

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

UNITED STATES OF AMERICA

v.

**WILLIAM POPE, and
MICHAEL POPE,**

Defendants.

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Case No. 21-cr-128 (RC)

**JOINT MOTION TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its attorney the Acting United States Attorney for the District of Columbia, and the Defendants, William Pope and Michael Pope, by and through their attorneys Terry Eaton and Carlos Vanegas, respectively, hereby move this Court to vacate the status conference presently scheduled for August 23, 2021, to continue the matter for approximately 50 to 60 days, and further to exclude the time within which a 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). The United States recently provided, on August 14, 2021, additional discovery to Defendants. *See* ECF No. 33. The requested continuance will allow counsel for Defendants an opportunity to review this newly provided discovery in order to adequately and effectively prepare, and counsel for all parties an opportunity to engage in discussions about potential pre-trial resolution of the Defendants' cases. Further, the United States notes that the investigation into the Capitol Breach presents novel and complex discovery issues, as described in the Memorandum Regarding Status of Discovery. *See* ECF No. 30.

The parties submit that under these circumstances, the ends of justice to be served by an approximately 50- to 60-day continuance outweigh the interests of the public and the Defendants in a speedy trial, and the Court should consequently exclude time under the Speedy Trial Act for the above stated reasons.

Undersigned counsel has provided a copy of this motion to Terry Eaton and Carlos Vanegas, counsel for Defendants William Pope and Michael Pope, respectively, and Mr. Eaton and Mr. Vanegas informed the undersigned that this may be filed as a joint motion. The parties have conferred and respectfully request a status conference be scheduled for October 12, 13, 18, 19, 20, or 22, 2021.

WHEREFORE, the parties respectfully request that this Court grant the motion for an approximately 50- to 60- day continuance of the above-captioned proceeding, 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 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).

Respectfully submitted,

CHANNING D. PHILLIPS
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**ORDER TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Based upon the representations in the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, the Court finds that it would best serve the interests and ends of justice and outweighs the interests of the public and the Defendants in a speedy trial to continue this matter to allow the parties to continue to review discovery and discuss any potential pre-trial resolution.

Therefore, it is this _____ day of August, 2021,

ORDERED that the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, is hereby **GRANTED**; it is further

ORDERED that this proceeding is continued to _____, 2021, at _____; and it is further

ORDERED that the time period from the August 23, 2021 status conference through and including the date of the next hearing is hereby excluded from the computation of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

HONORABLE RUDOLPH CONTRERAS
UNITED STATES DISTRICT JUDGE