

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

vs.

CRIMINAL NO. 1:21-CR-458(RJL)

RICHARD CROSBY, JR.

March 7, 2022

MOTION TO CONTINUE STATUS CONFERENCE

Counsel for the defendant in the above-captioned matter moves to continue the March 10, 2022 status conference by a period of one to seven days that is convenient for the Court. The basis for his motion is a scheduling conflict such that counsel is not able to be available at the scheduled time on March 10. Counsel for the government has no objection to the granting of this motion but has asked for a day other than March 17. The basis for this motion is set forth herein.

1. Counsel is a member of the Federal Defender's Office for the District of Connecticut. In addition to assuming this and another January 6 case in the District of Columbia, counsel represents 2 defendants in the Eastern and Northern Districts of Oklahoma. This is a consequence of the need for attorneys in Oklahoma resulting from the Supreme Court's decision in *McGirt v. Oklahoma*, 591 U.S. ___, 140 S.Ct. 2452 (2020)(members of tribal nations to be tried in federal rather than state court pursuant to treaties).
2. Counsel has to be in court in the Northern District of Oklahoma, in Tulsa, on March 9, 2022 for a pre-trial conference in *United States v. Chivers*, 4:21-cr-308(GKF). Counsel entertained some hope that case would be resolved and not require travel.
3. Counsel had planned to return to Connecticut the night of March 9 following court.
4. However, the only flights available on during the day of March 10 and counsel will be on a flight during the scheduled conference call.

5. Counsel for the government has no objection to the granting of this motion but states that he is not available on March 17.

WHEREFORE, counsel respectfully requests that that the Court continue the March 10 status conference by a period of 1 to 7 days to a time and date that is convenient for the Court other than March 17.

Respectfully Submitted,

/s/Daniel M. Erwin/s/

By Daniel M. Erwin (ct28947)

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CERTIFICATION OF SERVICE

This is to certify that on March 7, 2022, a copy of the forgoing was filed electronically via the Court's CM/ECF system, and by that system, counsel for the Government has been provided with a copy of the forgoing.

/s/Daniel M. Erwin/s/

Daniel M. Erwin