

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>CRIM NO. 21-CR-411-APM</b>
<b>STEWART PARKS,</b>	)	<b>Judge: Mehta</b>
	)	
<b>Defendant.</b>	)	

**UNOPPOSED MOTION TO CONTINUE  
TRIAL**

COMES NOW Stewart Parks, through counsel, and requests the continuance of the trial currently scheduled for August 23, 2022, and converting the trial date to a status hearing date. As reasons therefor, defendant states as follows:

1. This matter is currently scheduled August 23, 2022. That trial date was set at the most recent status date of July 1, 2022.

2. This matter involves charges from events that occurred at the U.S. Capitol on January 6, 2021. The discovery in this matter involves discovery more specific to Stewart Parks, but it also includes large quantities of general discovery involving multiple terabytes of videos, records, and transcripts. This discovery remains ongoing, and in fact a good number of grand jury testimony and FBI reports were provided as recently as last week.

3. Furthermore, it is counsel's expectation that there may be additional evidence, some of which could be Brady evidence, which may be provided based upon transcripts and other materials that are expected to be released from the House January 6 Committee hearings. Despite the Department of Justice's multiple requests to obtain such relevant evidence which may or may not have Brady material, it is expected that those materials will not be provided any earlier than September of 2022. See <https://thehill.com/regulation/court-battles/3526676-doj-jan-6-committees-refusal-to-share-transcripts-complicates-investigation/> . While it may not necessarily include evidence that will necessarily fully exonerate Mr. Parks, it may include evidence that would affect stipulations between the parties and/or cause the government to not proceed on one or more of the charges.

4. Last week, undersigned counsel has had the personal misfortune of contracting COVID and has not yet fully recovered from it. In addition, two of his other family members have also contracted COVID, which has placed additional undue pressures and responsibilities upon him. This has placed undersigned counsel further behind on his trial preparation with the expectation that the situation will become worse rather than better in the near future. With counsel's additional case responsibilities in addition to this matter, counsel believes that counsel will not be properly prepared for trial. In addition, because counsel became ill around the time

of the motion deadline, counsel respectfully feels that he may need additional time to prepare motions, primarily motions *in limine*, in preparation for this matter.<sup>1</sup>

5. Undersigned counsel has communicated with AUSA Karen Rochlin, who indicates that the government does not oppose the motion.

WHEREFORE, Mr. Parks requests that the trial currently scheduled for August 23, 2022, be continued, and that the present trial date of August 23, 2022, be converted to a status date.

Respectfully submitted,

STEWART PARKS  
By Counsel

/s/ John L. Machado

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<sup>1</sup> Counsel is reticent to mention this as far as making it part of his motion to continue, but the trial is scheduled on August 23, 2022, which happens to occur on the week/weekend in which his two children are moving away for college, one of whom is starting her third year, but also the first time his youngest is starting his first year. At the time the trial date was set, counsel was reluctant to set a trial date to begin with because of this issue but answered the court candidly with regard to his trial availability. With the additional health issue that has complicated this case, counsel is concerned that his preparation for this case will affect these “quality moments” with his family and would strongly prefer to not have a crucial trial (and undersigned counsel’s first January 6<sup>th</sup> trial) overshadow his family time, particularly if the government is not opposing this motion.

**Certificate of Service**

I hereby certify that a true copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system this 29th day of July, 2022, which will send a notification of such filing (NEF) to the following to all counsel of record.

/s/John L. Machado

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