

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, :
 :
 v. : No. 1:21cr-00026-CRC
 :
 CHRISTOPHER ALBERTS, :
 Defendant. :

**CONSENT MOTION TO: (1) VACATE TRIAL DATE, (2) SUSPEND
BRIEFING SCHEDULE AS TO DEFENDANT’S MOTION TO DISMISS
(3) TO VACATE THE MARCH 30, 2022 STATUS HEARING AND THE
FILING OF A JOINT STATUS REPORT ON MARCH 25, 2022.**

COMES NOW attorney Allen H. Orenberg, on behalf of defendant Christopher Alberts, and respectfully moves this Court to (1) Vacate Trial Date, (2) Suspend Briefing Schedule as to Defendant’s Motion to Dismiss (Doc. 40), and (3) to Vacate the March 30, 2022, Status Hearing. (10:00 a.m.), and the filing of a Joint Status Report on March 25, 2022.

As grounds, the following is stated:

1. On February 10, 2022, attorney Kenneth Ferguson entered his appearance as counsel, *pro hac vice*, on behalf of defendant Christopher Alberts in the above-captioned criminal cause. (Doc. 39) However, the Court denied undersigned’s motion, without prejudice, to withdraw as counsel. (Doc. 42)

2. On or about February 19, 2022, Mr. Ferguson was seriously injured in an accident in Florida. Apparently, he is in the hospital. He may require surgery(s) and a lengthy convalescence. Counsel has confirmed this through a colleague of Mr. Ferguson (not his law partner) who is assisting Mr. Ferguson by notifying his current

clients of his situation. It is uncertain at this time when Mr. Ferguson will be able to resume practicing law.

3. Counsel has discussed Mr. Ferguson's status with Mr. Alberts. He would like for Mr. Ferguson to remain, if possible, as his lead counsel. He insists on having Mr. Ferguson represent him at the trial of this matter, which is scheduled to commence on July 25, 2002. Consequently, Mr. Alberts is asking the Court to delay his trial and he agrees to a tolling of time between now and the next court date, pursuant to the Speedy Trial Act.

4. Mr. Alberts also agrees to a suspension of the briefing schedule as to only Defendant's Motion to Dismiss (Doc. 40), until such time as Mr. Ferguson may resume active representation in this case.¹

5. The Court scheduled a status hearing (VTC) for March 30, 2022, at 10:00 a.m. and, further, instructed the parties to file a joint status report on or before March 25, 2022.

6. Undersigned counsel has discussed Mr. Ferguson's situation with AUSA Brandon K. Regan and AUSA Jordan A. Koenig. The government consents to this motion.

¹

Pending before the Court is a Motion to Modify Conditions of Release. (Doc. 41). The government has filed a response. (Doc. 44) Thus, Mr. Alberts is asking the Court to rule on this motion.

7. It is respectfully suggested the parties will file a joint status report on or before May 23, 2022.

WHEREFORE, for the foregoing reasons and such other reasons which may appear just and proper, defendant Christopher Alberts respectfully moves this Court to (1) Vacate Trial Date, (2) Suspend Briefing Schedule as to Defendant's Motion to Dismiss (Doc. 40), and (3) to Vacate the March 30, 2022, Status Hearing and the filing of a Joint Status Report on March 25, 2022.

Respectfully Submitted,

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