

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

UNITED STATES OF AMERICA

v.

DEREK COOPER GUNBY,

Defendant.

:
:
:
:
:
:
:
:

Case No. 21-CR-626 (PLF)

JOINT STATUS REPORT

The United States of America and defendant Derek Cooper Gunby respectfully submit this joint status report.

1. Derek Cooper Gunby is set to be arraigned in person on Wednesday September 20, 2023 at 10:00am. The parties request that arraignment be held via VTC, pursuant to Fed. R. Crim. P. 10(c). The defendant consents to appear for the arraignment via videoconference.
2. Given conflicts with defense counsel's schedule, the defendant is asking for a continuance of the October 2, 2023 trial and related deadlines.
3. The government does not oppose a short continuance and respectfully requests the Court to re-set the trial date within 45 days from the current setting, if possible, given the Court's schedule. The government is available for trial November 1 through November 17, 2023.
4. Defendant Gunby and his counsel would prefer a trial date in 2024 to provide additional preparation time in light of the superseding indictment, including the new felony charge, as well as additional time for potential motions practice and/or appellate guidance regarding that charge.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA:: v.: Case No. 21-CR-626 (PLF):: DEREK COOPER GUNBY,; Defendant.: JOINT STATUS REPORT

The United States of America and defendant Derek Cooper Gunby respectfully submit this joint status report. 1. Derek Cooper Gunby is set to be arraigned in person on Wednesday, September 20, 2023 at 10:00am. The parties request that arraignment be held via VTC, pursuant to Fed. R. Crim. P. 10(c). The defendant consents to appear for the arraignment via videoconference. 2. Given conflicts with defense counsel's schedule, the defendant is asking for a continuance of the October 2, 2023 trial and related deadlines. 3. The government does not oppose a short continuance and respectfully requests the Court to re-set the trial date within 45 days from the current setting, if possible, given the Court's schedule. The government is available for trial November 1 through November 17, 2023. 4. Defendant Gunby and his counsel would prefer a trial date in 2024 to provide additional preparation time in light of the superseding indictment, including the new felony charge, as well as additional time for potential motions practice and/or appellate guidance regarding that charge. 5. The defendant, Derek Cooper Gunby, asks the Court to toll speedy trial pursuant to the factors described in 18 U.S.C. § 3161(h)(7)(A), (B)(i), (ii), and (iv) between October 2, 2023 and the new trial date. The government does not oppose this request. Respectfully submitted, MATTHEW M. GRAVES United States Attorney D.C. Bar No. 481052 By: /s/ Kyle M. McWaters Kyle M. McWaters Assistant United States Attorney D.C. Bar No. 241625 601 D Street NW Washington, DC 20003 (202) 252-6983 kyle.mcwaters@usdoj.gov By: /s/ John Pierce John Pierce 21550 Oxnard Street 3rd Floor, PMB #172 Woodland Hills, CA 91367 Tel: (213) 400-0725 Email: jpierce@johnpiercelaw.com Attorney for Derek Cooper Gunby

By: /s/ Kyle M. McWaters
 Kyle M. McWaters
 Assistant United States Attorney
 D.C. Bar No. 241625
 601 D Street NW
 Washington, DC 20003
 (202) 252-6983
 kyle.mcwaters@usdoj.gov

By: /s/ John Pierce
 John Pierce
 21550 Oxnard Street
 3rd Floor, PMB #172
 Woodland Hills, CA 91367
 Tel: (213) 400-0725
 Email: jpierce@johnpiercelaw.com
 Attorney for Derek Cooper Gunby