

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

UNITED STATES OF AMERICA	:	Criminal No. 1:21-cr-00540-PLF
	:	
v.	:	
	:	
TIMOTHY ALLEN HART,	:	
	:	
Defendant.	:	
	:	

JOINT STATUS REPORT AND PROPOSED PRETRIAL AND TRIAL SCHEDULE

Pursuant to the Court’s Order, the parties jointly provide this status report and proposed pretrial and trial schedule.

A. Background

As the Court is aware, Defendant was charged by complaint for violations related to his actions on January 6, 2021. [DE1]. He was arrested on June 30, 2021. He was subsequently indicted on August 25, 2021, for felony charges of civil disorder in violation of 18 U.S.C. § 231(a)(3) and obstruction of an official proceeding in violation of 18 U.S.C. § 1512(c)(2) as well as charges related to entering and remaining in a restricted building or grounds and discovery conduct therein. [DE9] Defendant is not in custody.

B. Case Status Update

Both case specific and global discovery has been provided to Defendant. The parties have also actively engaged in discussion of a pre-trial resolution of this matter including a proposed written plea offer. However, Defendant has rejected that offer and is requesting a trial date.

C. Proposed Pretrial Schedule

The parties proposed the below pretrial and trial schedule given the complexities of this case and Defense Counsel's numerous trial obligations already set. Defense Counsel already has trials set for January-June of 2023 and needs time to investigate and prepare for trial. Thus, it is Defendant's request that trial be set for October of 2023 with the following pretrial deadlines accordingly:

1. The parties shall file any motion pursuant to Federal Rule of Criminal Procedure 12(b)(3)(A)–(D) on or before **June 2, 2023**; oppositions shall be filed on or before **June 16, 2023**; and replies shall be filed on or before **June 23, 2023**.
2. The parties request a status conference/Rule 12 motions hearing the week of **July 3, 2023**.
3. The parties shall file any motions in limine and Daubert motions by **July 28, 2023**; oppositions shall be filed on or before **August 11, 2023**; and replies shall be filed on or before **August 18, 2023**.
4. The parties request a hearing for oral argument on all pending motions the week of **August 28, 2023**.
5. The parties shall file on **September 15, 2023**, a Joint Pretrial Statement that contains the following:
 - a. Proposed voir dire questions.
 - b. Proposed jury instructions.
 - c. List of witnesses.
 - d. Exhibit lists.
 - e. Stipulations.

f. Proposed verdict form.

6. The parties request a final conference the week of **September 18, 2023**.

7. The parties request trial to begin on the week of **October 2, 2023**.

D. Speedy Trial

The parties also request the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, until the date of the trial set by the Court 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), and failure to grant such a continuance would result in a miscarriage of justice.

WHEREFORE, the parties respectfully request that this Court adopt the jointly proposed pretrial and trial schedule and 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).

Respectfully submitted,

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