

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

UNITED STATES

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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 STATUS CONFERENCE AND
EXCLUSION OF TIME FROM CALCULATION UNDER THE SPEEDY
TRIAL ACT**

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 status conference currently scheduled in this case on September 20, 2022 and exclude certain time from the Speedy Trial Act calculation in this case. In support of this Motion, counsel states the following:

1. On September 1, 2021, the Government charged Mr. Ballard by Indictment 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. Undersigned counsel is newly appointed to represent Mr. Ballard, and entered their appearance on July 8, 2022.

4. A status conference is presently scheduled in this matter on September 20, 2022 at 2:00 p.m. Undersigned counsel respectfully requests a continuance of this hearing by approximately 60 days for the following reason:

- a. The discovery in this matter is voluminous and undersigned counsel needs additional time to review the discovery in this case and continue to meet with Mr. Ballard.

5. This motion is unopposed. Undersigned counsel has discussed this request with Assistant United States Attorney, Barry Disney, who authorized counsel to state that the United States consents to the continuance of the status

hearing in this matter.

6. Mr. Ballard consents to the tolling of the speedy trial clock for an additional 60 days.

Wherefore, for the reasons stated in this motion, undersigned respectfully asks this Court to continue the current status conference by approximately 60 days to a date convenient to the Court and all parties, and exclude that time from the Speedy Trial calculation in this case.

Respectfully submitted,

/s/

Michael E. Lawlor
Nicholas G. Madiou
Brennan, McKenna & Lawlor, Chtd.
6305 Ivy Lane, Suite 700
Greenbelt, Maryland 20770
(301) 474-0044
mlawlor@verizon.net
nmadiou@brennanmckenna.com

CERTIFICATE OF SERVICE

I hereby certify that on this day, September 15, 2022, a copy of the foregoing was sent to all parties via ECF.

/s/

Michael E. Lawlor