

**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 (JULY 25, 2022),
(2) VACATE THE MARCH 30, 2022, STATUS HEARING,
(3) PROPOSED FILING OF A JOINT STATUS REPORT ON MAY 9, 2022.**

COMES NOW attorney Allen H. Orenberg, on behalf of defendant Christopher Alberts, and respectfully moves this Court to: (1) Vacate the trial date of July 25, 2022, (2) Vacate the March 30, 2022, Status Hearing. (10:00 a.m.), and (3) proposes to file a joint status report on or before May 9, 2022.

As grounds, the following is stated:

1. On February 23, 2022, a consent motion was filed to vacate the trial date, to suspend briefing schedule as to the motion to dismiss, to vacate the March 30, 2022, status hearing and to file a status report on March 25, 2022. (Doc. 46) On February 24, 2022, the Court granted in part, and denied in part, the consent motion inasmuch as the Court did not vacate the July 25, 2022, trial date, and it also set new briefing deadlines for the defendant’s motion to dismiss.

2. As the Court was previously informed, Mr. Ferguson was seriously injured in an accident in Florida on or about February 19, 2022. He is in Memorial Hospital in Jacksonville, Florida. Attached to this consent motion is a letter (dated 3/7/2022)

from Shelby Atkinson, MSW. This letter states, in part,

“Mr. Ferguson is still hospitalized at this time and remains in the ICU. Mr. Ferguson’s expected length of stay or discharge date is pending his medical course here at the hospital and is yet to be determined by his physicians. Post hospitalization Mr. Kenneth Ferguson will need follow up care at a physical therapy rehabilitation center.”

On March 8, 2022, undersigned counsel spoke with Ms. Atkinson who confirms the contents of her letter.

3. Counsel has (again) 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, 2022. 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. 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. The parties request the Court to vacate the March 30, 2022, status hearing and also proposes to file a joint status report on or before May 9, 2022

5. Undersigned counsel has discussed Mr. Ferguson’s situation and the requests herein with AUSA Jordan A. Koenig. The government consents to this motion.

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 the trial date of July 25, 2022, (2) Vacate the March 30, 2022, Status Hearing. (10:00 a.m.) and, furthermore, (3) proposes to file a joint status report on or before May 9, 2022.

Respectfully Submitted,

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Dated: March 8, 2022