

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

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 21-mj-434**
 :
 JAMES BREHENY, :
 Defendant. :

CONSENT MOTION TO CONTINUE

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to Continue and toll the above-captioned matter that was scheduled for a hearing on January 12, 2023. The government and the defendant agree that there is good cause to continue the matter due to ongoing plea negotiations. Defendant concurs in this request and agrees that it is in his best interest. The parties are requesting a new hearing date scheduled on or about February 23, 2023 at 1 PM.

The parties request that the time between today's date and the next date in this matter be excluded from time calculation under the Speedy Trial Act for the reasons previously stated on the record.

Respectfully submitted,

MATTHEW GRAVES
UNITED STATES ATTORNEY

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

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 21-mj-434**
 :
 JAMES BREHENY, :
 Defendant. :

ORDER

This matter having come before the Court pursuant to a Consent Motion to Continue, it is therefore:

ORDERED that the complaint and previous order of pre-trial release with conditions of supervised release remain in full force and effect.

ORDERED that the matter is continued until February 23, 2023 at 1 PM.

ORDERED that the period from January 12, 2023 through the next status date shall be excluded from computing time under the Speedy Trial Act, including the time within which an information or indictment must be filed, because the ends of justice served by such a continuance outweigh the interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. " 3161(h)(1) & (h)(7). The Court finds that there is voluminous and evolving discovery, and that delay is necessary for the parties to consider resolutions.

It Is So Ordered.

G. Michael Harvey
United States Magistrate Judge

Entered: _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Consent Motion to Exclude Time for Indictment was served upon counsel of record for the defendant through the electronic court filing system, this 4th day of January 2023.

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