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

United States of America, ) Criminal Action  
 ) No. 1:21-cr-00444-JEB  
Plaintiff, )  
 ) **Status Conference** (via Zoom)  
vs. )  
 )  
Brian Christopher Mock, ) Washington, D.C.  
 ) **January 26, 2023**  
Defendant. ) Time: 10:30 a.m.

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**Transcript of Status Conference (via Zoom)  
Held Before  
The Honorable James E. Boasberg (via Zoom)  
United States District Judge**

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A P P E A R A N C E S

For the Government: **Michael L. Jones**  
(via Zoom) UNITED STATES DEPARTMENT OF JUSTICE  
150 M Street, Northeast  
Washington, D.C. 20002

For the Defendant: **Peter R. Moyers**  
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Stenographic Official Court Reporter:  
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Proceedings recorded by mechanical stenography. Transcript  
produced by computer-aided transcription.

P R O C E E D I N G S

1  
2 (REPORTER'S NOTE: This hearing was held during the  
3 COVID-19 pandemic restrictions and is subject to the  
4 limitations of technology associated with the use of  
5 technology, including but not limited to telephone and video  
6 signal interference, static, signal interruptions, and other  
7 restrictions and limitations associated with remote court  
8 reporting via telephone, speakerphone, and/or  
9 videoconferencing.)

7 THE COURTROOM DEPUTY: We're here today for a status  
8 conference in 21-444, United States of America v. Brian  
9 Christopher Mock.

10 Beginning with counsel for the government, please state  
11 your name for the record.

12 MR. JONES: Good morning, Your Honor. My name is  
13 Michael Jones, for the government.

14 THE COURT: Good morning.

15 MR. MOYERS: Good morning, Your Honor. Peter Moyers  
16 appears for Mr. Mock. He's also joining us on today's Zoom  
17 hearing. Good morning.

18 THE COURT: All right. Thank you.

19 Mr. Mock, good morning. Can you see and hear me okay?

20 THE DEFENDANT: Good morning, Your Honor. Yes.

21 THE COURT: Okay. Great.

22 All right. So, Mr. Moyers, you've just entered your  
23 appearance. I think the first -- I imagine the first thing we  
24 want to do is set a trial date, unless -- unless you have  
25 different -- a different decision about how your client wishes

1 to proceed.

2 MR. MOYERS: No. I think we should set a schedule  
3 today.

4 THE COURT: Okay. So let me know -- I'll look at my  
5 calendar. So I could set a trial in April, the week of the  
6 17th, or I could also do the weeks of May 8th, 15th, and 22nd.  
7 What's your preference, Mr. Moyers?

8 MR. MOYERS: Yeah, I think the 15th of May.

9 THE COURT: Okay. Mr. Jones, how does that work?

10 MR. JONES: The 15th of May works for the government,  
11 Your Honor.

12 THE COURT: All right. And I don't imagine we're  
13 talking about more than a few days, I assume, Mr. Jones.  
14 Three, four days?

15 MR. JONES: We're anticipating a week, Your Honor.

16 THE COURT: Okay.

17 MR. JONES: But --

18 THE COURT: Well, I'll put it in for a week. And,  
19 Mr. Moyers, do you need more than that?

20 THE COURTROOM DEPUTY: Your Honor, this is the  
21 courtroom deputy. This is still set for a bench trial for  
22 February 14th. So will this now be a jury trial in May?

23 THE COURT: Again, the February is vacated. I don't  
24 remember whether we did set it for a bench trial or not.  
25 Mr. Moyers, you're new.

1 MR. MOYERS: Yeah, I think that was before my time.  
2 And, yeah, I don't think I could be ready in --

3 THE COURT: No, no. The question is just -- the  
4 question --

5 MR. MOYERS: Bench or -- I guess we're leaning bench.  
6 Would it affect the schedule at all?

7 THE COURT: No. No.

8 MR. MOYERS: All right.

9 THE COURT: So I'm going to put it down for a jury  
10 trial on May 15th. But if you and the government agree that  
11 you want to proceed with a bench trial, then just -- you can  
12 just -- if you'd let us know, I would say --

13 Nicole, how far in advance of trial are the jury  
14 summonses going out?

15 THE COURTROOM DEPUTY: Since we don't need a special  
16 panel, if you-all could at least give me, like, two weeks'  
17 notice, that's good.

18 MR. MOYERS: Yeah.

19 THE COURT: Yeah. Let's say if you can give us maybe  
20 30 days, Mr. Moyers.

21 MR. MOYERS: Yeah, that would be fine.

22 THE COURT: Great. All right.

23 So in terms of other schedules then, let's set a  
24 pretrial conference. How is May 3rd at 10:30 for a pretrial?

25 Does that work for the government?

1 MR. JONES: Yes, Your Honor.

2 THE COURT: Mr. Moyers, is that okay with you?

3 MR. MOYERS: It does. It works.

4 THE COURT: Counsel does not need to submit *voir dire*  
5 or jury instructions. I'll submit proposed *voir dire* to you.  
6 If you have any objections or additions before then -- I do  
7 instructions during the trial. So I don't need any filings for  
8 the pretrial. But we should be discussing *Jencks* and exhibits  
9 and anything like that.

10 Then I'll give you also *in limine* motions' deadlines.  
11 So let's -- all right. I'm going to say March 24th for  
12 *in limine* motions. Oppositions will be due April 14th and  
13 reply April 24th.

14 So, Nicole, if you'll put that in the order, that would  
15 be great.

16 Any objection, also, to excluding time under the Speedy  
17 Trial Act between today and the trial date, Mr. Moyers?

18 MR. MOYERS: None at all, Your Honor.

19 THE COURT: All right. I find it's in the interests  
20 of justice to exclude time from today until the trial without  
21 objection from counsel.

22 Okay. And then -- I don't believe -- Mr. Mock, so you  
23 don't have a third-party custodian. So there's been --  
24 Mr. Moyers, you want to speak on his behalf; any further issues  
25 regarding revisions? It doesn't look like, with the latest

1 report, any violations.

2 MR. MOYERS: No. I think it's been going well. And  
3 we're working with Brad, who's the pretrial services officer  
4 out here, and I think it's going well.

5 THE COURT: Okay. And, Mr. Mock, are you working  
6 now?

7 THE DEFENDANT: I'm working on setting up a business  
8 here doing landscape. So as soon as there's not 3 feet of snow  
9 on the ground, I'll be able to go out and do that.

10 And I -- I don't know if it went to you. But I know  
11 Brad, the pretrial guy, just told me yesterday -- or the day  
12 before, that they put in a motion to D.C. to have my ankle  
13 monitor removed because they didn't feel like it was necessary  
14 at this point for it after eight months of nothing going on. I  
15 didn't know they had done it, but we were -- yeah, there's  
16 potential other things that maybe Peter can --

17 MR. MOYERS: Yeah, I don't think they filed a motion.  
18 I think Brad may have just requested it of the -- or asked  
19 the -- asked the D.C. pretrial services folks whether that  
20 would be okay.

21 THE COURT: Okay.

22 MR. MOYERS: We're working on that.

23 THE COURT: All right.

24 MR. MOYERS: It's not a today issue.

25 THE COURT: And, again, if they agree, then,

1 Mr. Mock, I'm fine with that also.

2 Okay. Any other issues then that we need to address  
3 today?

4 Mr. Jones?

5 MR. JONES: Not from the government, Your Honor.

6 THE COURT: Okay. Mr. Moyers?

7 MR. MOYERS: We got everything on my list,  
8 Your Honor.

9 THE COURT: All right. Thanks so much.

10 I'll look forward to seeing you gentlemen May 3rd for a  
11 pretrial and May 15th for sentencing [sic]. If there are other  
12 issues that require a hearing before that, feel free to consult  
13 with my deputy clerk to set something.

14 All right. Thanks so much.

15 THE COURTROOM DEPUTY: I'm sorry, Judge. I may have  
16 missed this. I wasn't sure. Did you waive speedy trial  
17 through May?

18 THE COURT: Yes, through May.

19 THE COURTROOM DEPUTY: Okay. Thank you. Thanks.

20 THE COURT: Thanks, everyone.

21 (Proceedings were concluded at 10:40 a.m.)

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1                   CERTIFICATE OF STENOGRAPHIC OFFICIAL COURT REPORTER

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3                   I, Nancy J. Meyer, Registered Diplomate Reporter,  
4                   Certified Realtime Reporter, do hereby certify that the above  
5                   and foregoing constitutes a true and accurate transcript of my  
6                   stenograph notes and is a full, true, and complete transcript  
7                   of the proceedings to the best of my ability.

8

9   Dated this 16th day of August, 2023.

10

11   /s/ Nancy J. Meyer  
12   Nancy J. Meyer  
13   Official Court Reporter  
14   Registered Diplomate Reporter  
15   Certified Realtime Reporter  
16   333 Constitution Avenue Northwest  
17   Washington, D.C. 20001

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