

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

|                                 |   |                                       |
|---------------------------------|---|---------------------------------------|
| <b>UNITED STATES OF AMERICA</b> | : |                                       |
|                                 | : |                                       |
| v.                              | : | <b>CRIMINAL NO. 21-MJ-00122 (RMM)</b> |
|                                 | : |                                       |
| <b>MATHEW CAPSEL,</b>           | : |                                       |
| <b>Defendant.</b>               | : |                                       |

**CONSENT MOTION TO CONTINUE PRELIMINARY HEARING**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to Continue the Preliminary Hearing in the above-captioned matter, currently scheduled for November 15, 2021 until a date after December 17, 2021. In support thereof, the government states as follows:

1. On January 19, 2021, the defendant was arrested and charged by Criminal Complaint with one count of Obstruction, in violation of 18 U.S.C. § 243(a)(3); Assault, in violation of 18 U.S.C. § 111, and Unlawful Entry on Capitol Grounds, violation of 18 U.S.C. § 1752(a)(1) and (4). On February 5, 2021, the Honorable Judge Meriweather ordered that the defendant remain on release subject to monitoring conditions. A preliminary hearing was set for March 4, 2021, and then continued by several times by consent motion until November 15, 2021.
2. The government and counsel for the defendant have conferred, and are continuing to communicate in an effort to resolve this matter. The government is also gathering discovery to provide to counsel for the defendant.
3. The parties, therefore, would respectfully request that the preliminary hearing be

continued until a date after December 17, 2021. The parties agree that the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial, and that this adjournment will allow the parties to continue negotiations in an effort to achieve a resolution before trial. Therefore, the parties agree that pursuant to 18 U.S.C. § 3161, the time from November 15, 2021 through the next court date shall be excluded in computing the date for speedy trial in this case.

Wherefore, the parties respectfully request that the Court continue the Preliminary Hearing in this matter until December 17, 2021, or to a date after that date convenient to the Court's calendar.

Respectfully submitted,

MATTHEW GRAVES  
U.S. ATTORNEY

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

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| <b>UNITED STATES OF AMERICA</b> | : |                                      |
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| <b>v.</b>                       | : | <b>CRIMINAL NO. 21-MJ-00122(RMM)</b> |
|                                 | : |                                      |
| <b>MATHEW CAPSEL,</b>           | : |                                      |
| <b>Defendant.</b>               | : |                                      |

**ORDER**

This matter having come before the Court pursuant to a Motion to Continue, upon consent, it is therefore

ORDERED that the parties shall appear for a Preliminary Hearing at \_\_\_\_\_ on December \_\_\_\_, 2021. It is further

ORDERED that pursuant to the representations made by the parties, the interests and ends of justice are best served and outweigh the interests of the public and the defendant in a speedy trial. Pursuant to 18 U.S.C. § 3161, the time from November 15, 2021 through December \_\_\_\_, 2021 shall be excluded in computing the date for speedy trial in this case.

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The Honorable Judge Robin Meriweather