

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

**UNITED STATES OF AMERICA** :  
 :  
 **v.** : **Case No. 21-cr-317 (TSC)**  
 :  
 **BENJAMIN LAROCCA** :  
 :  
 **and CRISTIAN CORTEZ,** :  
 :  
 **Defendants.** :

**CONSENT MOTION TO VACATE, CONTINUE, AND  
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America hereby moves this Court vacate the September 29, 2021 status hearing scheduled in the above-captioned matter, for a 90-day continuance of the above-captioned matter, and further to exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv). In support of its motion, the government states as follows:

The government has produced the most substantial discovery that is specific to the defendants' involvement in the events of January 6, 2021, and continues to supplement those productions as the investigation into defendants' conduct is ongoing. As detailed in the government's Discovery Status Memoranda, (Dkts. 28, 29,) the government continues progress towards making voluminous discovery available to the defense. The parties are engaging productively and hope to reach a pretrial resolution of the case, but have not discussed the formal parameters of a plea agreement.

Counsel for the defendants consent to this motion.

