

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

UNITED STATES OF AMERICA :
 : **CASE NO. 1:21-cr-00311-CRC**
 v. :
 :
 JEREMY DANIEL GROSECLOSE, :
 :
 Defendant. :

UNITED STATES’ REQUEST FOR A STATUS HEARING

The United States of America respectfully requests this Court schedule a status hearing in this matter as soon as practicable to discuss the trial schedule.

Trial is scheduled to commence in this case on November 14, 2022. *See* Dkt. 44. On September 9, 2022, counsel for Mr. Groseclose filed a Consent Motion To Continue Trial and Modify Pretrial Deadlines, seeking a continuance of the trial to May 2023. *See* Dkt. 48. In support of her motion—which the United States did not oppose—counsel cited her participation in the following trials: *United States v. Moore*, 18-cr-198 (JEB) (September 19, 2022); *United States v. Nordean*, 21-cr-175 (TJK) (December 13, 2022), *United States v. Crowl*, 21-cr-028 (APM) (February 1, 2023), and an unspecified trial beginning March 20, 2023. *See id.* On September 12, 2022, the Court denied the motion. *See* September 12, 2022 Minute Order. The Court noted, in its order, “Should the *Moore* trial last longer than expected and make it impossible for counsel to fulfill her obligations here, she may renew the motion.” *Id.* The United States understands that the *Moore* trial is currently pending a verdict, that defense counsel made her closing argument in that matter on October 19, 2022, and that the jury began its deliberations on October 20, 2022.

On September 30, 2022, by email, defense counsel stated that she intended to file another motion to continue, or to seek to withdraw from the case. Three weeks ago, on October 6, 2022,

defense counsel reiterated her intention to file that motion, and stated she would do so that weekend (October 8–9). Since that October 6 exchange, the United States has repeatedly encouraged defense counsel to make her motion, if that remained her intention, and noted that the United States would not oppose a motion for a continuance under the circumstances. Earlier today, the United States informed defense counsel by email that if she did not make such a filing by the close of business, it would file this request for a hearing. Defense counsel replied, and stated that she still intended to file her motion to continue, or in the alternative to withdraw, but did not commit to file the motion today.

Meanwhile, the United States has been diligently preparing for trial. The United States has reached out to defense counsel regarding several pretrial matters in an effort to stay on schedule with the Court’s Pre-Trial Order, *see* Dkt. 44. Specifically:

- The Court ordered the parties to exchange exhibit listed by October 21, 2022, and to file objections to the admissibility of exhibits by October 28, 2022. The United States provided its exhibit list to defense counsel on October 21, 2022. The United States has not received any response to its exhibit list, nor has the United States received an exhibit list from defense counsel.
- With its exhibit list, the United States provided defense counsel with thirteen proposed stipulations. These stipulations are designed to resolve uncontested issues and streamline the United States’ in-court presentation, including by resolving the need to call several witnesses. The United States has not received any response to its proposed stipulations.
- The Court imposed an October 31, 2022, deadline for the filing of a “short narrative description of the case, to be read to the prospective jurors.” On October 26, 2022, the

United States provided defense counsel with its proposal. The United States has not received any response.

- The Court imposed a November 8, 2022, deadline for filing proposed jury instructions and a proposed verdict form. The United States sent defense counsel its proposals for these filings on October 27, 2022. The United States has not received any response.

A pretrial conference is currently scheduled for November 10, 2022, *see* Dkt. 44—two business days before trial is scheduled to commence on November 14, 2022. Given the above facts, the United States submits that a hearing to discuss the trial schedule in advance of November 10, 2022, would be efficient and productive.

Accordingly, the United States respectfully requests that the Court hold a status hearing as soon as practicable to discuss the trial schedule in this matter. To the extent it would aid the Court in scheduling, the United States is amenable to a virtual hearing.

Respectfully submitted,
MATTHEW M. GRAVES
UNITED STATES ATTORNEY
D.C. Bar No. 481052

By: /s/ Anthony W. Mariano
Anthony W. Mariano, MA Bar No. 688559
Michael J. Romano, IL Bar No. 6293658
Trial Attorneys, Detailed to the United States Attorney's
Office for the District of Columbia
601 D Street NW
Washington, DC 20530
(202) 476-0319
Anthony.Mariano2@usdoj.gov