UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

:

Case No. 21-cr-458 (RJL)

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RICHARD T. CROSBY, JR.,

v.

:

Defendant.

UNOPPOSED MOTION TO TOLL SPEEDY TRIAL

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby respectfully moves the Court to exclude the intervening time between January 13, 2023 and the scheduled status conference on February 1, 2023 under the Speedy Trial Act. In support of the Motion, the parties represent:

- 1. The defendant is before the Court charged in an indictment with: Obstruction of an Official Proceeding and Aiding and Abetting, in violation of Title 18, United States Code, § 1512(c)(2) and 2; Entering and Remaining in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(2); Entering and Remaining on the Floor of Congress, in violation of Title 40, United States Code, § 5104(e)(2)(A); Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(G) (ECF No. 11).
- 2. The Court previously scheduled a status conference in this matter for December 15, 2022, however Defense Counsel was unable to attend due to a personal matter. The Court

vacated the December 15 status conference without then setting a new date and excluded speedy trial time from December 14, 2022 to January 13, 2023. *See* December 14, 2022 Minute Order. The Court then set a status conference for February 1, 2023. *See* January

3, 2023 Minute Order.

3. The parties believe it is in the interest of justice to toll the Speedy Trial Act while the defense considers evidence presented at a meeting with the government and how best to proceed with the case pending the next status conference on February 1, 2023. The parties thus request a tolling of the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), based on the factors described in 18 U.S.C. 3161(h)(7)(B)(i), (ii), and (iv), as well as 18 U.S.C.

§ 3161(h)(1)(G).

4. Therefore, the parties request an exclusion of time under the Speedy Trial Act from January 13, 2023 through the next scheduled Status Conference on February 1, 2023.

5. The defendant is out of custody.

6. The defendant concurs with this request.

Respectfully submitted,

MATTHEW M. GRAVES United States Attorney

By: /s/

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