

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	NO. 21-CR-158 (RC)
	:	
KYLE FITZSIMONS,	:	
	:	
Defendant.	:	

CONSENT MOTION TO CONTINUE TRIAL DATE

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby moves to continue the April 4, 2022, trial date, due to a scheduling issue that has arisen. Undersigned counsel will be on active-duty military orders from April 4 – April 16, 2022. The government has contacted defense counsel who does not oppose this motion. The parties jointly propose the following dates for a re-scheduled trial date:

- April 25 – April 29, 2022
- May 9 – May 13, 2022

If these dates are not convenient for the Court, the parties can propose additional dates. For the reasons stated above, the parties request the Court vacate the trial date set for April 4, 2022. For these same reasons, the parties further believe it is in the interest of justice to toll the Speedy Trial Act to ensure the parties are available for the trial date. Therefore, the parties thus request a tolling of the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), based on the factors described in 18 U.S.C. 3161(h)(7)(B)(i), (ii), and (iv). Therefore, the parties request an exclusion of time under the Speedy Trial Act from April 4, 2022, through the new trial date docketed by the Court.

