

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:21-cr-00488-CRC
	:	
NOAH S. BACON,	:	
	:	
Defendant.	:	

JOINT MOTION TO CONTINUE THE MARCH 29, 2022 STATUS HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT
(2nd Joint Motion)

The United States of America, by and through the United States Attorney for the District of Columbia, and counsel for Defendant Noah S. Bacon (“Defendant”), hereby move the Court for a 90-day continuance of the March 29, 2022 Status Hearing to allow Defendant additional time to review discovery, a plea agreement proposed by the Government, and to accommodate counsel for the Defendant’s upcoming six-week trial in an unrelated matter, and further to exclude the period of the continuance from computation of the Speed Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such action outweighs 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). In support of its motion, the parties state the following:

1. Defendant is charged by Indictment with offenses related to crimes that occurred at the United States Capitol on January 6, 2021.
2. The Government has continued to provide defendant with voluminous global discovery. *See* ECF Nos. 25-26, 28 (explaining the Government’s efforts to provide global discovery and the Relativity database). The Government has also continued to provide case-specific Discovery as it becomes available.

3. As noted in the first Joint Motion to Continue, ECF No. 27, the Government provided Defendant with a formal plea offer. Counsel for Defendant continues to need additional time to review the voluminous discovery and to gain access to the Relativity database. Further, counsel for Defendant requests time in light of counsel's participation in a pending unrelated six-week trial.
4. The parties have conferred on the case status and agreed that a continuance of the Status Hearing set for March 29 would assist in furthering the parties' plea negotiations and allow sufficient time for counsel for Defendant to review and process the Government's disclosures in light of the voluminous discovery, counsel for Defendant's need to access the Relativity database, and counsel for Defendant's unrelated trial schedule. 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 the Joint Motion to Continue the Status Hearing set for March 29, 2022 for an additional 90 days from the date this Court enters an order on this motion through and including the date of the next hearing, 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.*, 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).

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court GRANT this second Joint Motion to Continue the status hearing and to exclude the period from computation of the time under the Speedy Trial Act.

Respectfully submitted,

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