

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

UNITED STATES OF AMERICA :
 :
 :
 v. : **Case No.: 21-CR-00289**
 :
PHILLIP C. VOGEL, II, and :
DEBRA J. MAIMONE, :
 :
 :
 Defendants. :

**JOINT STATUS REPORT AND UNOPPOSED MOTION TO EXCLUDE TIME UNDER
THE SPEEDY TRIAL ACT**

The United States of America, through counsel, and defendants Philip C. Vogel and Debra J. Maimone, through counsel, hereby submit their January 20, 2023, Joint Status Report pursuant to the Court’s November 21, 2022, Minute Entry No. 46 and state as follows:

1. The defendants in this case are charged by a five-count Information with violations of 18 U.S.C. §§ 641 and 2 (Aiding and Abetting the Theft of Property—\$1,000 or Less); 18 U.S.C. § 1752(a)(1) (Entering and Remaining in a Restricted Building); 18 U.S.C. § 1752(a)(2) (Disorderly and Disruptive Conduct in a Restricted Building); 40 U.S.C. § 5104(e)(2)(D) (Violent Entry and Disorderly Conduct in a Capitol Building); 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building).

2. The Government has provided defendants with the full FBI case file of this case for each of their cases. The Government has also provided defense counsel with access to a tour of the crime scene, which has been directed by the United States Capitol Police. Defense counsel has received the discovery and has reviewed it personally and with their respective clients. At present, there are no discovery disputes that require the intervention of the Court.

3. Since the last status conference, counsel for the United States of America, (AUSA Murphy) has been substituted by new counsel (AUSA Wagner), who is reviewing the case file. The parties remain engaged in good faith negotiations with the view towards a pretrial resolution. The parties propose to set a status conference approximately seventy-three (73) days from today, specifically April 5, 2023, or thereabout. The parties expect to discuss the next steps in the case, including whether a plea is anticipated.

4. Consistent with the attached proposed Order, the United States requests, and defendants through their counsel the Court excluding all time between today and the next status report from calculation under the Speedy Trial Act.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On this 20th day of January 2023, a copy of the foregoing was served upon all parties listed on the Electronic Case Filing (ECF) System.

/s/Lynnett M. Wagner

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