

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 21-cr-499 (EGS)
)
 Daniel Lyons Scott, *defendant.*)

UNOPPOSED MOTION TO CONTINUE STATUS HEARING

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., appointed by this Court under the Criminal Justice Act, respectfully moves the Court, with no opposition from the United States, to continue the status hearing set for Feb. 15, 2022 at 9:35 a.m. for a period of approximately one-hundred twenty (120) days, to a date convenient with the Court and the parties, for the reasons that follow.

1. The defendant is charged in a multi-count indictment with a number of serious felony and misdemeanor offenses arising from the protests and eventual riot at the U.S. Capitol on January 6, 2021.

2. The parties have maintained close communication during the pendency of this case. The government has provided and continues to provide pretrial discovery materials, consistent with its obligations, including but not limited to videos taken of the events; records from the investigation compiled by the FBI, which include transcribed statements and information from other sources; and materials pertinent to the defendant himself. This is in addition to the global discovery that the government has provided in all cases, and which will shortly be described in a status memorandum it plans to file with the Court. There are also individual case subfiles of a limited number of cases that the government believes are relevant to the defendant's case. Thus,

this constitutes a considerable amount of material remaining for counsel to review and share with the defendant.

3. The parties have not yet entered plea negotiations. It is believed that a continuance of one-hundred twenty (120) days will serve the purpose of giving the government sufficient time to substantially complete its discovery obligations and for the defendant to review the material provided. It will also give the parties an opportunity to work towards a resolution of this case short of trial. It is for the stated reasons that the parties seek to continue the status hearing in this case.

2. For the record, in the interests of justice, the defendant waives, as does the United States, the time between Feb. 15, 2022, and the next court date the time under the Speedy Trial Act.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on William K. Dreher, Esq., United States Department of Justice (U.S. Attorney's Office for the District of Washington), attorney of record for the government in the instant case, this 11th day of February, 2022.

/s/

Nathan I. Silver, II