

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES

v.

QUAGLIN

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Case No. 1:21-cr-40

MOTION FOR EXTENSION OF TIME TO FILE MOTION TO ALTER AND AMEND
AND MOTION FOR CONTINUANCE

TO THE COURT:

At the conclusion of a hearing before the Court on March 14, 2023, counsel for Mr. Quaglin gave notice to the Court that he would be filing two motions: a motion for continuance of Mr. Quaglin's trial scheduled during the Passover holiday¹ on April 10, 2023, and a motion to alter and amend. Transcript of March 14, 2023 Hearing, pages 39-40.

On March 17, 2023, Mr. Quaglin filed a notice to the Court requesting leave to file a motion for a continuance on or before March 23, 2023. That was before the Court scheduled a hearing for March 21, 2023 to discuss the issue. At the hearing, presumably, either the Court will deny any continuance and insist Mr. Quaglin proceed to trial without his attorney, or the Court will sever Mr. Quaglin from his two co-defendants and grant a continuance. Assuming the latter, Mr. Quaglin now requests that the Court hold in abeyance any decision as to when the trial for Mr. Quaglin should be reset, and provide Mr. Quaglin a reasonable amount of time to present his case as to why he should be granted a reasonable amount of time to prepare for trial, and how much time is "reasonable", based on the extensive record before the Court, including both his criminal case and his petition for habeas corpus.

¹ As mentioned in earlier filings, Mr. Quaglin's attorney is Jewish and observes the holidays of the Torah, and the Passover trial was scheduled prior to his entering the case.

Accordingly, Mr. Quaglin respectfully requests that he be granted until after Passover, April 17, 2023, to submit his motion for continuance.

With respect to Mr. Quaglin's motion to alter and amend the Court's March 15, 2023 Order denying his Third Motion for Release, Federal Rule of Civil Procedure 59(e) grants a party 28 days to file a motion under that rule, and "motions for reconsideration may be entertained in criminal cases and [courts] have adopted the same standard of review that applies to . . . motions [to alter or amend a judgment] filed in civil cases pursuant to Rule 59(e) of the Federal Rules of Civil Procedure." *United States v. Trabelsi*, Criminal Action No. 06-89 (RWR), at *3-4 (D.D.C. Sep. 3, 2015) (citing *United States v. Cabrera*, 699 F. Supp. 2d 35, 40 (D.D.C. 2010)). Accordingly, Mr. Quaglin has until April 13, 2023 to file his motion. However, April 13, is also during Passover, so Mr. Quaglin respectfully requests an extension of 4 days so that the deadline to file his motion to alter and amend is due on or before April 17, 2023.

CONCLUSION

In consideration of the foregoing, Mr. Quaglin respectfully requests that he be granted until April 17, 2023 to file a motion for continuance and a motion to alter and amend.

Dated: March 20, 2023

Respectfully submitted,

/s/ Jonathan Gross
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing is being served on opposing counsel via email on

March 20, 2023.

/s/ Jonathan Gross