

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

NO. 1:22-cr-00028-TSC

UNITED STATES OF AMERICA

v.

NICHOLAS LATTANZI,

Defendant.

**DEFENDANT’S UNOPPOSED
MOTION TO CONTINUE
STATUS CONFERENCE**

Defendant Nicholas Lattanzi, by and through undersigned counsel and with *no objection* from the government, respectfully requests that the status conference scheduled for July 19, 2022 be continued to a later date. In support thereof, he states as follows:

1. On January 20, 2022, Mr. Lattanzi was named in an information filed in this district charging him with four misdemeanor offenses: (i) entering and remaining in a restricted building, in violation of 18 U.S.C. § 1752(a)(1); (ii) disorderly and disruptive conduct in a restricted building, in violation of 18 U.S.C. § 1752(a)(2); (iii) disorderly and disruptive conduct in a Capitol building, in violation of 40 U.S.C. § 5104(e)(2)(D); and (iv) parading, demonstrating, or picketing in a Capitol building, in violation of 40 U.S.C. § 5104(e)(2)(G). As the Court is aware, the charges stem from the events that took place at the United States Capitol on January 6, 2021.
2. Mr. Lattanzi’s first appearance in this district was on January 13, 2022 before United States Magistrate Judge Zia M. Faruqui. At that time, Mr. Lattanzi entered

pleas of “not guilty” to each of the four charges contained in the criminal information and was subsequently released on conditions. *See* D.E. 13.

3. Since that time and upon information and belief, Mr. Lattanzi has remained in compliance with his conditions of release, and he and undersigned counsel are working together to review the vast amount of discovery material that has been provided by the government in this case.
4. Another status conference in this case is currently scheduled for Tuesday, July 19, 2022. At this time, however, undersigned counsel requests that this hearing be continued to a later date.
5. The basis for this request is that undersigned counsel is continuing to review discovery in this matter and plea negotiations remain ongoing with government counsel. Due to a glitch with discovery access through the provider, the undersigned is working closely with government counsel to restore credentials in order to view the data dump provided by the government.
6. Assistant United States Attorney Zachary Phillips has been contacted regarding his position as to the relief requested above, and the undersigned is authorized to report that the government has *no objection* to the status conference in this matter being continued, and has suggested a continuance of approximately 90 days.
7. Finally, the undersigned submits that this motion is made in good faith and *not* for purposes of delay. Neither the government nor the Defendant would be prejudiced by the status conference in this matter being continued.

WHEREFORE, the Defendant respectfully requests that the status conference in this matter be continued to a date no sooner than October 13, 2022. Mr. Lattanzi consents to any delay caused by this continuance being excluded for purposes of calculating the speedy trial time for this matter and asserts that the ends of justice that would be served if this motion were granted would outweigh the best interest of the public and the Defendant in a speedy trial, as set forth in 18 U.S.C. § 3161(h)(7)(A).

Respectfully submitted this 13th day of July, 2022.

/s/ Jeffery P. McLane

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served upon:

ZACHARY PHILLIPS

Assistant U.S. Attorney, U.S. Attorney's Office for the District of Colorado, 1801
California Street, Suite 80202 Denver, Colorado (303) 454-0118
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by electronically filing the foregoing with the Clerk of Court on July 13, 2022, using the
CM/ECF system which will send notification of such filing to the above.

This the 13th day of July, 2022.

/s/ Jeffery P. McLane

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