

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

**UNITED STATES OF AMERICA )**

**v. )**

**DANIEL GOODWYN, )**

**Defendant. )**

**Case No. 1:21-cr-00153 (RBW)**

**UNOPPOSED DEFENDANT'S MOTION TO EXTEND TIME TO REPLY**

Comes now the Defendant Daniel Goodwyn, by and through undersigned counsel, and respectfully moves this Court to allow him to reserve the right to reply, with time extended until February 6, 2023 to the Government's ECF No. 65-1 response to his ECF No. 59 motion to dismiss Count One of the indictment. Mr. Goodwyn asserts the following good cause for this request:

**I. FACTS:**

Mr. Goodwyn's Motion at ECF No. 59 was to dismiss Count 1 of the indictment and included a request for a hearing.

No hearing has been scheduled.

The Court entered its order at ECF No. 76 on December 21, 2022, allowing the Government to respond late to Mr. Goodwyn's motion at ECF No. 59 to dismiss Count One.

The Government's response was entered as "filed" in the docket on December 21, 2022.

By Court rules, a reply would be due in seven calendar days, with December 22, 2022 as day one. The reply would be due by December 28, 2022 regardless of only four business days, given Christmas weekend and the federal holiday on Monday December 26, 2023.

The Count One 18 USC Section 1512(c)(2) matter is pending at the Appellate Court for this circuit.

The parties submitted documents on December 21, 2022 that make a jury trial moot.

**II. ARGUMENT:**

For the same rationale applied in the Court's order at ECF No. 78, the requirement for a reply is premature, and the issue appears moot for a reply to ECF No. 65-1 by December 28, 2022.

Given that the matter is still pending at the Appellate Court, with no date for Mr. Goodwyn's ECF No. 59 oral argument set or needed at this time for the reasons given in ECF No. 78, the Court can determine there is no need for a reply at this time. Should it be determined by February 3, 2023 that the trial will proceed on February 27, 2023 with Count 1 of the indictment, Mr. Goodwyn requests that he be afforded time to reply to ECF No. 65-1.

**III. CONCLUSION.**

Mr. Goodwyn does not anticipate that any circumstances will require replying to ECF No. 65-1 but requests that this honorable Court allow him to reserve the right to reply not later than February 6, 2023 if the case is to proceed to jury trial.

*Wherefore*, Mr. Goodwyn respectfully requests this Court to issue the attached order that preserves his right to reply by February 6, 2023 if a reply is not moot at that time.

Dated December 22, 2022

Respectfully submitted,  
/s/ Carolyn A. Stewart

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Dated December 22, 2022

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify on the 22nd day of December 2022, a copy of the foregoing was served upon all parties as forwarded through the Electronic Case Filing (ECF) System.

/s/ Carolyn A. Stewart  
Carolyn A. Stewart, Esq.