

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

---

**UNITED STATES OF AMERICA**

**v.**

**TAM DINH PHAM**

---

)  
)  
)  
)  
)  
)  
)  
)

**Case No. 21-CR-109(TJK)**

**GOVERNMENT’S CONSENT MOTION TO CONTINUE STATUS HEARING**

The United States Of America, through undersigned counsel, respectfully moves the Court to continue the status hearing currently scheduled for Wednesday, June 9, 2021 to Monday, August 16, 2021, Tuesday, August 17, 2021 or Wednesday, August 18, 2021 and to exclude the intervening time under the Speedy Trial Act. In support of the Motion, the undersigned states:

1. Mr. Pham is before the Court charged in a criminal information with four misdemeanor offenses: Entering and Remaining in a Restricted Building, in violation of Title 18, United States Code, Section 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, Section 1752(a)(2); Violent Entry and Disorderly Conduct in a Capitol Building , in violation of Title 40, United States Code, Section 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, Section 5104(e)(2)(G).
2. The Defendant remains on release with conditions.
3. The government is continuing to provide discovery and the parties are continuing negotiations in an attempt to resolve this case short of trial.

4. The parties believe that the requested continuance will allow for further production and review of discovery and facilitate resolution of this case short of trial. Therefore, the parties believe exclusion of this time would be appropriate under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7) as the exclusion would serve the ends of justice and outweigh the interest of the public and of Mr. Pham in a Speedy Trial.

Respectfully submitted,

CHANNING D. PHILLIPS  
ACTING UNITED STATES ATTORNEY

By: /s/\_\_\_\_\_  
NICHOLAS MIRANDA  
D.C. Bar 995769  
U.S. Attorney's Office  
555 4th Street NW, Rm 4-842  
Washington, D.C. 20530  
Nicholas.Miranda@usdoj.gov  
Tel: (202) 252-7011