

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

UNITED STATES OF AMERICA	:	
	:	
	:	Case No. 21-CR-245 (APM)
v.	:	
	:	
SHANE JENKINS,	:	
	:	
Defendant.	:	
	:	

**DEFENDANT SHANE JENKINS’ MOTION TO
VACATE TRIAL AND PRE-TRIAL DEADLINES**

Defendant Shane Jenkins (“Mr. Jenkins”), by and through undersigned counsel, respectfully moves this Court to vacate the trial and pre-trial deadlines, and respectfully requests that a Status Conference be held in 30 to 60 days. In support thereof, Mr. Jenkins states the following:

In a Superseding Indictment, Mr. Jenkins has been charged with three counts of Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon, in violation of 18 U.S.C. § 111(a)(1) and (b), and one count of Aiding and Abetting, in violation of 18 U.S.C. § 111(a)(1) and (b); one count of Civil Disorder, in violation of 18 U.S.C. § 231(a)(3); one count of Theft of Government Property, in violation of 18 U.S.C. § 641; one count of Destruction of Government Property, in violation of 18 U.S.C. § 1361; one count of Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1) and (b)(1)(A); one count of Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2) and (b)(1)(A); one count of Engaging in Physical Violence in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(4) and (b)(1)(A); one count of Disorderly Conduct in the Capitol Grounds or Buildings, in violation of 40 U.S.C. §

5104(e)(2)(D); and one count of Act of Physical Violence in the Capitol Grounds or Buildings, in violation of 40 U.S.C. § 5104(e)(2)(F).

Trial is set to commence in this matter on March 1, 2022 [ECF 32]. The Court further set deadlines which shall govern pre-trial proceedings. *Ibid.*

Mr. Jenkins has recently retained undersigned counsel to represent him in this matter. Undersigned counsel has entered his appearance in this case on December 6, 2021 [ECF 33]. Undersigned counsel requires more time to review the discovery and issues in this case and to investigate potential defenses.

At the time Mr. Jenkins made his speedy trial demand, he had lost confidence in his prior defense counsel and the advice he was being given. We understand that prior counsel will be withdrawing from the case in the very near future. Mr. Jenkins now understands that it is in his best interest to give defense counsel time to fully investigate any defense he may have, to negotiate with the government and to research and file appropriate motions.

At this time, Mr. Jenkins has not had an opportunity to review all of his discovery. He has also identified witnesses that will need to be located and interviewed. In addition, recent contacts between counsel and Mr. Jenkins reveal the potential for mental health issues that could materially change the character of the contact and perhaps constitute a defense. The defense requires additional time to review this matter as well. Undersigned counsel has discussed Mr. Jenkins' rights under the Speedy Trial Act, and Mr. Jenkins waives all time under the Speedy Trial Act until the next court conference.

Undersigned counsel has conferred with counsel for the Government regarding this motion. Counsel for the Government stated that they concur in this motion.

I. CONCLUSION

For the foregoing reasons, Defendant Shane Jenkins, respectfully requests that this Honorable Court grant his motion to vacate the trial and pre-trial deadlines, and that a Status Conference be held in 30 to 60 days. In addition, undersigned counsel requests that a new motions deadline be established by subsequent Order of Court.

Respectfully Submitted,

/s/ Dennis E. Boyle

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of December, 2021, I electronically filed the foregoing Motion and proposed Order with the Clerk of Court using the CM/ECF system, which will send an electronic notification of such filing to all counsel of record.

/s/ Dennis E. Boyle

Dennis E. Boyle, Esquire