

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

UNITED STATES OF AMERICA,

v.

Case No.: 1:21-cr-247-TFH

BRADLEY WAYNE WEEKS,

Defendant.

MOTION TO CONTINUE TRIAL

Defendant, Bradley Wayne Weeks, by and through undersigned counsel and pursuant to 18 U.S.C. §3161(h)(7) and LCrR 57.2(b), hereby moves this Honorable Court for its Order continuing the trial of this cause. In support thereof, Defendant states:

1. Defendant is charged by Indictment with one count of Obstruction of an Official Proceeding and Aiding and Abetting, in violation of 18 U.S.C. §§1512(c)(2) and (2); Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. §1752(a)(1). (Count Two); Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. §1752 (a)(2) (Count Three); Disorderly Conduct in a Capitol Building, in violation of 40 U.S.C. §5104 (e)(2)(D) (Count Four); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. §5104 (e)(2)(G) (Count Five). Trial in this matter is scheduled to commence on Tuesday, October 25, 2022.

2. Defendant is seeking a continuance so that he may conclude his professional obligations to clients for appointments that had been scheduled prior to the setting of trial in this cause. Specifically, Defendant is a photographer who has a number of weddings for which he is scheduled to work this fall, the last one scheduled for October 29, 2022. Unfortunately, undersigned counsel agreed to the October 25, 2022 trial without conferring with Defendant as to

his professional obligations.

3. Due to a variety of factors, including, but not limited to, the Covid-19 pandemic, a declining economy and inflation, cancellations due to inclement weather, and negative publicity arising from Defendant being indicted in this case, Defendant is struggling to make ends meet. Defendant and his wife have had to sell their home and property, Defendant's wife's automobile and their furniture to provide for Defendant and his family. Defendant and his wife are currently living in a twenty-six foot camper parked under his grandparent's barn. Defendant and his wife have had to drop their health insurance, which is concerning to both, as Defendant's wife is a stroke survivor and Defendant is a cervical spine patient. Defendant continues to support his children, along with his children's mother, but the children have had to move in with Defendant's grandparents in the home on the property where Defendant and his wife are residing in the camper in the barn. Defendant desperately desires to fulfill his professional obligations to his clients, not only out of a sense of responsibility to them but also to provide some income for his wife and children prior to the trial in this case.

4. Accordingly, Defendant desires to continue trial in this matter until November 2022 or thereafter.

5. Undersigned counsel has conferred with Assistant United States Attorney Jamie Carter and the Government opposes a continuance. However, if the Court were inclined to grant a continuance over Government objection, the Government requested that the trial be re-set for late February if the Court has availability then.

MEMORANDUM OF LAW

18 U.S.C. §3161(h)(7)(A) provides that the Court may continue trial upon motion by a defendant if the ends of justice served by the continuance outweigh the best interest of the public

and the defendant in a speedy trial. The Court has discretion to grant the relief requested herein, for which good cause has been shown. As the ends of justice served by the continuance outweigh the interest of the public and Defendant in a speedy trial, this Court should grant the continuance requested in the above motion.

Respectfully submitted,



Elizabeth L. White, Esquire

Florida Bar No.: 314560

Matthew R. Kachergus, Esquire

Florida Bar No.: 503282

Bryan E. DeMaggio, Esquire

Florida Bar No.: 055712

Camille E. Sheppard, Esquire

Florida Bar No.: 124518

Sheppard, White, Kachergus, & DeMaggio, P.A.

215 Washington Street

Jacksonville, Florida 32202

Telephone: (904) 356-9661

Facsimile: (904) 356-9667

Email: sheplaw@sheppardwhite.com

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 7, 2022, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:


Jamie Carter, Assistant U.S. Attorney

Kathryn E. Fifield, Trial Attorney, U.S. Department of Justice

U.S. Attorney's Office for the District of Columbia

555 Fourth Street, NW

Washington, DC 20530



ATTORNEY