

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 21-mj-14 (GMH)
v.	:	
	:	
ANTHIME JOSEPH GIONET,	:	
	:	
Defendant.	:	

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

The United States of America, by and through the Acting United States Attorney for the District of Columbia, and the Defendant, by and through his counsel, respectfully move this Court to continue the status hearing currently scheduled for August 24, 2021, and to exclude time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) from August 24, 2021 until the date of the next status hearing in this case, to be determined by the Court. In support whereof, the government states as follows:

1. The defendant was charged by criminal complaint on January 7, 2021, on charges of Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, in violation of 18 U.S.C. § 1752(a)(1); and Violent Entry and Disorderly Conduct on Capitol Grounds, in violation of 40 U.S.C. § 5104(e)(2).

2. The defendant was arrested on January 15, 2021, and an Initial Appearance was held in the Southern District of Texas on January 19, 2021, following which the defendant was released on bond pending trial.

3. The government has since engaged in discovery productions, and the parties have engaged in preliminary discussions regarding possible resolutions of the case short of trial.

4. A status conference is currently scheduled in this case for August 24, 2021 at 1:00 p.m. The parties respectfully request a continuance of approximately 60 days to facilitate the discovery process and further discussions between the parties. The parties are available and propose dates on October 20, 21, or 22, 2021, subject to the Court's availability.

5. The government further moves, pursuant to 18 U.S.C. § 3161(h)(7)(A), to exclude time under the Speedy Trial Act in the interests of justice from August 24, 2021 until the date of the next status hearing in this case, to be determined by the Court. This additional period is necessary to allow the Defendant to fully review the discovery in the case, and to allow the parties to engage in discussions regarding possible resolutions of the case. Therefore, the government respectfully submits that the ends of justice served by such exclusion would outweigh the best interest of the public and the Defendant in a speedy trial.

6. Counsel for the government has conferred with defense counsel regarding this motion. The Defendant joins the motion to continue the status hearing and waives his rights under the Speedy Trial Act.

WHEREFORE, the government respectfully moves that the status hearing in this case currently scheduled for August 24, 2021 be continued until October 20, 21, or 22, 2021, at such time as the Court may determine, and that the time from August 24, 2021 until the date of the next status hearing in this case be excluded from computation under the Speedy Trial Act.

Respectfully submitted,

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ORDER

Upon consideration of the parties' Joint Motion To Continue Status Hearing and To Exclude Time Under Speedy Trial Act,

IT IS ORDERED, that the status hearing currently scheduled for August 24, 2021 at 1:00 p.m. be continued until October _____, 2021, at _____ a.m./p.m.;

IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3161(h)(7)(A), that the time period from August 24, 2021 until August _____, 2021, be excluded from computation of time under the Speedy Trial Act in this case, in order to give defense counsel time to review the voluminous discovery in this matter and to allow time for the parties to continue their discussions for a disposition of this matter short of trial, and that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

Dated this _____ day of August, 2021.

HON. ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE