

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

UNITED STATES OF AMERICA

vs.

**JEREMY DANIEL GROSECLOSE
Defendant**

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Case No. 1:21-cr-00311-CRC-1

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**CONSENT MOTION TO CONTINUE TRIAL
AND MODIFY PRETRIAL DEADLINES**

Jeremy Groseclose, by his undersigned counsel, hereby respectfully moves this Honorable Court to continue the trial scheduled in this case for November 14, 2022 to a date in May 2023, and modify pretrial deadlines. AUSA Michael Romano consents to this request.

1. This matter arises out of the events that took place at the United States Capitol on January 6, 2021.
2. Mr. Groseclose has been on pretrial release since he appeared in this district on March 2, 2021. Since that time he has complied with the conditions of pretrial release.
3. He resides in the Western District of Virginia, where he resides with his wife and child.
4. He is not charged with any crimes of violence.
5. Trial in the instant case is currently scheduled for November 14, 2022. While the parties have discussed the possibility of a non-trial disposition, no agreement has been reached.
6. Despite due diligence, undersigned counsel is unable to be prepared for trial on November 14, 2022 due to an extremely heavy case load, which became complicated when counsel contracted COVID earlier this year. In addition to other matters, counsel has a number of trials

scheduled back to back.

7. Counsel is scheduled to begin a 4-defendant trial where the most serious charge carries a sentence of mandatory life, *United States v. Moore*, 18-cr-198 (JEB). The case is complex, involving extensive DNA, ballistics, fingerprint and cell-site data. The case, which is to begin on September 19, 2022 is scheduled to last a minimum of six-weeks. The defendants have been detained since June 2018.

8. Immediately thereafter, counsel is scheduled to begin a five-defendant trial, *United States v. Nordean*, 21-cr-175 (TJK). The defendants, who are detained, are charged with nine felonies, including seditious conspiracy. The case is scheduled to start on December 13, 2022. While there will hopefully be a one-month hiatus between trials, counsel simply needs all that time to prepare adequately for trial. Moreover, there are motions deadlines and hearings scheduled in November. The *Nordean* case is the primary Proud Boys conspiracy and involves voluminous discovery (more than 160,000 text messages have been produced) and defendants who reside in multiple jurisdictions outside this district, which complicates the investigation. It is anticipated that the government will seek to introduce substantial 404(b) evidence and co-conspirator statements, of a number of unindicted co-conspirators.

9. Thereafter, counsel is scheduled to begin another multi-defendant trial, *United States v. Crawl*, 21-cr-028 (APM) on February 1, 2023 and is scheduled to last four weeks. This will be the third of the Oath Keepers conspiracies scheduled to be tried. Defendants are also charged with multiple felonies. As with the Proud Boys conspiracy, the defendants reside in multiple jurisdictions, the evidence is extensive, and the issues are unique and complex.

10. Thereafter, counsel is scheduled to begin a case involving an international drug conspiracy. While this is a single defendant case, the defendant has been detained since September 2021. Trial is scheduled to begin on March 20, 2023.

11. With respect to Mr. Groseclose, additional investigation needs to be conducted and consultation with experts needs to take place.

12. Government counsel also have busy trial schedules.

13. Counsel have conferred and propose that the Court set the trial in May 2023. With motions to suppress, if any to be due 3 months out, standard time for responses & replies. Motions in limine, 2 months out, standard time for responses & replies. Exhibit lists, one month out, objections 3 weeks out. *Jencks and Giglio* disclosures, 3 weeks before trial.

14. While counsel has been working diligently on all these matters, counsel simply cannot fit another trial in her schedule and meet her obligations under the Sixth Amendment to provide adequate representation.

15. Mr. Groseclose who is the primary caretaker for his young child, consents to the tolling of speedy trial to allow his counsel to prepare adequately for trial.

WHEREFORE, Mr. Groseclose respectfully moves this Honorable Court to continue the trial to May 2023, and set a corresponding pretrial schedule.

Respectfully submitted,

/s/ Carmen D. Hernandez

Carmen D. Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that the instant Motion was served on all counsel of record 6th day of September, 2022 on all counsel of record via ECF.

/s/ Carmen D. Hernandez _____
Carmen D. Hernandez