

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE. NO. 21-CR-176-CJN
	:	
	:	
STEVE OMAR MALDONADO,	:	
	:	
Defendant	:	

**JOINT MOTION FOR CONTINUANCE
AND JOINT STATUS REPORT**

The United States, by and through its attorney, the United States Attorney for the District of Columbia, and Defendant, by and through his attorney, Elizabeth Mullin (collectively, “the Parties”), respectfully request a 40-day continuance of this matter and also submit a joint status report, and state as follows:

1. On March 3, 2021, the defendant, Steve Omar Maldonado, was charged by way of indictment with (Count One) Obstruction of an Official Proceeding and Aiding and Abetting in violation of Title 18 U.S.C. §§ 1512(c)(2), 2; (Count Two) Entering and Remaining in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(1); (Count Three) Disorderly and Disruptive Conduct in a Restricted Building or Grounds in violation of Title 18 U.S.C. § 1752(a)(2); (Count Four) Entering and Remaining in the Gallery of Congress in violation of Title 40 U.S.C. § 5104(e)(2)(B); (Count Five) Disorderly Conduct in a Capitol Building in violation of Title 40 U.S.C. § 5104(e)(2)(D); and (Count Six) Parading Demonstrating, or Picketing in a Capitol Building in violation of Title 40 U.S.C. § 5104(e)(2)(G). ECF 9.
2. The defendant has been out on bond since his arrest on February 12, 2021. Defendant remains compliant with conditions of release.

3. Since the defendant's arraignment on March 15, 2021, the Court has (collectively) ordered the exclusion of time from Speedy Trial calculations through November 29, 2022. The Court has also ordered a status hearing on November 29, 2022, at 12:00pm.

4. Since August 24, 2022, the filing of the most recent status report, defense counsel has been advised of Global Productions 19, 20, 21 and 22 to the defense Relativity workspace. As of November 18, 2022, over 3.86 million files (over 6.95 terabytes of information) have been provided to the defense Relativity workspace. These files include (but are not limited to) the results of searches of 721 digital devices and 398 Stored Communications Act accounts; 2,590 FBI FD-302s and related attachments (FD-302s generally consist of memoranda of interviews and other investigative steps); 331 digital recordings of subject interviews; and 111,061 (redacted or anonymous) tips. Over 30,000 files consisting of body-worn and hand-held camera footage from five law enforcement agencies and surveillance-camera footage from three law enforcement agencies and the Hilton Garden Inn, have been shared to the defense evidence.com video repositories. For context, the files provided would take at least 361 days to view continuously. Defense counsel has access to this defense Relativity workspace via her own office, the Federal Public Defender's (FPD's) office in DC. Through her office, defense counsel also has access to evidence.com to access voluminous video files. Note, pursuant to protective order in this case (ECF 16), parties remain complaint with discovery designated as Sensitive or Highly Sensitive.

5. On November 9, 2022, defense filed a motion of Dismiss Count One (Obstruction Count) of his indictment (ECF 44) and on November 22, 2022, the government filed a response to this motion (ECF 46). On November 21, 2022, the Court granted the defendant's Unopposed Motion to Travel (ECF 45); although traveling, the defendant will be able to attend a video status

conference should on be scheduled in January 2023.

6. Parties herein seek and are agreed to a 40-day continuance of this matter and to excluding the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Parties believe this time will allow for further production and review of discovery and will facilitate resolution of this case short of trial.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

/s/

GRACIELA R. LINDBERG
Assistant United States Attorney
Texas Bar No. 00797963
11204 McPherson Road, Suite 100A
Laredo, Texas 78045-6576
956-754-9350
graciela.lindberg@usdoj.gov

A. J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/

Elizabeth Mullin
Assistant Federal Public Defender DC
625 Indiana Avenue, N.W., Suite 500
Washington, D.C. 20004
(202) 208-7500
Elizabeth_Mullin@fd.org