

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

UNITED STATES OF AMERICA :

:

v. :

:

KEVIN JAMES LYONS, :

:

Defendant. :

Criminal No.: 21-CR-79-BAH

**UNOPPOSED MOTION TO CONTINUE DECEMBER 3, 2021 STATUS
HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Now comes the Defendant, Kevin Lyons, through counsel, unopposed by the United States of America to move this Court for a 60-day continuance of the Status Hearing set for April 8, 2022, and further to exclude 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 outweighs the best interest of the public and the defendants in a speedy trial pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv). In support thereof, Defendant states as follows:

1. Defendant is charged by Indictment with offenses related to crimes that occurred at the United States Capitol on January 6, 2021.
2. On August 9, 2021, this Court held an Arraignment and Status hearings on the charges presented in the Indictment.
3. Since that hearing, the United States has continued to provide discovery to Defendant, Kevin Lyons, mostly from outside sources. On information and belief, it is expected that the United States expects will disclose additional discovery, from differing sources, in the future.

4. The parties have continued their efforts to resolve this matter by plea. Defense Counsel is requesting additional time to work through the offer with Defendant, Kevin Lyons, to come to a final decision.
5. That Defense Counsel is working with the United States on obtaining outstanding discovery via the Relativity Database, and through the use of individual downloads onto differing hard drives.

WHEREFORE, Defendant, Kevin Lyons, through counsel, request this Court to grant this unopposed Motion to Continue the Status Hearing set for April 8, 2022, for an additional 60 days and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, from the date this Court enters an Order on this motion through and including the date of the next hearing on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and 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,

/s/Lawrence Wolf Levin
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