

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

UNITED STATES OF AMERICA)
)
v.)
)
MITCHELL TODD GARDNER II)
)
_____)

Case No. 1:21-cr-00622-APM

**DEFENDANT’S CONSENT MOTION TO EXTEND
PRETRIAL MOTIONS DEADLINE**

Defendant Mitchell Todd Gardner II, by and through undersigned counsel, respectfully requests this Court extend the pretrial motions deadline, which is currently set for June 10, 2022, to June 16, 2022. In support of this motion, counsel states the following:

1. Mr. Gardner is before this Court charged by indictment with 1) Civil Disorder, in violation of 18 U.S.C. § 231(a)(3); 2) Obstruction of an Official Proceeding and Aiding and Abetting, in violation of 18 U.S.C. §§ 1512(c)(2), 2; 3) Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon, in violation of 18 U.S.C. §§ 111(a)(l) and (b); 4) Destruction of Government Property, in violation of 18 U.S.C. §§ 1361, 2; 5) Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1); 6) Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); 7) Engaging in Physical Violence in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(4); 8) Disorderly Conduct in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(D); 9) Act of Physical Violence in the Capitol Grounds or Buildings, in violation of 40 U.S.C. § 5104(e)(2)(F); and 10) Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G).

2. The current pretrial motions deadline is June 10, 2022, but due to an urgent family matter that is still ongoing, Counsel needs additional time to file any pretrial motions in this matter.

3. AUSA Jacqueline N. Schesnol advised counsel that the government consents to this motion.

CONCLUSION

WHEREFORE, for the foregoing reasons, and any other the Court deems appropriate, Mr. Gardner respectfully requests this Court grant his Motion to Extend the Pretrial Motions Deadline from June 10, 2022, to June 16, 2022.

Respectfully submitted,

_____/s/_____

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of June, 2022, a true and correct copy of the foregoing Defendant's Consent Motion to Extend Pretrial Motions Deadline has been served via ECF to all parties in this matter.

_____/s/_____
David B. Benowitz