

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL NO. 21-mj-00008
 :
 MATTHEW COUNCIL, :
 Defendant. :

CONSENT MOTION TO CONTINUE PRELIMINARY HEARING

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to Continue the Status Hearing in the above-captioned matter, currently scheduled for March 4, 2021, until a date on or after April 8, 2021. In support thereof, the government states as follows:

1. On January 21, 2021, the Defendant made his Initial Appearance in the District of Columbia, following his arrest on a Criminal Complaint charging him with Unlawful Entry and other related charges. This Court adjourned the matter until February 11, 2021 for a Status Hearing. The Defendant expressed his intent to waive his right to a Preliminary Hearing on that date. Pursuant to a Joint Oral Motion, the Court ordered that the time between January 21, 2021 and February 11, 2021 shall be excluded from calculation under the Speedy Trial Act.
2. On December 17, 2020, the Chief Judge issued a Standing Order. *See In Re: Sixth Extension of Postponed Jury Trials Due to Ongoing Exigent Circumstances Caused COVID-19 Pandemic*, Standing Order 20-93(BAH) (December 17, 2020). Citing the recent surge in the infection and mortality rates in the District of Columbia, this Standing Order tolls the time period for commencing the trial of a defendant, pursuant to 18 U.S.C. § 3161(c), from January 11, 2021 to March 15, 2021. *Id.*

3. On February 11, 2021, pursuant to a Consent Motion filed by the parties, this Court adjourned the Status Conference, previously set for February 11, 2021, until March 4, 2021. Citing Standing Order 20-93, this Court excluded the time between February 11, 2021 and March 4, 2021 from calculation pursuant to the Speedy Trial Act.
4. The government and counsel for the defendant have conferred, and are continuing to communicate in an effort to resolve this matter. The large number of cases that are pending and related to the events of January 6, 2021, as well as the unique discovery challenges that are presented by such an unprecedented, large-scale investigation, have slowed this process.
5. The parties, therefore, would respectfully request that the Status Hearing be continued until a date on or after April 8, 2021. Consistent with Standing Order No. 20-93, and for the reasons stated above, the parties agree that the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial, and that this adjournment will allow the parties to continue negotiations in an effort to achieve a resolution before trial. Therefore, the parties agree that pursuant to 18 U.S.C. § 3161, the time from March 4, 2021 through the next court date shall be excluded in computing the date for speedy trial in this case.

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<i>Defendant.</i>	:	

ORDER

This matter having come before the Court pursuant to a Motion to Continue, upon consent, it is therefore

ORDERED that the parties shall appear for a Status Hearing at _____ on April _____, 2021. It is further

ORDERED that consistent with Standing Order No. 20-93, as well as the representations made by the parties, the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial. Pursuant to 18 U.S.C. § 3161, the time from March 4, 2021 through April _____, 2021 shall be excluded in computing the date for speedy trial in this case.

The Honorable Zia M. Faruqui