. While counsel will normally not be in trial on Fridays, the trial court has scheduled October 22 as the second day of jury selection. Thus, counsel will not be able to appear for Mr. Cantwell as scheduled.
3. Mr. Cantwell respectfully requests that the Court continue the status hearing to another Friday morning when counsel will not be in trial.
4. Under the Speedy Trial Act, the trial of a defendant charged in an indictment “shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs.” 18 U.S.C. § 3161(c)(1).

5. Nonetheless, this Court may exclude time where “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). In determining whether the ends of justice are so served, this Court shall consider whether “Whether the failure to grant such a continuance in a case which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny ... counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv).

6. Additionally, Mr. Cantwell consents to a tolling of the speedy trial act until the next scheduled hearing.

7. The government consents to this motion.

WHEREFORE, for the foregoing reasons, Mr. Cantwell respectfully requests that this Motion be **GRANTED**.

Dated: Washington, DC
October 15, 2021

Respectfully submitted,

BALAREZO LAW

/s/

By:

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Counsel for Defendant Lewis Cantwell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October 2021, I caused a true and correct copy of the foregoing Defendant's Consent Motion to Continue Status Hearing to be delivered to the Parties via ECF.

/s/

A. Eduardo Balarezo