

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

UNITED STATES OF AMERICA : **Case No. 1:22-CR-00099-RJL**
:
:
v. :
:
JAKE MAXWELL, :
:
Defendant. :

**JOINT MOTION TO CONTINUE STATUS HEARING
AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

COMES NOW the Defendant, Jake Maxwell, by and through counsel, Michael T. van der Veen, and The United States of America, through counsel, respectfully moves this Court to continue the status hearing currently scheduled for October 25, 2022 for approximately 60 days until on or about December 24, 2022, and to exclude time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) from October 25, 2022 until the date of the next status hearing in this case. In support whereof, the defense states as follows:

1. On February 9, 2022, the defendant was charged by criminal complaint on charges of Civil Disorder, in violation of 18 U.S.C. § 231(a)(3); Assaulting, Resisting, or Impeding Certain Officers, in violation of 18 U.S.C. § 111(a)(1); Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); Engaging in Physical Violence in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(4); and Acts of Physical Violence in the Capitol Grounds or Buildings, in violation of 40 U.S.C. § 5104(e)(2)(F).
2. On February 10, 2022 Defendant was arrested in the Northern District of Georgia.

3. On February 17, 2022, Defendant made his initial appearance in the United States District Court for the District of Columbia.

4. On March 25, 2022, the defendant was indicted on the same charges detailed above.

5. The government has produced, and continues to produce, a substantial volume of both global and defendant-specific discovery, including significant amounts of video footage, which counsel is still reviewing.

6. Further, there continues to be ongoing communications between the government and defense counsel regarding a possible resolution of the matter.

7. Defense counsel begins an anticipated one month jury trial on October 24, 2022 and will also be unavailable for the current Status Listing before the Honorable Judge Leon on October 25, 2022.

8. The parties respectfully request a continuance of approximately 60 days, until on or about December 24, 2022, to exclude time under the Speedy Trial Act in the interests of justice from October 21, 2022 until the date of the next status hearing in this case, to be determined by the Court. This additional period is necessary to allow the defendant to fully review the discovery in the case, and to allow the parties to engage in discussions regarding possible resolutions of the case. Therefore, the parties respectfully submit that the ends of justice served by such exclusion would outweigh the best interest of the public and the defendant in a speedy trial.

9. Defense counsel has conferred with the government regarding this motion. The government does not oppose the motion to continue the status hearing or to exclude time under the Speedy Trial Act.

WHEREFORE, the parties respectfully move that the status hearing in this case currently scheduled for October 25, 2022 be continued for approximately 60 days until on or about December 24, 2022, and that the time from October 25, 2022 until the date of the next status hearing in this case be excluded from computation under the Speedy Trial Act.

Respectfully Submitted,

Date: October 21, 2022

/s/ Michael T. van der Veen
Michael T. van der Veen
Attorney for Defendant
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2022 a copy of the foregoing *Unopposed Motion to Modify Conditions of Release* was electronically filed with the Clerk of the United States District Court using CM/ECF, with a notice of said filing to the following:

Counsel for the Government:

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/s/ Michael T. van der Veen
Michael T. van der Veen, Esq.

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ORDER

Based upon the representations in the Unopposed Motion To Continue Status Hearing and to Exclude Time Under the Speedy Trial Act, and upon consideration of the entire record, it is hereby:

ORDERED that the Motion is **GRANTED**; it is further

ORDERED that the currently scheduled status hearing on October 25, 2022, be continued for good cause to December 24, 2022 at ____ a.m./p.m.; and it is further

ORDERED that the time between October 25 22, 2022 and December 24, 2022 shall be excluded from calculation under the Speedy Trial Act, see 18 U.S.C. § 3161(h)(7)(A). The Court finds that the ends of justice served by the granting of such a continuance outweighs the best interests of the public and the defendant in a speedy trial, as a continuance will provide the parties additional time to continue negotiating a potential pretrial resolution, and additional time to review discovery.

THE HONORABLE RICHARD J. LEON
UNITED STATES DISTRICT JUDGE