

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

UNITED STATES OF AMERICA)
)
v.)
) CRIM NO. 21-MJ-396
ERIC CLARK,)
) Judge: Harvey
)
Defendant.) Status Date: November 8, 2022

**MOTION TO
CONTINUE STATUS HEARING**

COMES NOW Eric Clark, through counsel, and requests continuance of the status hearing currently scheduled for November 8, 2022, and the setting of a new status date as soon as available. As reasons therefor, defendant states as follows:

1. This matter is currently scheduled for a status hearing before this court on November 8, 2022, which also happens to be Election Day.

2. Undersigned counsel was appointed to this case on September 19, 2022. Prior to that date, the present status date had been set. The matter had been set via pleadings filed with the court by prior counsel.

3. Mr. Clark only became aware of the court date when undersigned counsel spoke to him yesterday and told him of the status date. Mr. Clark is scheduled to be working as a poll worker. He is required to be present at the poll location the entire

day. In fact, Mr. Clark could face criminal charges if he fails to appear at the poll location to which he has been assigned on Election Day.

4. Mr. Clark would respectfully request a short continuance of the status hearing, for less than a week, so that it does not conflict with his commitment on November 8, 2022. Undersigned counsel is available any day in the next few weeks in the afternoon except for November 10, 2022.

5. In addition, Mr. Clark waives the time until the next court date to be excluded under the Speedy Trial Act.

6. Undersigned counsel has been in contact with AUSA Jim Peterson, and he indicates that the government does not have a position at this time.

WHEREFORE, the defendant requests a continuance of the status hearing.

Respectfully submitted,

ERIC CLARK
By Counsel

/s/ John L. Machado
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Certificate of Service

I hereby certify that a true copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system this 3rd day of November, 2022, which will send a notification of such filing (NEF) to the following to all counsel of record.

/s/John L. Machado

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