

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

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 1:22-CR-00092-DLF
)	
BRIAN BINGHAM)	

**MOTION TO CONTINUE PRETRIAL MOTIONS HEARING AND TO EXCLUDE
TIME UNDER THE SPEEDY TRIAL ACT**

BRIAN BINGHAM, through Undersigned Counsel, moves the Court to continue until January 12, 2024, the pretrial motions hearing now set for December 19, 2023. Further, should the Court grant this motion, Mr. Bingham moves the Court to exclude the time until January 12, 2024, under the Speedy Trial Act. In support of this motion, Mr. Bingham states as follows.

1. The United States, through Assistant United States Attorney Christopher Amore, does not oppose this motion.

2. The pretrial motions hearing was previously set for November 28, 2023. On October 24th the Court's courtroom deputy, J.H., informed the parties that the hearing would have to be moved. A lengthy email chain resulted, discussing various dates, both before and after November 28th. The parties eventually settled on December 19th at 1:00 p.m.

3. During the discussion, Undersigned Counsel informed J.H. that he was unavailable the morning of December 19th, and that the hearing could be conducted remotely via Zoom.

4. On December 7th, J.H. informed the parties that the hearing cannot be conducted remotely, but instead must be an in-court proceeding. Undersigned Counsel has a sentencing

hearing scheduled for the 19th at 10:00 a.m. in *United States v. Daniel Jermaine Parkman*, 2:22-cr-156-ECM-JTA (Middle District of Alabama), which was set on September 21, 2023. Additionally, he has a family commitment on December 20, 2023, which was set more than two months ago.

5. J.H. has informed the parties that the Court would be available to conduct the hearing on January 12, 2024.

6. As Mr. Bingham is requesting that the Court continue the pretrial motions hearing, he also requests that the Court exclude the time to the new hearing date, pursuant to the Speedy Trial Act.

WHEREFORE, Mr. Bingham moves the Court to continue to January 12, 2024, the pretrial motions hearing now set for December 19, 2023.

Dated this 14th day of December, 2023.

Respectfully submitted,

/s/ Donnie W. Bethel

DONNIE W. BETHEL

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CERTIFICATE OF SERVICE

I certify that on December 14, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/ Donnie W. Bethel

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