

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 21-MJ-00122 (RMM)
	:	
MATHEW CAPSEL,	:	
Defendant.	:	

CONSENT MOTION TO CONTINUE PRELIMINARY HEARING

The defendant, by and through his attorney, Christopher Davis, respectfully files this Consent Motion to Continue the Preliminary Hearing in the above-captioned matter, currently scheduled for August 10, 2021 until September 13 or 15, 2021. In support thereof, the defendant states as follows:

1. On January 19, 2021, the defendant was arrested and charged by Criminal Complaint with one count of Obstruction, in violation of 18 U.S.C. § 243(a)(3); Assault, in violation of 18 U.S.C. § 111, and Unlawful Entry on Capitol Grounds, violation of 18 U.S.C. § 1752(a)(1) and (4). On February 5, 2021, the Honorable Judge Meriweather ordered that the defendant remain on release subject to monitoring conditions. The matter has been continued several times since then. A preliminary hearing is now set for August 11, 2021.
2. The government and counsel for the defendant have conferred and are continuing to communicate in an effort to resolve this matter. The government is also gathering discovery to provide to counsel for the defendant.
3. The parties, therefore, would respectfully request that the preliminary hearing be

continued until September 13 or 15, 2021. The parties agree that the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial, and that this adjournment will allow the parties to continue negotiations in an effort to achieve a resolution before trial. Therefore, the parties agree that pursuant to 18 U.S.C. § 3161, the time from August 11, 2021 through the next court date shall be excluded in computing the date for speedy trial in this case.

Wherefore, the parties respectfully request that the Court continue the Preliminary Hearing in this matter until September 13 or 15, 2021.

Respectfully submitted,

/s/

Christopher M. Davis #385582
Counsel for Mathew Capsel
Davis & Davis
1350 Connecticut Avenue, NW
Suite 202
Washington, DC 20036
202.234.7300

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion was served upon all counsel of record via the Court's CM/ECF System on this 10th day of August 2021.

/s/

Christopher M. Davis

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

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 21-MJ-00122(RMM)**
 :
 MATHEW CAPSEL, :
 Defendant. :

ORDER

This matter having come before the Court pursuant to a Motion to Continue, upon consent, it is therefore

ORDERED that the parties shall appear for a Preliminary Hearing at _____ on September _____, 2021. It is further

ORDERED that pursuant to the representations made by the parties, the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial. Pursuant to 18 U.S.C. § 3161, the time from August 11, 2021 until the next September court date shall be excluded in computing the date for speedy trial in this case.

The Honorable Judge G. Michael Harvey