

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

UNITED STATES OF AMERICA,

v.

DANIEL CHRISTMANN,

Defendant.

No. 1:21-cr-000502 (CKK)

**DEFENDANT CHRISTMANN'S MOTION FOR A CONTINUANCE OF SENTENCING
AND AN EXTENSION OF DEFENDANT'S SENTENCING SUBMISSIONS**

Defendant, Daniel Christmann, by and through undersigned counsel, Steven A. Metcalf II, respectfully moves this Court for a continuance of the sentencing date, and additionally for an extension for Defendant to submit sentencing submissions.

Prior to making this request, defense counsel reached out to AUSA Shanai Watson, and AUSA Sonia Mittal, who after emails and phone calls wrote the following today:

As discussed, the Government would not oppose a defense motion for continuance of the Christmann sentencing. In terms of possible follow-up dates, in light of upcoming trials, sentencing dates, and the holidays, the Government's preference would be for the sentencing to be rescheduled for some time between November 29th – December 14th, as the Court's schedule would allow.

The defense will avail themselves for any date and time that is convenient for the Court and for the Government, and **agree with any date and time between November 29th and December 14th.**

The main reason for this request, is that defense counsel sought numerous documentary evidence – both for Christmann's medical and pending New York City civil case (explaining the substantial injury Christmann has undergone for the last few years) – and have been unsuccessful

in obtaining such documents within the last week.¹ The defense strategy was modified when the government's sentencing submissions requested 30 days in jail. Since the government's submissions, requesting jail time, Defendant Christmann has demanded that I obtain various medical records, and legal documents to present to this Court for me to make the presentation that jail time is inappropriate.

Consequently, I believe that obtaining these documents are necessary. Because I was unable to obtain such by midnight last night- I wrote to the Government. We spoke today, and both parties are willing to continue this Sentencing until late November, or into December.

I greatly appreciate any courtesy this Court is willing to extend, as I firmly believe this time will make a difference in Christmann's presentation, and ultimately will effect his sentence. I thank the Court in advance for its consideration and attention on this matter.

THEREFORE, it is respectfully submitted that sentencing in this matter be continued to **any date and time between November 29th and December 14th, 2023 that is convenient for the Government and the Court.**

Dated: October 12, 2023

Respectfully Submitted,

/s/ Steven A. Metcalf II

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¹ It must be noted that the scope of the documents for Christmann's medical and legal matters has also changed, where, for example, his civil attorney is willing to draft a letter, but still has yet to finalize such for me to submit to this Court.

CERTIFICATE OF SERVICE

I hereby certify that, on October 12, 2023, the forgoing document was filed via the Court's electronic filing system, and sent to the AUSA via email, which constitutes service upon all counsel of record.

/s/ Steven A. Metcalf II, Esq.

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