

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

UNITED STATES OF AMERICA

v.

THOMAS FEE,

Defendant.

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Criminal No. 21-CR-133 (JDB)

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 Thursday, July 15, 2021, for a period of approximately 60 days, and to exclude the intervening time under the Speedy Trial Act. In support of the Motion, the undersigned represents:

1. Mr. Fee 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, § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(2); Violent Entry and Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(G).

2. The defendant remains on release with conditions. Pretrial Services reports that the defendant is compliant with the conditions of his release.

3. The undersigned recently entered an appearance in this case and is in the process of collecting and providing discovery to the defendant.

4. The parties are involved in negotiations in an attempt to resolve this case short of trial.

5. 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.

WHEREFORE, the government respectfully requests that this Court grant the motion for a 60-day continuance of the above-captioned proceeding, and that the Court exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, on the basis that the ends of justice served by taking such actions outweigh the best interest of the public and the defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv).

Respectfully submitted,

CHANNING D. PHILLIPS
Acting United States Attorney
DC Bar No. 415793

By: /s/ Susan T. Lehr
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CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all parties listed on the Electronic Case Filing (ECF) System.

By: /s/ Susan T. Lehr
SUSAN T. LEHR
Assistant United States Attorney