

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

UNITED STATES OF AMERICA

v.

CHRISTOPHER JOSEPH QUAGLIN,

Defendant.

Case No. 21-CR-40-4 (TNM)

JOINT MOTION FOR CONTINUANCE

Counsel for the defendant, Christopher Joseph Quaglin, and the United States of America, hereby move this Court to continue the sentencing hearing currently set for February 20, 2024. The parties respectfully request three weeks continuance for the reasons listed below.¹ This is counsels' first request for a continuance.²

Good cause supports this request. On November 11, 2023, the Court appointed Jerry Smith as new counsel for the defendant. The Court rescheduled sentencing from January 12, 2024 until February 20, 2024. Since being appointed as counsel for the defendant, undersigned counsel Mr. Smith, has obtained some discovery from the defendant's prior defense counsel. However, the discovery is hard to understand and contextualize. Moreover, it appears the amount of discovery that counsel needs to review and understand so as to be adequately prepared as the case proceeds to sentencing is much larger than the discovery he has received. Mr. Smith reached out to the government on January 23, 2024 to facilitate access to the discovery. The government re-produced the defendant's discovery on January 24, 2024. On February 1, 2024, Mr. Smith and lead counsel for the government, Ms. Akers, discussed the voluminous nature of this defendant's discovery –

¹The parties can provide availability to the Court upon request.

² Prior defense counsel who is no longer associated with this case previously moved to continue the sentencing. ECF No. 696.

including video footage, photographs, and voluminous social media documents – and how to best manage review of that discovery for the upcoming sentencing. The parties arrived at a solution, whereby the government has agreed to reproduce the discovery in a different form (with certain labeling and organization) that will help facilitate a more efficient and manageable review for new defense counsel. Counsel for both parties have discussed a timeline for the government to provide the discovery in this format and plan to do so expeditiously. However, counsel for the defendant requires a short continuance of sentencing to permit for sufficient time to review this discovery.

Second, undersigned counsel Mr. Smith begins a trial in front of Judge Moss on February 5, 2024. As such, it will be difficult to review the newly obtained discovery, meet with the defendant, draft and finalize the defense's sentencing memorandum, and file the memorandum by the deadline.

Third, on August 25, 2023, the United States Probation Office issued a draft Presentence Investigation Report. On September 1, 2023, the defendant's prior counsel filed a motion to continue sentencing, ECF No. 696, which was ultimately granted, Minute Order (9/1/2023). In order to properly assess whether material inaccuracies are included within the draft PSR undersigned counsel must first review the discovery, as explained above. Thus, a short continuance is needed.

For all of these reasons, counsel respectfully requests the Court continue the sentencing date to ensure effective representation at the sentencing hearing. The parties assure the Court that they will work together to ensure the timely transfer of discovery.

Respectfully,

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