

UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
COLUMBIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 21-mj-00465
)	
DILLON HERRINGTON)	
)	
Defendant.)	

DEFENDANT DILLON HERRINGTON’S STIPULATED
MOTION TO CONTINUE AND TO EXCLUDE TIME UNDER
THE SPEEDY TRIAL ACT

Defendant Dillon Herrington, by and through his attorney, Heath Lynch, hereby moves this Court for an ends of justice continuance of at least forty-five (45) days of the status conference, and further to exclude the time within which the status hearing must be filed 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, the Mr. Herrington states as follows:

1. On June 7, 2021, a six count criminal complaint was filed against Mr. Herrington for events that occurred at the U.S. Capitol on January 6, 2021.
2. The undersigned counsel and Assistant United States Attorney Brittany Reed have been actively engaging in plea discussions. However, no formal plea agreement has been tendered by the United States at this time.
3. Mr. Herrington was recently presented with the outline of a plea offer

that he is still discussing and considering with his family.

4. The undersigned and AUSA Reed have a call scheduled within the next two weeks to discuss potential sentencing guidelines, stipulations, cooperation, and other issues.

5. As the parties are still meaningfully engaging in plea negotiations, there will be no formal plea entered at this time.

6. Mr. Herrington submits that a continuance is necessary and that the ends of justice would be served if a continuance is granted. Mr. Herrington states that a continuance is reasonable and for good cause and is not for purposes of undue delay. Mr. Herrington further understands that he has a right to a speedy trial pursuant to 18 U.S.C. § 3161, and has consented to this proposed continuance.

WHEREFORE, Mr. Herrington respectfully requests a continuance of at least forty-five (45) days past the current date for the status conference scheduled for today, March 10, 2022, as scheduled by this Court.

STIPULATED AND AGREED:

Dated: March 10, 2022

/s/ Heath M. Lynch
Heath M. Lynch (P81483)
Mikayla S. Hamilton (P85040)
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Dated: March 10, 2022

/s/ Jay Mykytiuk
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Dated: March 10, 2022

/s/ Brittany L. Reed
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