

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES	:	
	:	
v.	:	
	:	Criminal No. 21-0075(RDM)
MATTHEW RYAN MILLER,	:	
	:	
<i>Defendant.</i>	:	

DEFENDANT’S CONSENT MOTION TO CONTINUE ARRAIGNMENT HEARING

Defendant Matthew Ryan Miller (“Miller”), by and through undersigned counsel, and pursuant to Fed. R. Crim. P. 45(b), hereby moves this Honorable Court for a brief continuance of the arraignment hearing currently scheduled for November 22, 2021.

In support of this motion, Mr. Miller states as follows:

1. On November 10, 2021, the government filed a superseding indictment charging Mr. Miller with various offenses related to conduct on January 6, 2021.
2. The Court has scheduled Mr. Miller’s arraignment on the superseding indictment for November 22, 2021.
3. Undersigned counsel is currently in trial in the United States District Court for the District of Maryland and will not be available to appear on behalf of Mr. Miller.
4. Mr. Miller respectfully requests that the Court continue the status hearing to a Friday when counsel will not be in trial.
5. Under the Speedy Trial Act, the trial of a defendant charged in an indictment “shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs.” 18 U.S.C. § 3161(c)(1).

6. Nonetheless, this Court may exclude time where “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). In determining whether the ends of justice are so served, this Court shall consider whether “Whether the failure to grant such a continuance in a case which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny ... counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv).

7. Additionally, Mr. Miller consents to a tolling of the speedy trial act until the next scheduled hearing.

8. The government consents to this motion.

WHEREFORE, for the foregoing reasons, Mr. Miller respectfully requests that this Motion be **GRANTED**.

Dated: Washington, DC
November 18, 2021

Respectfully submitted,

BALAREZO LAW

/s/

By:

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Counsel for Defendant Matthew Ryan Miller

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of November 2021, I caused a true and correct copy of the foregoing Defendant's Consent Motion to Continue Arraignment Hearing to be delivered to the Parties via ECF.

/s/

A. Eduardo Balarezo