

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

UNITED STATES OF AMERICA

v.

TROY ANTHONY SMOCKS,

Defendant.

CRIMINAL NO. 21-cr-00198 (TSC)

**UNITED STATES' MOTION FOR STATUS HEARING AND
EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this motion for a status hearing and for exclusion of time in the interests of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h).

On May 10, 2021, the Court issued a memorandum opinion denying defendant Troy Anthony Smocks' motion to dismiss the indictment (Dkt No. 33). Pending before the Court at that time was the defendant's motion for leave to file documents and to reopen the hearing on his motion to dismiss ("motion to reopen hearing"), which had been filed on May 7, 2021 (Dkt No. 30). On May 11, 2021, the Court issued an order staying briefing on the defendant's motion to reopen hearing until further order of the Court, and taking the motion to reopen hearing under advisement (Minute Order, May 11, 2021). The motion to reopen hearing remains pending, but does not present any new facts or arguments relevant to the motion to dismiss that has already been resolved.

It is appropriate that a status hearing be scheduled at the Court's convenience. It is also appropriate that the Court issue an order excluding time under the Speedy Trial Act until the status

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PROPOSED ORDER

Having considered the United States' motion for status hearing and exclusion of time under the Speedy Trial Act, as well any materials filed in opposition thereto, it is hereby **ORDERED** that the motion be, and hereby is, **GRANTED**.

A status hearing shall be scheduled for _____, 2021.

The Court hereby **ORDERS** that time be excluded in the interests of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h), until the date of the status hearing. The defendant has filed a motion to file documents and to reopen hearing, and that motion is currently pending. Additionally, the parties will require time to exchange additional discovery and to discuss whether this case will go to trial or be resolved prior to trial. The pandemic further justifies delay of the trial date, to ensure the safety of the defendant, court staff, witnesses, and the community, as reflected in the Chief Judge's orders. The ends of justice served by delay of the trial outweigh the best interests of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Hon. Tanya S. Chutkan
United States District Judge