

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal No.: 21-cr-644-RDM
)	
vs.)	
)	
)	
ADAM WEIBLING,)	
)	
Defendant.)	
)	

UNOPPOSED MOTION (1) TO CONTINUE ADAM WEIBLING’S SENTENCING DATE, AND (2) TO SET A NEW DUE DATE FOR MR. WEIBLING’S SENTENCING BRIEF

Defendant Adam Weibling (“Defendant”), by and through his undersigned counsel, hereby moves **unopposed** (1) to continue his response date to the Government’s sentencing brief filed three days ago **from next Tuesday, February 28, 2023** until April 5, 2023, (2) to continue the sentencing date another time to April 5, 2023, and in support Mr. Weibling states as follows:

1. In this case, Mr. Weibling has pleaded guilty to Count Four of the Information, charging him with Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G), carrying a maximum term of imprisonment of 6 months.

2. This Court granted three previous continuances for various reasons, with the current sentencing date of March 7, 2023 and a current due date for Mr. Weibling's brief of next Tuesday, February 28, 2023.
3. Last Tuesday, March 21, 2023, the Government filed a sentencing brief recommending a sentence including some jail time for Mr. Weibling. The brief's recommendation was based on a lengthy discussion, much of which undersigned counsel was not anticipating based on the course of the parties' discussions in settling this case before trial. To adequately review, research, and respond to all these arguments, in addition to the baseline sentencing presentation, Mr. Weibling's counsel needs more than the week currently allowed between receiving the Government's brief and the current due date of next Tuesday.
4. Defense counsel has prior plans to leave the country on business for two weeks on the afternoon of March 7, 2023, following the currently-scheduled time for sentencing.
5. Undersigned counsel for Mr. Weibling spoke earlier this week with the AUSA assigned to this case, and she said there was no problem with continuing the sentencing date to allow Mr. Weibling to address the issues in the Government's sentencing brief, so long as the date was clear of the Spring Break range of dates that might be unavailable for the prosecutor to be assigned to appear at sentencing.

6. The Government's and Court's availability has been confirmed for a proposed new sentencing date of April 12, 2023, at 10 a.m.

WHEREFORE, for the foregoing reasons, this Court should grant this Motion to continue the sentencing hearing to April 12, 2023, at 10 a.m., and to make the attendant adjustments to the current briefing schedule for Mr. Weibling's brief to be due on April 5, 2024.

Dated this 24th day of February, 2023 Respectfully submitted,

/s/ Bruce H. Searby
Bruce H. Searby (DC #1012382)
SEARBY PLLC
2000 P Street, NW, Suite 705
Washington, D.C. 20036
Tel: (202) 750-6106
Fax: (202) 849-2122
bsearby@searby.law

COUNSEL FOR DEFENDANT
ADAM WEIBLING

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of February, true and genuine copies of UNOPPOSED MOTION (1) TO CONTINUE ADAM WEIBLING'S SENTENCING DATE, AND (2) TO SET A NEW DUE DATE FOR MR. WEIBLING'S SENTENCING BRIEF were served via electronic mail by this Court's CM/ECF system, which will serve a copy on all counsel of record.

Respectfully submitted,

/s/ Bruce H. Searby
Bruce H. Searby (DC #1012382)
SEARBY PLLC
2000 P Street, NW, Suite 705
Washington, D.C. 20036
Tel: (202) 750-6106
bsearby@searby.law