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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Case No.: 1:21-cr-00552-DLF-1

v.

**UNOPPOSED MOTION TO
CONTINUE THE JUNE 3, 2022,
STATUS HEARING AND TO
EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT**

KENNETH THOMAS,

Defendant.

COMES NOW, counsel for Kenneth Thomas, to respectfully request this Honorable Court to continue the June 3, 2022, status hearing 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 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, counsel states as follows:

1. The defendant is charged with Civil Disorder in violation of 18 U.S.C. §231(a)(3), Obstruction of an Official Proceeding and Aiding and Abetting in violation of 18 U.S.C. §1512(c)(2) and 2, Assaulting, Resisting, or Impeding Certain Officers in violation of 18 U.S.C. §111(a)(1), Entering and Remaining in a Restricted Building or Grounds in violation of 18 U.S.C. §1752(a)(1), Disorderly and Disruptive

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1 Conduct in a Restricted Building or Grounds in violation of 18 U.S.C. §1752(a)(2),
2 Engaging in Physical Violence in a Restricted Building or Grounds in violation of 18
3 U.S.C. 1752(a)(4), Disorderly Conduct in a Capitol Building in violation of 40 U.S.C.
4 §5104(e)(2)(D), and Act of Physical Violence in the Capitol Grounds or Buildings in
5 violation of 40 U.S.C. §5104(e)(2)(F).
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9 2. A status conference is scheduled for June 3, 2022.

10 3. Undersigned counsel will be out of the jurisdiction on June 3, 2022,
11 for personal reasons.
12

13 4. Discovery is ongoing.

14 5. Plea negotiations are ongoing.

15 6. Defense counsel has not concluded review of the discovery with the
16 defendant.
17

18 7. The United States does not oppose the motion.

19 8. Counsel for the United States has advised that she is unavailable
20 June 23-24, 2022.
21

22 WHEREFORE, counsel respectfully requests that this Court grant the
23 motion to continue the Status Hearing set for June 3, 2022, and that the Court
24 exclude the time within which the trial must commence under the Speedy Trial Act,
25 18 U.S.C. § 3161 et seq., on the basis that the ends of justice served by taking such
26 actions outweigh the best interest of the public and Defendant in a speedy trial
27 pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv).
28

WHEREFORE counsel respectfully requests that this motion be
granted.

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1 Dated: May 6, 2022
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7 Respectfully submitted,
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10 _____
11 Joseph R. Conte, Bar #366827
12 Counsel for Kenneth Thomas
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