

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

UNITED STATES OF AMERICA

v.

MATTHEW RYAN MILLER,

Defendant.

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Case No. 21-cr-75 (RDM)

JOINT STATUS REPORT

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and A. Eduardo Balarezo, counsel for Matthew Ryan Miller (“the defendant”), hereby submit the following Joint Status Report:

Pursuant to the Court’s September 29, 2021 Minute Order, the parties conferred and submit the following:

1. On or about June 14, 2021, the government extended an initial plea offer to the defendant in this case. After discussions amongst the parties, the government extended a revised plea offer on or about August 26, 2021.
2. On or about September 3, 2021, the government obtained video footage that captures additional actions committed by the defendant on January 6, 2021. As a result, the government revoked the plea offer while it investigated the additional actions.
3. On or about September 29, 2021, the government re-extended the revised plea offer for consideration by the defendant.
4. Defendant would like to consider and discuss the plea offer with his family; he has asked the government extend the plea offer until November 5, 2021.

5. The government has agreed to make the plea available until close of business on November 5, 2021; it will expire thereafter.
6. The government continues to provide voluminous discovery to the defense.
7. Given the events described above, the defense needs additional time to consider the revised plea offer. Consequently, the parties request to submit a follow-up Joint Status Report in approximately two weeks to determine whether we can reach a pre-trial disposition in this matter.
8. For the reasons outlined in the Court's March 17, 2021 Order (ECF No. 29); May 17, 2021 Minute Order; July 1, 2021 Minute Order; the government's July 12, 2021 Notice of Status of Discovery (ECF No. 36); the July 15, 2021 Minute Order; the July 29, 2021 Minute Order; the government's August 26, 2021 Supplemental Notice of Status of Discovery (ECF No. 39); the Court's August 30, 2021 Minute Order; the government's September 14, 2021 Supplemental Notice of Status of Discovery (ECF No. 41); the Court's September 29, 2021 Minute Order; and the government's October 21, 2021 Supplemental Notice of Status of Discovery (ECF No. 44) the parties further believe it is in the interest of justice to toll the Speedy Trial Act while the government continues to provide discovery and the parties discuss a potential pre-trial disposition of this matter.

9. 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). Therefore, the parties request an exclusion of time under the Speedy Trial Act from November 1, 2021, through the next scheduled status date.

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney

By: /s/
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