

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-mj-550
	:	
CYNTHIA BALLENGER, and	:	
CHRISTOPHER PRICE,	:	
	:	
	:	
Defendants.	:	

**JOINT MOTION TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its attorney the Acting United States Attorney for the District of Columbia, and the Defendants, Cynthia Ballenger and Christopher Price, by and through their attorney Steven Levin, hereby move this Court to vacate the status conference presently scheduled for October 5, 2021, to continue the matter for approximately 30 days, and further to exclude the time within which an information or indictment must be filed 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 Defendants in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv). The United States recently provided, on September 27, 2021, additional discovery to Defendants, and intends to provide further discovery to Defendants shortly. The requested continuance will allow counsel for Defendants an opportunity to review this newly provided discovery and to adequately and effectively prepare, and counsel for all parties an opportunity to engage in discussions about potential pre-trial resolution of this matter. Further, the United States notes that the investigation into the Capitol Breach presents novel and complex discovery issues, as described in the filed discovery memoranda. *See* ECF No. 14.

The parties submit that under these circumstances, the ends of justice to be served by an approximately 30-day continuance outweigh the interests of the public and the Defendants in a speedy trial, and the Court should consequently exclude time under the Speedy Trial Act for the above stated reasons.

Undersigned counsel has provided a copy of this motion to Steven Levin, counsel for Defendants Cynthia Ballenger and Christopher Price, and Mr. Levin informed the undersigned that this may be filed as a joint motion. The parties have conferred and respectfully request a status conference be scheduled for November 8, 9, 10, or 12, 2021.

WHEREFORE, the parties respectfully request that this Court grant the motion for an approximately 30-day continuance of the above-captioned proceeding, and that the Court exclude the time within which an information or indictment must be filed 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 Defendants 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,

CHANNING D. PHILLIPS
ACTING UNITED STATES ATTORNEY
D.C. Bar No. 415793

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**ORDER TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Based upon the representations in the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, the Court finds that it would best serve the interests and ends of justice and outweighs the interests of the public and the Defendants in a speedy trial to continue this matter to allow the parties to continue to review discovery and discuss any potential pre-trial resolution.

Therefore, it is this _____ day of September, 2021,

ORDERED that the Joint Motion to Continue and to Exclude Time Under the Speedy Trial Act, is hereby **GRANTED**; it is further

ORDERED that this proceeding is continued to November ____, 2021, at _____; and it is further

ORDERED that the time period from the October 5, 2021 status conference through and including the date of the next hearing is hereby excluded from the computation of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE