

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-CR-91 (RCL)
	:	
CRAIG MICHAEL BINGERT,	:	
ISAAC STEVE STURGEON, and	:	
TAYLOR JAMES JOHNATAKIS,	:	
	:	
Defendants.	:	

CONSENT MOTION TO EXTEND FILING DEADLINE

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves for an extension of its filing deadline to respond to defendant Isaac S. Sturgeon’s motion to dismiss, filed through his attorney. The Defendant, through counsel, consents to this motion. In support of its motion, the government states the following:

1. As captured on D.C. Metropolitan Police Department Body Worn Camera, on January 6, 2021, defendant Sturgeon picked up a gate and pushed it into police officers in an apparent attempt to gain access to the Capitol grounds and building.

2. On February 5, 2021, a grand jury returned an eight count indictment charging defendant Sturgeon and two other individuals with the following charges: 18 U.S.C. §§ 1512(c)(2), 2 (obstruction of an official proceeding); 18 U.S.C. § 111(a)(1) (assaulting, resisting, or impeding certain officers); 18 U.S.C. § 231(a)(3) (civil disorder), 18 U.S.C. §§ 1752(a)(1), (2) and (4) (entering and remaining in a restricted building or grounds, disorderly and disruptive conduct in a restricted building or grounds, and engaging in physical violence in a restricted building or grounds); and 40 U.S.C. §§ 5104(e)(2)(E) and (F) (impeding passage through the capitol grounds or buildings and act of physical violence in the capitol grounds of buildings). *See* ECF No. 3. An

Arrest warrant for the Defendant issued that same date, and on March 6, 2021, the Defendant was arrested. ECF No. 14.

3. On May 7, 2021, the government superseded the Indictment, updating the 18 U.S.C. § 111 language in Count Two of the Indictment. *See* ECF No. 34.

4. On November 10, the government superseded the Indictment, updating the language in Counts One and Three of the First Superseding Indictment. *See* ECF No. 53.

5. On October 19, 2021, this Court ordered Motion(s) to dismiss due by December 7, 2021. The government's response is due by December 21, 2021, and any replies are due by January 11, 2022. *See* October 19, 2021 Minute Order.

6. On December 7, 2021, defendant Sturgeon filed a Motion to Dismiss Counts One, Three, Four, Five and Six of the Superseding Indictment. *See* ECF No. 55. Defendant Bingert filed a Motion to Adopt and Join the Motion to Dismiss. *See* ECF No. 56. The government anticipates defendant Johnatakis will file a similar motion.

7. The undersigned is working on the government's opposition to the motion to dismiss. In his motion, defendant Sturgeon raises legal issues that, to the undersigned's knowledge, have not yet been litigated by the government in other Capitol Breach cases. Therefore, the government requires more time to fully brief the legal issues and respond to defendant Sturgeon's arguments.

8. The undersigned has contacted counsel for all three defendants, and all defendants, through counsel, have indicated that they do not object to an extension of time. The government has proposed January 4, 2022 to file its response and January 18, 2022 for defendants to file their replies.

WHEREFORE, the government respectfully requests that this Court grant its motion for a two-week extension of its deadline to file a response.

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