

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:21-CR-37
	:	
	:	(JUDGE McFADDEN)
v.	:	
	:	
	:	
TIMOTHY LOUIS HALE-	:	
CUSANELLI,	:	
Defendant	:	

MOTION TO CONTINUE REPLY BRIEFS DEADLINE

AND NOW, this 22nd day of April 2022, comes the Defendant Timothy Hale-Cusanelli, by and through his attorney Jonathan W. Crisp, Esquire, and hereby requests this Honorable Court grant his Motion to Continue Reply Briefs Deadline In support of said motion, the following is averred:

1. The Defendant was indicted on 29 January 2021, and charged with the following:
 - a) Count 1: Civil Disorder;¹
 - b) Count 2: Aiding and Abetting²
 - c) Count 3: Obstruction of an Official Proceeding;³
 - d) Count 4: Entering and Remaining in a Restricted Building or Grounds;⁴
 - e) Count 5: Impeding Ingress and Egress in a Restricted Building or Grounds;⁵

¹18 USC § 231(a)(3)

²18 USC § 2

³ 18 USC § 1512(c)(2)

⁴ 18 USC § 1752(a)(1)

⁵ 18 USC § 1752(a)(3)

f) Count 6: Disorderly Conduct in a Capitol Building;⁶

g) Count 7: Parading, Demonstrating, or Picketing in a Capitol Building;⁷

2. Defendant entered a plea of not guilty on all counts on 23 March 2021.
3. On 1 June 2021, Attorney Jonathan Zucker, Esq. withdrew from this matter.
4. On 21 June 2021, Attorney Jonathan W. Crisp, Esq. was appointed as counsel for Defendant.
5. Jury Selection and Trial is currently scheduled for 23 May 2022.
6. Motions in Limine, Motions to Suppress, and Notices for experts were due 25 March 2022. Briefs in Opposition were due 15 April 2022. Reply briefs are due 22 April 2022.
7. Undersigned counsel is currently flying to Joint Base Elmendorf-Richardson, Alaska for a military Flight Evaluation Board in *US v. Capt Lofgren*, and has spent the week preparing for the said board. Undersigned counsel will be traveling the entire day of 22 April 2022.
8. Due to the complex nature of the 18 U.S.C. § 1512(c)(2) charge, undersigned counsel is in need of additional time to review the evidence, research, and prepare a reply brief.

⁶ 40 USC § 5104(e)(2)(D)

⁷ 40 USC § 5104(e)(2)(G)

9. Therefore, undersigned counsel respectfully requests a continuance of one (1) day to file a reply brief to the Government's Opposition to Defendant's Motion to Dismiss Count One [Docket Entry 69]. The requested deadline would be 23 April 2022. All other deadlines for 22 April 2022 will be met.
10. Assistant United States Attorney Kathryn Fifield, Esquire, and Assistant United States Attorney Karen Seifert, Esquire concurs with the instant motion.
11. Under the Speedy Trial Act, delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing, or other prompt disposition of such motion, shall be excluded in computing the time within which trial must be commenced. See 18 U.S.C. § 3161(h)(1)(D).

WHEREFORE, it is respectfully requested that the Court grant the Defendants' motion to continue the reply brief deadline in this case. In accordance with Local Rule LCvR 16.1(b), notice has been given to all other parties in this matter. In accordance with Local Rule LCvR 7(a), no brief is being submitted in support of this motion because it is a motion for continuance of pretrial motions and notices with the reasons for the motion fully set forth.

Respectfully submitted,
CRISP AND ASSOCIATES, LLC

Date: 22 April 2022

/s/Jonathan W. Crisp
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CERTIFICATE OF CONCURRENCE

I, Jonathan W. Crisp, Counsel for Defendant, Timothy Hale-Cusanelli, hereby certify that Assistant United States Attorney, Kathryn Fifield, Esquire, and Assistant United States Attorney Karen Seifert, Esquire, has no objections to the foregoing Motion.

Date: 22 April 2022

/s/ Jonathan W. Crisp
Jonathan W. Crisp, Esquire

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served on the individual listed below:

ELECTRONIC SERVICE

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