

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

UNITED STATES OF AMERICA, : **Case No. 21-mj-434**
 :
 v. :
 :
JAMES BREHENY, :
 :
Defendant. :
 :

**CONSENT MOTION TO CONTINUE HEARING
AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to Continue the hearing in the above-captioned matter that was scheduled for April 6, 2023, and to and exclude time under the Speedy Trial Act. The government and the defendant are close to finalizing a plea agreement. The parties anticipate that the government will file a Criminal Information in the near future, with the defendant's consent, and that the parties will then request that the assigned judge schedule a plea hearing shortly thereafter. Accordingly, the parties request that this Court continue tomorrow's hearing and exclude time until the next date.

Defendant Breheny concurs in this request and agrees that it is in his best interest. The parties hope that the next hearing date will be before the assigned judge for a plea hearing, but do not oppose scheduling a date in this Court in 60 days as a control date. The parties submit that it is in the interests of justice to exclude the time between today's date and the next date in this matter from calculation under the Speedy Trial Act for the reasons previously stated on the record.

WHEREFORE, the parties respectfully request that the hearing scheduled for April 6 be continued, and time excluded under the Speedy Trial Act until the next scheduled hearing.

Respectfully submitted,

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April 5, 2023