

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	
v.	)	CRIMINAL CASE NO.
	)	1:21-CR-00346-BAH-1
GLEN MITCHELL SIMON	)	

DEFENDANT’S UNOPPOSED MOTION TO CONTINUE STATUS HEARING

Comes now the Defendant, Glen Mitchell Simon, by and through undersigned counsel, and moves for a continuance of 30 days for the status hearing currently scheduled for March 25, 2022. In support of its motion, the Defendant shows the following:

FACTUAL BACKGROUND

Mr. Simon is charged via information with violations of 18 U.S.C. §§ 1752(a)(1) (Entering and Remaining in a Restricted Building) and (a)(2) (Disorderly and Disruptive Conduct in a Restricted Building) and 40 U.S.C. §§ 5104(e)(2)(D) (Disorderly Conduct in a Capitol Building) and (G) (Parading, Demonstrating, or Picketing in a Capitol Building). (Doc. 6). He was arrested on a complaint in the Northern District of Georgia, made his initial appearance there on May 5, 2021 and was released on conditions of supervision. (CM/ECF for N.D. Ga., Case no. 2:21-mj-09 at Docs. 1, 4, 6-8). He resides in the Northern District of Georgia, and has been subject to supervision by federal probation officers there since

his arrest. He has not had any issues or violations while on pretrial release, nor failed to appear for any hearings.

On October 15, 2021, Mr. Simon pleaded guilty to 40 U.S.C. § 5104(e)(2)(G), and the Court scheduled a sentencing hearing for January 21, 2022. On January 8, the government filed a motion to continue sentencing after discovering additional evidence. (Doc. 40). The Court entered an order granting in part the government's motion and reset the sentencing hearing for February 18, 2022. The government thereafter filed two unopposed motions first to continue the sentencing hearing and convert it to a status conference, and then to continue the status conference. (Docs. 42, 43). The Court granted these motions, and the parties are currently scheduled for a status hearing on March 25, 2022.

### ARGUMENT

As the government stated in its motions to continue, it has made a revised plea offer to Mr. Simon, under which he would withdraw his prior plea and instead plead guilty to a different offense charged in the information. The parties are currently engaged in discussions regarding the proposed resolution to this case, and need additional time to finalize those discussions.

Mr. Simon requests a 30-day continuance to allow the parties to finalize plea discussions and for him to review and consider the government's offer. He asks the Court to reset the hearing for the week of April 25, or thereafter. In the event that

the parties are prepared to move forward with a plea, the requested continuance allows time to ask the Court to convert the status hearing to a plea hearing and to submit the requisite documents to the Court.

Defense counsel has conferred with Assistant United States Attorney Laura Hill regarding this continuance, and the government has no objection to this motion.

Under 18 U.S.C. § 3161 et seq., the interests of justice in granting the continuance outweigh the public's and the Defendant's right to a speedy trial. Thus, the time between now and the new date of the status conference should be excluded from speedy trial calculations.

WHEREFORE, Mr. Simon respectfully requests a 30-day continuance of the status hearing in this case. A proposed Order is attached.

Dated: This 15<sup>th</sup> day of March, 2022.

Respectfully Submitted,

/s/ Rebecca Shepard

Rebecca Shepard

Georgia Bar No. 780692

Attorney for Mr. Simon

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion to Continue Status Hearing has been formatted in Times New Roman 14 pt., in accordance with Local Rule 5.1B, and was electronically filed this day with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following counsel of record:

Laura Hill, Esq.  
Assistant United States Attorney  
175 N Street, NE, 9<sup>th</sup> Floor  
Washington, DC 20002

Dated: This 15<sup>th</sup> day of March, 2022.

/s/ Rebecca Shepard  
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Attorney for Mr. Simon

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