

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

|                                 |   |                                   |
|---------------------------------|---|-----------------------------------|
| <b>UNITED STATES OF AMERICA</b> | : | <b>CASE NO. 1:22-cr-00183-TSC</b> |
|                                 | : |                                   |
| v.                              | : | <b>(JUDGE CHUTKAN)</b>            |
|                                 | : |                                   |
|                                 | : |                                   |
| <b>LYNWOOD NESTER,</b>          | : |                                   |
|                                 | : |                                   |
| <b>Defendant</b>                | : |                                   |

**MOTION TO CONTINUE DEADLINE TO FILE RESPONSES TO  
GOVERNMENT’S MOTIONS IN LIMINE**

AND NOW, this 18<sup>h</sup> day of September 2023, comes the Defendant Lynwood Nester, by and through his attorney Jonathan W. Crisp, Esquire, and hereby requests this Honorable Court grant his Motion to Continue the Deadline to File Responses to Government’s Motions in Limine which is currently set for 18 September 2023. In support of said motion, the following is averred:

1. The Defendants were indicted on 20 May 2022, and charged with the following:
  - a) Count 1: Disorderly Conduct in a Capitol Building;<sup>1</sup>
  - b) Count 1: Parading, Demonstrating, or Picketing in a Capitol Building;<sup>2</sup>
2. On 20 May 2022, Attorney Jonathan Crisp, Esq. entered his appearance in this matter.
3. Trial is currently scheduled to begin on 16 October 2023 at 9:30 AM.

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<sup>1</sup> 40 USC § 5104(e)(2)(D)

<sup>2</sup> 40 USC § 5104(e)(2)(G)

4. The deadline to file responses to Government's Motions in Limine is currently set for 18 September 2023. The deadline to file replies to responses is currently set for 25 September 2023.
5. Undersigned counsel has been handling unforeseen circumstances as our firm's business manager of ten (10) years is no longer with the firm and left abruptly under problematic circumstances, which has necessitated undersigned counsel to assume short term responsibilities for payroll and all other related financial matters. Undersigned counsel has therefore assumed the responsibilities of payroll and other business-related matters.
6. Undersigned counsel is therefore in need of additional time to compile responses to Government's Motions in Limine.
7. Therefore, undersigned counsel is respectfully requesting a continuance of four (4) days to review the Government's motions and prepare, if necessary, responses. Undersigned counsel also requests that the Government's deadline to file replies be extended four (4) days.
8. Undersigned counsel has contacted AUSA Brian Morgan who concurs with the foregoing motion and respectfully requests the Government also be granted an additional four (4) days to reply to any responses filed by Defense.
9. Undersigned counsel respectfully requests that this Honorable Court toll the Speedy Trial Act as well.

10. Under the Speedy Trial Act, delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing, or other prompt disposition of such motion, shall be excluded in computing the time within which trial must be commenced. See 18 U.S.C. § 3161(h)(1)(D).

WHEREFORE, it is respectfully requested that the Court grant the Defendant's Motion to Continue the Deadline to File Responses to Government's Motions in Limine. In accordance with Local Rule LCvR 7(a), no brief is being submitted in support of this motion because it is a motion for continuance with the reasons for the motion fully set forth.

Respectfully submitted,  
CRISP AND ASSOCIATES, LLC

Date: 18 September 2023

*/s/Jonathan W. Crisp*  
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**CERTIFICATE OF CONCURRENCE**

I, Jonathan W. Crisp, Counsel for Defendant, Lynwood Nester, hereby certify that Assistant United States Attorney, Brian Morgan, Esquire, have no objections to and concur in the foregoing Motion.

Date: 18 September 2023

/s/ Jonathan W. Crisp  
Jonathan W. Crisp, Esquire

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was served on the individual listed below:

**ELECTRONIC SERVICE**

Brian Morgan, Esquire  
Assistant United States Attorney  
Human Rights & Special Prosecutions  
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Date: 18 September 2023

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