

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DANIEL WARMUS,

Defendant.

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Criminal No. 21-CR-417-PLF

**JOINT MOTION TO CONTINUE DECEMBER 14, 2021 STATUS
HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America and Defendant, Daniel Warmus, through counsel move this Court for a 60-day continuance of the Status Hearing set for December 14, 2021, and further to 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). In support of its motion, the parties state as follows:

- 1.** Defendant is charged by Information with offenses related to crimes that occurred at the United States Capitol on January 6, 2021.
- 2.** Since this Court arraigned Mr. Warmus, the United States has provided and continues to provide individualized discovery from the investigation of Defendant as well as discovery from other sources. The United States expects to disclose additional discovery in the future. The parties also have engaged in plea negotiations and those talks have been productive. The parties anticipate the case will resolve by plea. However, the parties need additional time to draft and discuss the formal plea documents and prepare for a plea hearing.
- 3.** On December 8, 2021, the parties conferred on the case status and agreed that a 60-day

continuance of the Status Hearing set for December 14 would assist the parties in their ongoing plea negotiations and in allowing additional time to provide and review ongoing discovery disclosures. The parties also agreed to toll the Speedy Trial Act from the date this Court enters an Order on this motion through and including the date of the next Status Hearing. The parties further request that the Court conduct the next Status Hearing via videoconference.

- 4.** Finally, defense counsel advised that he has a felony trial commencing in county court beginning on Monday, December 13, 2021, and therefore has a conflict with the currently scheduled Status Hearing on December 14, 2021.

Accordingly, the parties respectfully request that this Court grant this Motion to Continue the Status Hearing set for December 14 for an additional sixty days 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.* from the date this Court enters an Order on this motion through and including the date of the next hearing on the basis that the ends of justice served by taking such actions outweigh the best interest

of the public and 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,

/s/

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