

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:21-CR-00237-RDM-1
	:	
JONATHANPETER ALLEN KLEIN,	:	
	:	
Defendant.	:	

**JOINT STATEMENT REGARDING TOLLING
TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America and defendant Jonathanpeter Allen Klein, by his counsel, Michelle M. Sweet, respectfully submit this joint statement regarding the tolling of time under the Speedy Trial Act between May 7 and 13, 2021, pursuant to the Court’s May 5, 2021 Minute Order, and state as follows:

1. The government requests that time be excluded between May 7 and 13, 2021, under the Speedy Trial Act. The government argues that, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(i), (ii), and (iv), the ends of justice will be served by excluding time and any resulting delay would outweigh the best interest of the public and the defendant in a speedy trial because, among other things:

a. The Capitol Attack is likely the most complex investigation ever prosecuted by the Department of Justice. Developing a system for storing and searching, producing and/or making available voluminous materials accumulated across hundreds of investigations, and ensuring that such system will be workable for both the government and defense, will take time. Even after a system generally agreeable to the government and the Federal Public Defender is designed and implemented, likely through the use of outside vendors, it will take time to load, process, search and review discovery materials. Further adding to production and review times,

certain sensitive materials may require redaction or restrictions on dissemination, and other materials may need to be filtered for potentially privileged information before they can be reviewed by the prosecution.

b. The government has tendered voluminous preliminary discovery to the defendant and is in the process of preparing a significant volume of additional materials for production.

c. Due to the number of individuals currently charged across the Capitol Attack investigation and the nature of those charges, the on-going investigation of many other individuals, the volume and nature of potentially discoverable materials, and the reasonable time necessary for effective preparation by all parties taking into account the exercise of due diligence, the failure to grant such a continuance in this proceeding would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice.

2. Defendant does not object to the exclusion of time between May 7 and 13, 2021.

3. The undersigned Assistant U.S. Attorney has conferred with counsel for defendant and has received permission to represent that defendant's position in paragraph 2 above is accurate.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
D.C. Bar No. 415793

By: /s/ Christopher K. Veatch
CHRISTOPHER K. VEATCH
IL Bar No. 6276097 (Detailee)
Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(312) 886-3389
christopher.veatch@usdoj.gov