UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

:

v. : Crim No. 1:21-cr-00213-RJL

:

CHAD BARRETT JONES,

:

Defendant.

UNITED STATES' CONSENT MOTION TO CONTINUE AND EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

The United States of America (the "government"), with the consent of counsel for the defendant, Chad Barrett Jones, hereby moves this Court for an approximately 30-day continuance until on or about August 15, 2022, or until the date of the next status hearing in this case, to exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*. In support of this consent motion, the undersigned states as follows:

1. The parties last convened for a status hearing on December 2, 2021. Since that date, the government has made eight additional discovery productions to the defendant. On December 20, 2021, January 18, 2022, February 3, 2022, March 5, 2022, and April 4, 2022, the government made "global" discovery productions to counsel for the defendant. On January 10, 2022, April 3, 2022, and May 19, 2022, the government made additional defendant-specific discovery productions via USAfx and email to counsel for the defendant of materials including the scoped results of search warrants for the defendant's cell phone and iCloud account, additional open-source video purporting to capture the defendant inside the Capitol, and updated damage assessments from the Architect of the Capitol.

- 2. On June 15, 2022, the government filed a consent motion to continue and exclude time under the Speedy Trial Act. On June 21, 2022, the Court entered an Order granting the motion. The Court ordered that the time period from June 17, 2022, through July 17, 2022, be excluded from the computation of time under the Speedy Trial Act and found that such a continuance was in the interest of justice.
- 3. The parties have been engaged in active plea negotiations. On June 15, 2022, counsel for Mr. Jones submitted a proposed plea offer to the government, and on June 21, 2022, the government responded with a counteroffer. On July 6, 2022, the government spoke with defense counsel, who indicted that he would like more time to be able to meet with his client and go over specific electronic evidence previously provided. The government has provided approximately 41 gigabytes of defendant-specific multimedia discovery to include body worn camera footage, closed circuit television footage, and open-source video footage from January 6. Defense counsel has requested more time to review this footage in depth with his client so his client can make an informed decision regarding the government's plea offer.

WHEREFORE, the United States, with the consent of counsel for the defendant, respectfully requests that this Court grant the motion for an approximately 30-day continuance of the above-captioned proceeding, or until the next status hearing set by the Court, and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18

U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv), and failure to grant such a continuance would result in a miscarriage of justice.

Respectfully submitted,

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