

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

UNITED STATES

:

v.

: Crim. No. 21-CR-291-1 (ABJ)

THOMAS F. SIBICK

:

**UNOPPOSED MOTION TO CONTINUE STATUS HEARING**

The defendant, Thomas F. Sibick, through undersigned counsel, Stephen F. Brennwald, Brennwald & Robertson, hereby moves, without opposition, to continue the status hearing set for January 26, 2023. In support thereof, he states as follows:

Defendant, Thomas F. Sibick, is scheduled to appear for a Change of Plea hearing on Friday, January 27, 2023, at 1:30 p.m.

Unfortunately, undersigned counsel started experiencing symptoms of some kind of illness last Saturday, and on Monday, January 23, 2023, he was tested and diagnosed with Covid.

It is not a mild case.

As a result, counsel has been mostly unable to accomplish very much these past few days, and is still in quarantine.

Because of the delicate and protracted nature of plea negotiations in this complex case (multiple events happened in multiple discreet areas outside the U.S. Capitol), having undersigned counsel appear remotely – even if counsel was up to such a task – would be unwise, as counsel needs to be in the courtroom next to the defendant when the hearing takes place. (Counsel can foresee the defendant asking him a number of questions, privately, throughout the proceedings, based on counsel’s many interactions with the defendant, to date.)

Counsel hopes he will feel better by this weekend, as he has been taking Paxlovid for three days (with two more days to go). He further hopes that he will be able to meet with Mr.

Sibick, with Covid precautions, this weekend while Mr. Sibick is in town (not in the District, but in the Northern Virginia area).

Undersigned counsel is taking this disease process (Covid) more seriously than he otherwise might because of his recent (7 weeks ago) hospitalization for acute kidney failure. Paxlovid is not the ideal medication for someone who has experienced kidney failure, so counsel is keeping a close eye on things to make sure there are no ancillary effects.

In any event, it would be prudent to push this hearing back in order to ensure that counsel's disease has disappeared, to enable the proper quarantine period to pass, and to ensure that Mr. Sibick and counsel have sufficient time to process all of the nuances of the plea and its many ramifications.

It is frustrating that the hearing has to be continued at all because undersigned counsel is scheduled to begin an Oathkeeper trial before Judge Mehta next Wednesday, February 1, 2023 (or whenever the Peter Navarro case concludes before that same judge), and counsel's availability for another hearing in this case will be restricted for the next three or so weeks.

The United States, graciously, does not oppose this motion.

WHEREFORE, for the foregoing reasons, as well as for any other reasons that may appear to this Court, Defendant asks this Court to vacate the hearing set for Friday, January 27, 2023, to reset it to a date mutually available to the Court and both parties, to toll the running of the speedy trial clock until the next hearing date, and for any other relief that is just and proper.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was sent by ECF, this 26<sup>th</sup> day of January, 2023, to all counsel of record.

/s/

Stephen F. Brennwald