

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 21-CR-79-BAH**
 :
 KEVIN JAMES LYONS, :
 :
 Defendant. :
 :

**JOINT MOTION TO CONTINUE DECEMBER 3, 2021 STATUS
HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America and Defendant, Kevin James Lyons, through counsel move this Court for a 60-day continuance of the Status Hearing set for December 3, 2021, 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 defendants 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 parties state as follows:

- 1.** Defendant is charged by Indictment with offenses related to crimes that occurred at the United States Capitol on January 6, 2021.
- 2.** On August 9, 2021, this Court held an Arraignment and Status hearing on the charges presented in the Indictment.
- 3.** Since that hearing, the United States has continued to provide discovery to Defendant, mostly from outside sources. The United States expects to disclose additional discovery, predominately from other sources, in the future. The parties have also continued their efforts to resolve this matter by plea. The parties had made some progress, but defense counsel has requested additional time to work through the offer with his client and to come to a final decision.

4. On November 16, 2021, the parties conferred on the case status and agreed that a 60-day continuance of the Status Hearing set for December 3 would assist the parties in their ongoing plea negotiations and in allowing additional time to provide and review ongoing discovery disclosures. The parties also agreed to toll the Speedy Trial Act from the date this Court enters an Order on this motion through and including the date of the next Status Hearing. The parties further request that the Court conduct the next Status Hearing via videoconference.

Accordingly, the parties respectfully request that this Court grant this Motion to Continue the Status Hearing set for December 3 for an additional sixty days and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* from the date this Court enters an Order on this motion through and including the date of the next hearing on the basis that the ends of justice served by taking such actions outweigh the best interest of the

public and Defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv).

Respectfully submitted,

 /s/

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