

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

UNITED STATES OF AMERICA

v.

JOSEPH IRWIN,

Defendant.

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Criminal No. 21-cr-589 (TFH)

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

The United States of America hereby moves this Court for a 30-day continuance of the March 24, 2022, status hearing scheduled in the above-captioned matter, and further to exclude the time within which the trial must commence 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 defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv). In support of its motion, the government states as follows:

- At the last status hearing, the government explained that it had recently uncovered evidence of the defendant on the Senate Floor and was considering adding additional charges, including felony charges. Both parties asked for more time so that the government could continue to investigate and defense counsel could present mitigation evidence for the government to consider.
- Since that time, the government has received a mitigation packet from defense counsel that is approximately 90 pages in length, as well as supplemental materials to consider. Undersigned counsel has reviewed the materials but needs additional time to discuss those materials with supervision to determine the appropriate course of action.

- Additionally, the government has taken steps to provide defense counsel with a full copy of the download from the defendant's cell phone that was seized upon his arrest. Issues with technology have prevented defense counsel from being able to access the download. Both parties are working on a solution and need additional time so that counsel can review the materials from the cell phone that are relevant to the case.

The undersigned has conferred with counsel for the defendant regarding this motion and counsel has indicated that she consents to this motion.

WHEREFORE, the government respectfully requests that this Court grant a 30-day continuance of the March 24, 2022, status hearing scheduled in the above-captioned matter, and that the Court exclude the time within which the trial must commence 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 defendant in a speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv), for the reasons detailed above.

Respectfully submitted,

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