

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES of AMERICA	:	
	:	
Plaintiff	:	
	:	Criminal Case No.: 21-CR-00127
v.	:	
	:	
JOSHUA MATTHEW BLACK	:	
	:	
Defendant	:	

.....

DEFENDANT’S UNOPPOSED MOTION FOR LEAVE TO FILE
DEFENDANT’S MOTION TO DISMISS COUNT ONE OF THE INDICTMENT
UNTIMELY, TIME FOR FILING HAVING EXPIRED

The Defendant, **JOSHUA MATTHEW BLACK**, by and through his attorney, Clark U. Fleckinger II, moves this Honorable Court, without opposition, for leave to file his Defendant’s Motion to Dismiss Count One of the Indictment on April 28, 2022 and, thus, untimely, time for filing having expired. As grounds therefore, Mr. Black represents as follows:

1. That, pursuant to Defendant’s Unopposed Motion To Extend Time Within Which to File Pretrial Motions from April 22, 2022 to April 27, 2022, and the Court’s April 26, 2022 Order requiring that pretrial motions shall be filed by April 27, 2022, pretrial defense motions should have been filed on or before April 27, 2022.

2. That, due to various personal and professional issues, undersigned counsel was unable to complete the preparation and filing of [Mr. Black’s] Motion to Dismiss Count One of the Indictment by April 27, 2022. The preparation of that Motion to Dismiss ... has now, April 28, been prepared and is being “filed” simultaneously by ECF with the filing of the instant Motion For Leave to File [Mr. Black’s] Motion to Dismiss Count One of the Indictment Untimely.

3. That, undersigned counsel requests leave of the Court to file Mr. Black's Motion to Dismiss ... on April 28, 2022, one day out of time and, thus, untimely.

4. That, AUSA Seth Adam Meinero advises that the Government has no opposition to the request made herein.

5. That, Mr. Black submits that neither the Government nor the efficient administration of justice will be prejudiced by granting the request made herein.

6. That, Mr. Meinero requests that the calculation of time pursuant to the provisions of the Speedy Trial Act be tolled for any period between April 22, 2022 and April 28, 2022. Mr. Black has no opposition to the same.

WHEREFORE, the Defendant respectfully requests that the Court grant Mr. Black leave to file [his] Motion to Dismiss Count One of the Indictment on April 28, 2022, time for filing having expired.

Respectfully submitted,

_____/S/_____
Clark U. Fleckinger II
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Bar No. 362393

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Defendant's Unopposed Motion for Leave To File Defendant's Motion To Dismiss Count One of the Indictment Untimely, Time For Filing Having Expired has been served, by ECF, upon AUSA Seth Adam Meinero, at the United States Attorney's Office, located at 555 4th Street, NW, Washington, D.C. 20530, this 28th day of April, 2022.

_____/S/_____
Clark U. Fleckinger II