

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Case No.: 1:21-cr-00026-CRC

UNITED STATES OF AMERICA,

v.

CHRISTOPHER MICHAEL ALBERTS

Defendant.

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**UNOPPOSED MOTION FOR CONTINUANCE OF TRIAL WITH
INCORPORATED REQUEST TO WITHDRAW AS COUNSEL**

COMES NOW, undersigned counsel, on behalf of Defendant, Mr. Christopher Alberts, in the above-styled criminal cause, submits the following unopposed motion for a continuance of trial in accordance with the Court's June 21, 2022 order; with incorporated request to withdrawal from representation and in support states:

1. Presently, a pretrial conference and arraignment have been slated for July 18, 2022, with trial to begin shortly thereafter.
2. As the Court is aware, undersigned was involved in an accident on or about February 19, 2022 requiring hospitalization and ongoing subsequent treatment and rehabilitation.
3. Naturally, Undersigned was unable predict the nature and extent of his injuries and the present, ongoing lingering effects (to be addressed at hearing).

4. With Court-ordered deadlines and a trial to be conducted in the near future, to Undersigned's dismay, he is currently not *physically* capable to keep up with the demands to try the case to the best of his ability within the time presently set by the Court.

5. Furthermore, the Government has provided significant "supplemental discovery" on June 13, 2022, which includes the following:

- A. 29 images related to the seizure and search of Alberts's cell phone;
- B. The three grand jury transcripts in this matter;
- C. Additional body-worn camera footage of Alberts's arrest (X6039BKDK);
- D. Business records affidavits – News2Share and Emily Molli videos;
- E. Reuters video;
- F. Fox News at Night video; and,
- G. FLICKR images (2)

6. In light of Undersigned's condition coupled with the Governments latest production of documents and evidence, the defense reverently seeks a continuance of the trial date; along with an amended briefing schedule so that Mr. Alberts can be afforded time to go over all the evidence the Government has against him; and afford his new counsel the opportunity to file any and all motions they deem appropriate.

7. Coinciding with the above and the circumstances referenced, Undersigned and Ferguson Law P.A. is respectfully requesting permission to withdraw from representing Mr. Alberts in this matter and be relieved of all further responsibility in the representation of the Defendant.

8. Undersigned has discussed his intention to withdraw with Mr. Alberts and conveyed the notion of same to the government in writing.

9. For the forgoing reasons, it is respectfully requested that the trial along with any and all briefing and scheduling orders be continued or extended; and permit Mr. Alberts adequate time to obtain new counsel. Powell v. State of Ala., 287 U.S. 45, 53 (1932) (“It is hardly necessary to say that the right to counsel being conceded, a defendant should be afforded a fair opportunity to secure counsel of his own choice”).

10. Undersigned has conferred with Counsel for the Government, who has graciously consented to the continuance.

WHEREFORE, Defendant respectfully requests that the Court continue the trial and extend any and all briefing or motion schedules germane to same; that the Court enter an Order granting the withdrawal of Kenneth Ferguson, Esq. and Ferguson Law PA. (“FLPA”) as counsel of record for the Defendant relieving undersigned and FLPA of all further responsibility in the representation of Mr. Alberts, and afford Defendant adequate time to seek additional representation which Undersigned represents to the Court Mr. Alberts intends to do; and any further relief the Court deems just and proper under the circumstances.

Respectfully Submitted,

FERGUSON LAW, P.A.

Attorney for Defendant
1 East Broward Blvd. Suite #700
Fort Lauderdale, Florida 33301
T – (954) 256 - 5646
F – (954) 256 - 5655
Primary: Wayne@FergusonLawPA.com
Secondary: Service@FergusonLawPA.com

/s/Kenneth W. Ferguson
Kenneth W. Ferguson, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on this 23 day of June, 2022, a copy of the foregoing was efiled, served, and/or delivered to counsel of record or case registered parties by the CM/ECF court system.

FERGUSON LAW, P.A.

Attorney for Defendant
1 East Broward Blvd. Suite #700
Fort Lauderdale, Florida 33301
T – (954) 256 - 5646
F – (954) 256 - 5655
Primary: Wayne@FergusonLawPA.com
Secondary: Service@FergusonLawPA.com

/s/Kenneth W. Ferguson
Kenneth W. Ferguson, Esq.