

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE. NO. 21-CR-464-RCL
	:	
	:	
JON MOTT,	:	
	:	
Defendant	:	

**JOINT MOTION FOR CONTINUANCE
AND JOINT STATUS REPORT**

The United States, by and through its attorney, the United States Attorney for the District of Columbia, and Defendant, by and through his attorney, Shelli Peterson (collectively, “the Parties”), respectfully request a 60-day continuance of this matter and also submit a joint status report, and state as follows:

1. On July 13, 2021, the defendant, Jon Mott, was charged by way of information with (Count One) Entering and Remaining in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(1); (Count Two) Disorderly and Disruptive Conduct in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(2); (Count Three) Disorderly Conduct in a Capitol Building in violation of Title 40 U.S.C. § 5104(e)(2)(D); and (Count Four) Parading Demonstrating, or Picketing in a Capitol Building in violation of Title 40 U.S.C. § 5104(e)(2)(G). ECF 14.

2. The defendant has been out on bond since his arrest on May 13, 2021, and remains compliant with conditions of release.

3. On May 21st, and on July 23rd, 2021, the parties appeared for video status conferences in this matter, and the Court ordered the exclusion of time through September 23, 2021. Since September 17, 2021, the Court granted continuances in this case and ordered the exclusion of time under the Speedy Trial Act (collectively) through March 18, 2022. The next status conference in this matter is scheduled for March 18, 2022, at 1:30 pm.

4. Since January 20, 2022, the filing of the most recent status report, the parties have discussed the facts and possible plea of this case. Additionally, since January 28, 2022, the following items among others were produced (under Global Productions 11 and 12) to the defense Relativity workspace: 8 sensitive audio files of Capitol Police radio communications and redacted transcripts; a spreadsheet listing start times of Arlington County Police pole camera videos; 18,484 anonymous tip files and related documentation to the MPD Tipline; 3 interview reports and 4 related files regarding Safeway Grocery stores and interstate commerce; and 3 sensitive files regarding the security of Vice President Pence; over 250 FBI interviews of Capitol and Metropolitan Police officers and associated exhibits (889 files total); 3 search warrants and related materials for 63 Facebook accounts; 2 search warrants and related materials for Google account subscriber information and location data from the Capitol and restricted perimeter; an application and related orders for basic subscriber information and call records for devices present within the Capitol on January 6, 2021; a search warrant and related Facebook materials for accounts associated with 2,087 advertising identifiers; 10 search warrants and related materials for anonymized location data collected by ten data aggregation companies; 6 search warrants and related materials pertaining for cell tower data from Verizon, AT&T, and T-Mobile/Sprint.

5. Defense counsel access to this defense Relativity workspace via her own office, the Federal Public Defender's (FPD's) office in DC. Through this FPD office, defense counsel also has access to evidence.com to access voluminous video files. Note, pursuant to protective order in this case (ECF 11), parties remain complaint with discovery designated as Sensitive or Highly Sensitive.

6. On February 15, 2022, a Memorandum Regarding Status of Discovery as of February 9, 2022, was filed. ECF 30. This memorandum addresses the status of: (1) production of voluminous amounts of video to the FPD instance of evidence.com, and the multiple tools the government has provided to assist the defense in locating footage they may consider relevant; (2) the ability of inmates housed in the D.C. Department of Corrections ("DOC") to access those same materials through a separate DOC instance of evidence.com; (3) voluminous documents produced since our last status memorandum dated November 5, 2021; (4) the ability of legal defense teams to obtain access to FPD's Relativity workspace, and the current contents of that database; (5) manner of production of voluminous documents in view of defense counsel access to Relativity; (6) plans for an e-discovery room in the DOC; (7) access by inmates to laptops made available through the DOC's e-discovery program; (8) access to voluminous discovery by *pro se* defendants; (9) challenges we are overcoming; and (10) our plan for certain trials that may proceed before our discovery plan is substantially executed.

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7. Parties are agreed to a 60-day continuance of this matter and to excluding the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Parties have begun plea negotiations and believe this time will allow for further production and review of discovery and will facilitate resolution of this case short of trial.

Respectfully submitted,

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/s/
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