

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

**UNITED STATES OF AMERICA**

**v.**

**MICHAEL McCORMICK,**

**Defendant.**

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**Case No. 21-cr-710 (TSC)**

**JOINT STATUS REPORT AND MOTION TO CONTINUE STATUS CONFERENCE**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, and Sam Cross, counsel for Michael McCormick (“the defendant”), hereby submit the following Joint Status Report. The parties also respectfully move the Court to continue the Status Conference currently scheduled for February 23, 2022 for a period of approximately 60 days, and to exclude the intervening time under the Speedy Trial Act. In support of the Motion, the parties represent:

1. The defendant is before the Court charged in a criminal information with: Entering and Remaining in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, in violation of Title 18, United States Code, § 1752(a)(2); Disorderly Conduct in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of Title 40, United States Code, § 5104(e)(2)(G) (ECF No. 8).

2. The government is preparing a discovery production. The discovery production has been delayed in this case due to an error in the security coding of a part of the discovery. The error is being remedied, which will allow for full discovery production.
3. Following review of the discovery, it is expected the parties will engage in discussions to resolve the matter short of trial.
4. The parties believe it is in the interest of justice to toll the Speedy Trial Act while the government continues to provide discovery and the parties discuss resolving the matter. The parties thus request a tolling of the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A), based on the factors described in 18 U.S.C. 3161(h)(7)(B)(i), (ii), and (iv), as well as 18 U.S.C. § 3161(h)(1)(G).
5. Therefore, the parties request the February 23, 2022 Status Conference be continued for approximately 60 days, and that there is an exclusion of time under the Speedy Trial Act from February 23, 2022, through the next scheduled Status Conference.
6. The defendant is out of custody.
7. The defendant concurs with this request.

Respectfully submitted,

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