

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>v.</b>	)	<b>No. 21-cr-0143 (RC)</b>
<b>BENJAMIN TORRE</b>	)	
	)	
<b>Defendant.</b>	)	
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**JOINT MOTION TO CONTINUE STATUS CONFERENCE**

Benjamin Torre, through undersigned counsel, and joined with the United States Attorney for the District of Columbia, request that the status conference currently scheduled for October 21, 2021 be continued for 75 days, and time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161. In support, the parties submit as follows:

1. On February 2, 2021, Mr. Torre was charged via criminal complaint with violations of 18 U.S.C. §1752(a)(1), and (2), and 40 U.S.C. §5104(e)(2)(D), and (G) for allegations arising out of conduct on January 6, 2021. *See* ECF No. 1.
2. On February 9, 2021, Mr. Torre was placed on pre-trial release and ordered to abide by standard conditions. To this date, he has been compliant with all conditions. *See* ECF Nos. 5, 11, 14, 24.
3. On February 22, 2021, the government filed an Information alleging the same charges described above. Mr. Torre entered a plea of not guilty to these charges on March 3, 2021. *See* ECF No. 8.
4. On August 20, 2021, Mr. Torre appeared before this Court and both parties requested an exclusion of time until October 21, 2021 in order to obtain and review discovery.

5. In the interim, the government provided discovery that has now been reviewed by counsel and the defendant. Government counsel advised that there may be more defendant specific productions provided in the near future. Defense counsel is also close to finalizing the licensing process to be able to access the voluminous video production uploaded to evidence.com referenced in the government's memorandum on discovery filed on September 16, 2021.
6. The parties request a further continuance in this matter so that the defense can review the outstanding discovery productions and to discuss potential negotiations with the government. It is the intention of the parties to engage in plea discussions soon and if an agreement can be reached, defense counsel will notify the Court to request that the next status hearing be converted to a plea hearing.
7. Accordingly, the parties now jointly move this Court to continue the status conference, currently scheduled for October 21, 2021, for a period of 75 days.<sup>1</sup> Such a continuance will allow for the continued provision and review of discovery, as well as allow the parties to continue discussions regarding a possible resolution of this matter short of trial.
8. The parties also request that time be excluded from calculation, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, until the date of the continued status conference in this matter. The parties submit that a continuance of approximately 75 days is warranted and that an order excluding time would best serve the interests and ends of justice and outweigh the interests of the public and defendant in a speedy trial pursuant to the factors described in 18 U.S.C. §3161(h)(7)(A), (B)(i), (ii), and (iv).

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<sup>1</sup> Mr. Torre respectfully requests that the Court set the next hearing for a Monday as he does not work on Mondays. The parties have conferred about a potential next status hearing date and respectfully request a date after January 10, 2022.

WHEREFORE, Mr. Torre asks in conjunction with the United States, that this Honorable Court continue the Status Conference currently scheduled for October 21, 2021, for a period of 75 days, and toll time under the Speedy Trial Act until the new hearing date.

Respectfully submitted,

A.J. KRAMER  
FEDERAL PUBLIC DEFENDER

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