UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

:

: Case No. 21-cr-458 (RJL)

.

RICHARD T. CROSBY, JR.,

v.

:

Defendant.

STATUS REPORT AND UNOPPOSED MOTION TO CONTINUE STATUS <u>CONFERENCE</u>

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and Daniel Erwin, counsel for Richard T. Crosby, Jr. ("the defendant"), hereby submit the following Joint Status Report. The parties also respectfully move the Court to continue the Status Conference currently scheduled for November 9, 2022 for a period of approximately 30 days, and to exclude the intervening time under the Speedy Trial Act. In support of the Motion, the parties represent:

1. The defendant is before the Court charged in an indictment with: Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, § 1512(c)(2) and 2; Entering and Remaining in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(2); Entering and Remaining on the Floor of Congress, in violation of Title 40, United States Code, § 5104(e)(2)(A); Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(G) (ECF No. 11).

2. On November 3, 2022, the parties conducted a meeting wherein they reviewed the evidence supporting the indictment against the defendant. Additional time is needed for defense to review the contents of the meeting to decide how the defendant wishes to proceed with the case.

3. The parties believe it is in the interest of justice to toll the Speedy Trial Act while the defense considers the evidence presented and how best to proceed with the case. The parties thus request a tolling of the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), based on the factors described in 18 U.S.C. 3161(h)(7)(B)(i), (ii), and (iv), as well as 18 U.S.C. § 3161(h)(1)(G).

4. Therefore, the parties request the November 9, 2022 Status Conference be continued for approximately 30 days, and that there is an exclusion of time under the Speedy Trial Act from November 9, 2022, through the next scheduled Status Conference.

5. The defendant is out of custody.

6. The defendant concurs with this request.

Respectfully submitted,

MATTHEW M. GRAVES United States Attorney

By: /s/

Douglas G. Collyer Assistant United States Attorney Capitol Riot Detailee NDNY Bar No.: 519096 14 Durkee Street, Suite 340 Plattsburgh, NY 12901 (518) 314-7800 Douglas.Collyer@usdoj.gov