

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **CRIMINAL NO. 21-MJ-565 (ZMF)**  
 :  
**JEFFREY SCOTT BROWN,** :  
 :  
 **Defendant.** :

**CONSENT MOTION TO CONTINUE COMPLAINT, SET PRELIMINARY  
EXAMINATION, AND FOR EXCLUDABLE DELAY**

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 Complaint and to set a Preliminary Hearing in the above-captioned matter for October 28, 2021. The Government and the defendant agree that there is good cause to extend the complaint in this case from until October 28, 2021, and to schedule an initial appearance and preliminary hearing in this case for October 28, 2021. Defendant concurs in this request and agrees that it is in his best interest. In support thereof, the government states as follows:

1. On August 26, 2021, the defendant, Jeffrey Scott Brown, was arrested in his home state of California on an arrest warrant issued in the United States District Court for the District of Columbia in connection with a Criminal Complaint charging the defendant with the above-listed offenses.

2. Defendant Brown made his initial appearance on August 26, 2021 before a magistrate judge in the Central District of California. At his initial appearance, the government made a motion to detain the defendant without bond pending trial.

3. On August 26, 2021, a magistrate judge in the Central District of California held a detention hearing. At the conclusion of the hearing, the magistrate judge denied the

government's motion to detain the defendant without bond pending trial and released him.

4. An Assistant United States Attorney for the Central District of California orally moved to stay the defendant's release pending an appeal by the government. The magistrate judge denied that request.

5. The United States filed in this Court an Emergency Motion to Review the Court's Release Order on August 26, 2021.

6. On September 3, 2021, Acting Chief Judge Rudolph Contreras Issued an Order Granting the Government's Motion to Revoke Release Order (ECF 13). The Court ordered Defendant Brown to report to the federal courthouse in California by September 7, 2021.

7. On September 7, 2021, Defendant Brown turned himself in in California.

8. On September 9, 2021, the Court Ordered his transport from California to D.C. (ECF 17).

9. The government and counsel for the defendant have conferred. Due to Defendant being detained, he is in the process of retaining counsel to represent him when he arrives in D.C. The current counsel for defendant would like to confer with new counsel and continue proceedings once the defendant is in D.C. The newly retained counsel will also need time to review the discovery that has been produced thus far and confer with his client, in person in D.C. The parties agree that the complaint will remain in full force and effect through the new date of October 28, 2021. The parties agree that this stipulation and any order resulting therefrom shall not affect any previous order of pretrial detention or pretrial release.

10. The parties, therefore, would respectfully request that the preliminary hearing and the date by which an information or an indictment must be filed be continued until October 21, 2021. The parties agree that the failure to grant this continuance "would deny counsel for the

defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,” 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, “the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial,” 18 U.S.C. § 3161(h)(7)(A), and the parties request an order to that end. The parties agree that pursuant to 18 U.S.C. § 3161, the time from August 26, 2021 to October 28, 2021 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 October 28, 2021.

Respectfully submitted,

CHANNING PHILLIPS  
ACTING UNITED STATES ATTORNEY

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Consent Motion to Continue Complaint and Set Preliminary Hearing was served upon counsel of record through ECF on the date of filing.

By: /s/ Mitra Jafary-Hariri  
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**ORDER**

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

ORDERED that, after taking into account the public interest in the prompt disposition of criminal cases, good cause exists to extend the Complaint and set a Preliminary Hearing on October 28, 2021; it is

FURTHER ORDERED that the period from August 26, 2021 to October 28, 2021 be excluded from computing the time within which an information or indictment must be filed under the Speedy Trial Act because the ends of justice served by such a continuance outweigh the best interests of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7). The Court finds that COVID-19 has presented complications here that make it difficult for defense to meet with his client and prepare, and that delay is necessary for the parties to work on a potential resolution.

It Is So Ordered.

\_\_\_\_\_  
Zia M. Faruqui  
United States Magistrate Judge

Entered: \_\_\_\_\_