

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
<b>v.</b>	:	
	:	<b>Case Number 21-CR-595</b>
<b>JAMES RUSSELL DAVIS,</b>	:	
	:	
<b>Defendant.</b>	:	<b>Hon. Timothy J. Kelly</b>

**UNOPPOSED MOTION FOR EXCLUDABLE DELAY**

The Government requests that the status hearing date of March 10, 2022 in this case be adjourned approximately 60 days or until May 10, 2022. The amount of discovery is voluminous in this case, constituting thousands of pages, and that there are terabytes of forensic data to sift through. There are multiple electronic device dumps and vast data to review. There is also a large amount of global discovery that has and continues to be produced in this case on an ongoing basis. Defense needs time to look at and to evaluate all of this evidence. In addition to all of these things, there is an ongoing global pandemic that has slowed the process of doing in-person meetings.

The government has been continually producing discovery as it becomes available. On March 7, 2022, the government made two large productions of discovery to Defendant Davis.

The Government further moves for a finding of excludable delay between the dates of March 10, 2022 and May 10, 2022. The parties agree that this case is “unusual and complex” due to the nature of the prosecution. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), *see also* § 3161(h)(7)(B)(iv), and that, therefore, this time should be excluded in calculating the time within which the defendant must be brought to trial under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1).

Additionally, the parties have continued plea discussions and would like time to continue the discussions.

Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time period shall constitute excludable delay and that the ends of justice served outweigh the best interests of the defendant and the public in a speedy trial. The excludable delay requested is reasonable and necessary so that defendant can fully prepare for trial and review the voluminous evidence in this case.

Respectfully submitted,

MATTHEW GRAVES  
UNITED STATES ATTORNEY

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Date: March 8, 2022

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<b>Defendant.</b>	:	<b>Hon. Timothy J. Kelly</b>

**ORDER FOR EXCLUDABLE DELAY**

This matter having come before the Court upon the Government’s motion for excludable delay, the status hearing date of March 10, 2022 in this case is adjourned approximately 60 days or until May 10, 2022. In granting the parties’ request for an adjournment, the Court finds that the ends of justice served outweigh the best interests of the defendant and the public in a speedy trial for the reasons listed in the Government’s motion and because this case is “unusual and complex” due to the nature of the prosecution. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), *see also* § 3161(h)(7)(B)(iv). There are thousands of pages in discovery and large amounts of forensic data. Additionally, the defense just received two large productions of discovery on March 7, 2022 that they will need time to review to effectively prepare for trial in this case.

Thus, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C. §§ 3161(h)(7)(B)(ii) and (B)(iv), the time period between March 10, 2022 and May 10, 2022 shall constitute excludable delay.

IT IS SO ORDERED.

Dated:

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HONORABLE TIMOTHY J. KELLY  
United States District Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a copy of this pleading was served on all counsel of record via the Court's electronic filing service.

/s/ Mitra Jafary-Hariri  
Mitra Jafary-Hariri  
Assistant United States Attorney

Date: March 8, 2022