

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

UNITED STATES

*

v.

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Case No. 21-cr-00553-TFH

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THOMAS JOHN BALLARD

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CONSENT MOTION TO CONTINUE TRIAL

The Defendant, Thomas John Ballard, by and through his attorneys, Michael E. Lawlor, Nicholas G. Madiou, and Brennan, McKenna & Lawlor, Chtd., respectfully requests that this Honorable Court continue the trial currently scheduled in this case on August 1, 2022.

In support of this motion, counsel state the following.

1. On September 1, 2021, the government filed an indictment against Mr. Ballard, charging him with Civil Disorder, in violation of 18 U.S.C. § 231(a)(3); Obstruction of Official Proceeding, in violation of 18 U.S.C. § 1512(c)(2), 2; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon, in violation of 18 U.S.C. § 111(a)(1) and (b); Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, in violation of 18 U.S.C. § 1752(a)(1) & (b)(1)(A); Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon, in violation of 18 U.S.C. § 1752(a)(2) & (b)(1)(A); Engaging in Physical Violence in a Restricted Building or

Grounds with a Deadly or Dangerous Weapon, in violation of 18 U.S.C. § 1752(a)(4) & (b)(1)(A); Disorderly Conduct in the Capitol Grounds or Building, in violation of 40 U.S.C. § 5104(e)(2)(D); and Act of Physical Violence in the Capitol Grounds or Buildings, in violation of 40 U.S.C. § 5104(e)(2)(F).

2. On May 18, 2022, the government filed a second superseding indictment against Mr. Ballard, charging him with an additional count of Assaulting, Resisting, or Impeding Certain Officers, in violation of 18 U.S.C. § 111(a)(1).

3. The trial in this case is scheduled to commence on August 1, 2022.

4. Undersigned counsel was recently appointed to represent Mr. Ballard in this case and filed an entry of appearance on July 8, 2022.

5. Undersigned counsel requires additional time to review the discovery in this matter, meet with the Defendant and prepare for trial.

6. Assistant United States Attorney Barry K. Disney has no objection to this continuance motion.

7. Defense counsel stipulates that the time from the filing of this motion until the trial date is excludable time pursuant to 18 U.S.C. § 3161(h)(7)(A).

8. Wherefore, for the reasons stated in this motion, undersigned respectfully asks this Court to continue the current trial date.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on this day, July 12, 2022, a copy of the foregoing was sent to all parties via ECF.

/s/

Michael E. Lawlor