

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : NO. 21-cr-40-TNM-5
 :
 ROBERT MORSS, :
 Defendant. :

JOINT MOTION TO CONTINUE SENTENCING DATE

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Joint Motion to Continue the Sentencing Date in the above-captioned matter, currently scheduled for February 13, 2023, until March 15, 16, or 17, 2023. In support thereof, the government states as follows:

1. On June 11, 2021, the defendant was arrested and charged with various crimes related to the attack on the United States Capitol on January 6, 2021, including 18 U.S.C. § 111(a), Assaulting, Resisting, or Impeding Certain Officers or Employees, 18 U.S.C. § 2112, Robbery of Personal Property of the United States; and 18 U.S.C. 1512(c)(2), Obstruction of an Official Proceeding. He was detained following arrest and remains detained to date.
2. Defendant Morss was later indicted along with eight other codefendants. The Fifth Superseding indictment, filed on December 1, 2021, served as the final charging document, with defendant Morss charged in 11 counts related to his conduct at the U.S. Capitol, including Counts 5, 6, 10, 20, 27, 34, 35, 41, 49, 52, 53.
3. On August 23, 2022, the parties agreed to a stipulated trial, in which defendant Morss stipulated to a statement of facts related to his conduct on January 6, 2021, and also agreed that his conduct satisfied the elements of Count 20 (Robbery and Aiding and Abetting, 18 U.S.C. 2111 and 2), Count 27 (Assaulting, Resisting, or Impeding Certain Officers and Aiding and Abetting, 18

U.S.C. 111(a)(1) and 2), and Count 34 (Obstruction of an Official Proceeding, 18 U.S.C. 1512(c)(2)) of the Fifth Superseding Indictment. The Court found the defendant guilty on those counts.

4. Sentencing is currently scheduled for February 13, 2023.
5. The parties now jointly request to continue the sentencing date to anytime on March 15th, 16th, or 17th, 2023.
6. Given the complexities of defendant Morss' conduct within the broader array of January 6th defendants, in conjunction with an unexpectedly heightened caseload in early 2023, undersigned counsel has conferred with defense counsel, Nicholas Smith, regarding a continuance. The defendant jointly moves to continue the sentencing date.
7. The parties, therefore, respectfully request that the sentencing date be continued until March 15th, 16th, or 17th, 2023 and that the deadline for sentencing memoranda to be filed be extended to seven days prior to the sentencing date.

Wherefore, the parties respectfully request that the Court continue the sentencing date in this matter until March 15th, 16th, or 17th, 2023, or a date thereafter convenient to the Court's calendar.

Respectfully submitted,

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By: /s/
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