

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America	)	
	)	
v.	)	USDC No. 21-mj-173 (ZMF)
	)	
William D. Merry, Jr.	)	<i>defendant.</i>

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 Dec. 8, 2021 at 1:00 p.m. for a period of approximately thirty (30) days, to a date convenient with the Court and the parties, for the reasons that follow.

1. The defendant is charged in a four-count information with misdemeanor offenses arising from the breach of the U.S. Capitol on January 6, 2021.

2. The government made a plea offer to the defendant on Monday, Nov. 29, 2021, which counsel has been able to review with his client in general terms. The defendant, through counsel, has given his provisional acceptance. The offer is set to expire on Dec. 6, 2021, two days before our scheduled hearing. Once the defendant formally accepts the offer, the government will file a criminal information, after which the case will be assigned to a U.S. District Judge.

3. There remains a need for counsel to review with his client thoroughly and in its entirety the proposed plea agreement, statement of facts, and other terms which are required for his acceptance. It will serve the interests of justice to postpone the hearing by thirty (30) days to allow him to do so.

For these stated reasons, defendant submits, with no opposition from the United States, that the status hearing now set should be vacated, to be rescheduled in approximately thirty (30) days, on a day convenient to the Court and parties.

For the record, in the interests of justice, the defendant waives, as does the United States, the time between Nov. 8, 2021, 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 Jessica Arco, Esq., United States Department of Justice on detail to the U.S. Attorney's Office for the District of Columbia, attorney of record for the government in the instant case, this 2nd day of December, 2021.

/s/

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*Nathan I. Silver, II*