

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>Case No. 21-cr-710-TSC</b>
	:	
v.	:	
	:	
<b>MICHAEL G. McCORMICK,</b>	:	
	:	
<b>Defendant.</b>	:	

**DEFENDANT’S UNOPPOSED MOTION TO CONDUCT SENTENCING BY VIDEO  
TELECONFERENCE**

Michael McCormick, by and through his attorney of record, Samuel Cross, submits this unopposed motion to conduct the sentencing hearing in this matter by video teleconference, and in support, represents the following:

1. Sentencing in this matter is currently set for December 20, 2022, at 11:00 a.m., in person, in Courtroom 9. *See* Oct. 25, 2022, Minute Entry.
2. Mr. McCormick pleaded guilty on July 18, 2022, via video teleconference, to Count IV of an Information that charged him with Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G). *See* Jul. 18, 2022, Minute Entry; Information, ECF No. 8. The Court accepted the plea and set the matter for sentencing. Jul. 18, 2022, Minute Entry.
3. The Clerk’s Office for the United States District Court for the District of Columbia has indicated to the undersigned’s office, upon inquiry, that the District’s Standing Order Number 22-35 (BAH), which by its terms extends the CARES act until August 11, 2022,

is still in effect. The CARES act provides for conducting certain hearings in criminal matters by video teleconference.

4. Furthermore, a defendant need not be present for sentencing in misdemeanor matters and may instead appear by video teleconference, so long as the Court permits it and the defendant agrees in writing. Fed. R. Crim. P. 43(b)(2).
5. Mr. McCormick's written consent to conduct sentencing in this matter is attached hereto.
6. Counsel for the United States, Douglas Collyer, has indicated by email that the United States does not oppose conducting sentencing in this matter by video teleconference.
7. Mr. McCormick resides and works in Orange County, California, and is not a person of substantial means. He would prefer, with leave of the Court, to appear for sentencing by video teleconference.

For the forgoing reasons, Mr. McCormick respectfully requests that Court enter an order permitting Mr. McCormick and his counsel to appear by video teleconference for the sentencing set for December 20, 2022, as specified herein.

Respectfully submitted,  
CUAUHTEMOC ORTEGA  
Federal Public Defender

DATED: November 10, 2022

By /s/ Samuel Cross  
SAMUEL CROSS  
Deputy Federal Public Defender  
Attorney for Michael McCormick