

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:21-CR-37</b>
	:	
	:	<b>(JUDGE McFADDEN)</b>
<b>v.</b>	:	
	:	
	:	
<b>TIMOTHY LOUIS HALE-</b>	:	
<b>CUSANELLI,</b>	:	
<b>Defendant</b>	:	

**MOTION TO CONTINUE STATUS CONFERENCE**

AND NOW, this 16th day of February 2022, comes the Defendant Timothy Hale-Cusanelli, by and through his attorney Jonathan W. Crisp, Esquire, and hereby requests this Honorable Court grant his Motion to Continue Status Conference. In support of said motion, the following is averred:

1. The Defendant was indicted on 29 January 2021, and charged with the following:
  - a) Count 1: Civil Disorder;<sup>1</sup>
  - b) Count 2: Aiding and Abetting<sup>2</sup>
  - c) Count 3: Obstruction of an Official Proceeding;<sup>3</sup>
  - d) Count 4: Entering and Remaining in a Restricted Building or Grounds;<sup>4</sup>
  - e) Count 5: Impeding Ingress and Egress in a Restricted Building or Grounds;<sup>5</sup>

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<sup>1</sup>18 USC § 231(a)(3)

<sup>2</sup>18 USC § 2

<sup>3</sup> 18 USC § 1512(c)(2)

<sup>4</sup> 18 USC § 1752(a)(1)

<sup>5</sup> 18 USC § 1752(a)(3)

f) Count 6: Disorderly Conduct in a Capitol Building;<sup>6</sup>

g) Count 7: Parading, Demonstrating, or Picketing in a Capitol Building;<sup>7</sup>

2. Defendant entered a plea of not guilty on all counts on 23 March 2021.
3. On 1 June 2021, Attorney Jonathan Zucker, Esq. withdrew from this matter.
4. On 21 June 2021, Attorney Jonathan W. Crisp, Esq. was appointed as counsel for Defendant.
5. Jury Selection and Trial is currently scheduled for 23 May 2022.
6. A Status Conference is currently scheduled for 18 February 2022.
7. Undersigned counsel is scheduled for a preliminary hearing for a military court-martial in *US v. SSG Leflore* in Tacoma, Washington on 17 February 2022. Despite undersigned counsel's best efforts, undersigned counsel is unable to find transportation to return in time for the status hearing.
8. Therefore, due to undersigned counsel's schedule, we respectfully request a continuance for the status hearing on 18 February.
9. Assistant United States Attorney Kathryn Fifield, Esquire, concurs with the instant motion.

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<sup>6</sup> 40 USC § 5104(e)(2)(D)

<sup>7</sup> 40 USC § 5104(e)(2)(G)

10. Undersigned counsel, AUSA Fifield, and AUSA Seifert are available after 2pm on 28 February, or afternoon on 4 March, if this availability pleases this Honorable Court.

11. Under the Speedy Trial Act, delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing, or other prompt disposition of such motion, shall be excluded in computing the time within which trial must be commenced. See 18 U.S.C. § 3161(h)(7)(A).

WHEREFORE, it is respectfully requested that the Court grant the Defendants' motion to continue the status hearing in this case. In accordance with Local Rule LCvR 16.1(b), notice has been given to all other parties in this matter. In accordance with Local Rule LCvR 7(a), no brief is being submitted in support of this motion because it is a motion for continuance of status hearing with the reasons for the motion fully set forth.

Respectfully submitted,  
CRISP AND ASSOCIATES, LLC

Date: 16 February 2022

/s/Jonathan W. Crisp  
Jonathan W. Crisp, Esquire  
4031 North Front St.  
Harrisburg, PA 17110  
I.D. # 83505  
(717) 412-4676  
[jcrisp@crisplegal.com](mailto:jcrisp@crisplegal.com)

**CERTIFICATE OF CONCURRENCE**

I, Jonathan W. Crisp, Counsel for Defendant, Timothy Hale-Cusanelli, hereby certify that Assistant United States Attorney, Kathryn Fifield, Esquire, has no objections to the foregoing Motion.

Date: 16 February 2022

/s/ Jonathan W. Crisp  
Jonathan W. Crisp, Esquire

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was served on the individual listed below:

**ELECTRONIC SERVICE**

Kathryn Fifield, Esquire  
Assistant United States Attorney  
US Attorney's Office for the District of Columbia  
555 Fourth Street, NW  
Washington, DC 20530  
[Kathryn.fifield@usdoj.gov](mailto:Kathryn.fifield@usdoj.gov)

Karen Seifert, Esquire  
Assistant United States Attorney  
US Attorney's Office for the District of Columbia  
555 Fourth Street, NW  
Washington, DC 20530  
[karen.seifert@usdoj.gov](mailto:karen.seifert@usdoj.gov)

Date: 16 February 2022

/s/ Jonathan W. Crisp  
Jonathan W. Crisp, Esquire  
4031 North Front St.  
Harrisburg, PA 17110  
I.D. # 83505  
(717) 412-4676  
[jcrisp@crisplegal.com](mailto:jcrisp@crisplegal.com)  
Attorney for Defendant