

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
	:	
v.	:	Case No. 21-cr-26 (CRC)
	:	
CHRISTOPHER MICHAEL ALBERTS,	:	
	:	
Defendant.	:	

UNOPPOSED MOTION FOR STATUS HEARING

In light of defense counsel's recent statement to counsel for the United States that he seeks continuance of the July 25, 2022 trial date in this matter, the United States of America requests that the Court schedule a videoconference status hearing at which the defendant, his counsel, and the United States may address a number of issues. The parties propose that the status hearing be conducted on June 23, 2022 (except for between 9:30 a.m. - 10:30 a.m. and 1:30 p.m. - 2:30 p.m.); June 24, 2022 (except for between 9:00 a.m. - 11:00 a.m. and 2:00 p.m. - 3:00 p.m.); or June 27, 2022 (except for between 2:30 p.m. - 4:30 p.m.)

The United States submits that the Court may wish to discuss with the parties: (1) the defendant's forthcoming motion to continue the July 25, 2022 trial and associated deadlines; (2) the status of legal representation for Mr. Alberts; (3) the status of the Government's plea offer to Mr. Alberts; (4) if such offer has been rejected, a *Lafler* no-plea colloquy; and (5) arraignment of the defendant on the Second Superseding Indictment.

1. The Second Superseding Indictment charges the defendant, Christopher Michael Alberts, with ten crimes related to his dangerous and violent behavior on the grounds of the U.S. Capitol Building on January 6, 2021. *See* ECF No. 34.

2. The defendant's motion to dismiss the indictment is pending before the Court. *See* ECF Nos. 40 & 52.

3. Trial is scheduled for July 25, 2022. *See* ECF No. 37.

4. On May 5, 2022, the Court held a status conference and reset certain pretrial deadlines at the request of the parties. *See* Minute Order, dated 5/5/2022.

5. The next status conference is scheduled for July 18, 2022, one week prior to the July 25, 2022 trial. *See* ECF No. 37.

6. Good cause exists to hold an interim status conference via video teleconference in order to address a number of issues that could affect the July 25, 2022 trial date. In particular, lead defense counsel reached out to government counsel during the afternoon of June 14, 2022 requesting concurrence in continuance of the trial date for reasons more suitably voiced by defense counsel or discussed at a status hearing.

7. Based on defense counsel's representations, the government does not oppose a continuance of the trial date. It is the government's understanding that defense counsel will file an unopposed continuance motion when feasible, which likely will be early next week, or orally move for a continuance at a status hearing.

8. Because lead defense counsel's availability to prepare for and proceed with a trial of this matter currently is unknown, the Court also may wish to address the status of Mr. Alberts's representation.

9. The United States further submits that it would be appropriate to inquire of Mr. Alberts whether he has had the opportunity to review and consider the United States' plea offer, which expired on June 10, 2022. If Mr. Alberts has rejected that offer, the United States requests that the Court conduct an on-the-record *Lafler* colloquy.

10. Moreover, the United States requests the Court to conduct an arraignment of Mr. Alberts as to the operative pleading in this matter, the Second Superseding Indictment, ECF No.

34.

11. On June 14, 2022, counsel for the government emailed with defense counsel Ken Ferguson about these issues and spoke and emailed with defense counsel Allen Orenberg. Neither defense counsel opposed the relief sought herein, and all counsel appear to be available on June 23, 2022 (except for between 9:30 a.m. - 10:30 a.m. and 1:30 p.m. - 2:30 p.m.), June 24, 2022 (except for between 9:00 a.m. - 11:00 a.m. and 2:00 p.m. - 3:00 p.m.), or June 27, 2022 (except for between 2:30 p.m. - 4:30 p.m.)

Dated: June 15, 2022

Respectfully submitted,

MATTHEW M. GRAVES
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DC Bar No. 481052

/s/ Jordan A. Konig
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