

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

UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 21-CR-392 (RCL)**
 :
 RUSSELL TAYLOR, :
 :
 Defendant. :

**UNITED STATES' UNOPPOSED MOTION TO CONTINUE AND
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America hereby files its motion for a continuance of the above-captioned proceeding and further to exclude the time within which the trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, until the defendant's arraignment or next court hearing date 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 this motion, the government states as follows:

First, excluding time is consistent with Chief Judge Howell's Standing Order 21-10, filed on March 5, 2021, which tolls time through August 31, 2021 in all cases that cannot be tried consistent with health and safety protocols and limitations.

Second, the defendant is charged in perhaps the largest criminal prosecution in United States history, and one that the government is continuing to investigate, in which over 400 defendants have been charged. This investigation has generated an enormous amount of evidence, including, for example, over 14,000 hours of Capitol surveillance video, more than 200,000 tips from the public, and over 2,000 digital devices seized. While the government is working tirelessly to investigate and review this and other evidence, and begin producing

discovery to defendants consistent with its constitutional and statutory obligations, doing so will take time, and thus, the ends of justice served by tolling time outweigh the best interests of the public and the defendant in a speedy trial.

Third, there are six defendants charged in this conspiracy indictment. On June 14, 2021, Magistrate Judge Faruqi ordered time excluded under the Speedy Trial Act in relation to the other five defendants in this case until their next hearing. Mr. Taylor has not yet been arraigned or received an initial hearing in this Court, and the Court has recently set his arraignment for June 28, 2021. Ordering exclusion of time in Mr. Taylor's case brings it in line with his co-defendants and offers the opportunity for the Court to set a coordinated schedule in this matter.

Government counsel notified the defense of the filing of this motion, and counsel consents to the motion.

WHEREFORE, the government respectfully requests that this Court grant the motion for a continuance of the above-captioned proceeding, 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.*, until the defendant's arraignment or next court hearing date 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).

Respectfully submitted,

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FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

RUSSELL TAYLOR,

Defendant.

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Criminal No. 21-CR-392 (RCL)

ORDER

Based upon the representations in the United States’ Unopposed Motion to Continue and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, the Court finds that taking into consideration Standing Order 21-10 and the number of individuals currently charged across the Capitol riots investigation, and in the defendant’s case specifically, as well as and the nature of those charges, the on-going investigation of many other individuals, the volume and nature of potentially discovery materials, and the reasonable time necessary for effective preparation by all parties taking into account the exercise of due diligence the failure to grant such a continuance in this proceeding would be likely to make a continuation of this proceeding impossible, or result in a miscarriage of justice. Accordingly, the ends of justice served by granting a request for a continuance outweigh the best interest of the public and the defendant in a speedy trial.

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

ORDERED that the United States’ Unopposed 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 _____, 2021, at _____; and it is further

ORDERED that the time period from the date of this Order 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.*

THE HONORABLE ROYCE C. LAMBERTH
UNITED STATES DISTRICT JUDGE