

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

**UNITED STATES OF AMERICA**

**v.**

**BRIAN MCCREARY,**

**Defendant.**

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**Case No. 21-cr-125 (BAH)**

**JOINT STATUS REPORT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and Jeffrey Denner, counsel for the defendant, Brian McCreary, hereby submit the following Joint Status Report:

Pursuant to the Court's guidance at the last status hearing on July 30, 2021, the parties conferred and submit the following:

1. On July 26<sup>th</sup>, 2021 the government extended a plea offer to the defendant. On September 3<sup>rd</sup>, 2021 the defendant informed the government he would be accepting the plea offer and forwarded the signed plea agreement to undersigned counsel.
2. During the last status hearing the parties were instructed to notify the Court if a pre-trial disposition had been reached in advance of the next status hearing. Furthermore, the parties were directed to provide future dates amenable to both parties for a plea hearing.
3. The government has conferred with counsel for the defendant and proposes the following dates for a plea hearing in this case; October 19, October 21, and October 26. In the interim, the government will forward the plea paperwork and associated documentation to the Court for review.

4. For the reasons stated above, the parties request the Court vacate the status hearing set for September 10, 2021. Moreover, per the Chief Judge's Standing order, the parties request the Court schedule a plea hearing for one of the three jointly proposed dates above. If these dates are not available with the Court the parties will confer and submit additional dates as necessary.
5. For these same reasons, the parties further believe it is in the interest of justice to toll the Speedy Trial Act while the parties finalize plea paperwork (waivers) and submit all paperwork to the Court. Therefore, the parties thus request a tolling of the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), based on the factors described in 18 U.S.C. 3161(h)(7)(B)(i), (ii), and (iv). Therefore, the parties request an exclusion of time under the Speedy Trial Act from September 10, 2021, through the next scheduled hearing date.

Respectfully submitted,

CHANNING D. PHILLIPS  
Acting United States Attorney

By: \_\_\_\_\_ /s/

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\_\_\_\_\_ /s/

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