

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-CR-301 (TJK)
	:	
STEPHEN HORN,	:	
	:	
Defendant.	:	

**CONSENT MOTION FOR A 7-DAY EXTENSION OF TIME TO RESPOND TO
DEFENDANT’S MOTION TO DISMISS AND MOTION TO COMPEL**

On July 7, 2023, defendant Stephen Horn filed a Motion to Dismiss for Selective Prosecution and, in the alternative, Motion to Compel Discovery in Aid of Selective-Prosecution Claim. ECF No. 58. The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby respectfully requests a one-week extension to respond to the defendant’s motion such that the Government’s response is due July 28, and the defendant’s reply is due August 4, 2023.

Good cause supports this request. Specifically, both counsel for the government have been in trial the majority of time since counsel filed this motion. Specifically, undersigned counsel started a multi-defendant trial on July 10, 2023, and co-counsel Ms. Murphy started a multi-defendant trial on July 10, 2023, and started a second trial on July 17, 2023. As such, the government has not had sufficient time to review and respond to the defendant’s motion, and respectfully requests a one week extension, to and including July 28, 2023.

Government counsel contacted counsel for defendant Horn on July 19, 2023, and counsel for defendant Horn advised that he consents to the motion only to the extent that the trial date is continued.

In response, the government does not believe a continuance of the trial is warranted. Under

the government's proposed briefing deadline, our response would be filed seven weeks prior to the trial date, and thus our short-requested extension should not, in any way, impact the trial date, nor would it impact the parties' ability to prepare for trial. There is ample time to fully brief and decide this motion prior to trial, even with a short one-week extension.

In an effort to resolve defense's concerns – though unwarranted – the government is amenable to moving the trial date to later in September. However, the government does not have availability in October due to already scheduled trial commitments, and objects to a longer continuance, because it is unnecessary.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Ashley Akers
Ashley Akers
Trial Attorney
MO Bar No. 69601
601 D Street, N.W.
Washington, D.C. 20530
(202) 353-0521
Ashley.Akers@usdoj.gov