

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA
WASHINGTON, DC**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 22-00139-01-CR-RCL
)	
CALE DOUGLAS CLAYTON,)	
)	
Defendant.)	

MOTION TO CONTINUE SENTENCING HEARING

Comes now the defendant, Cale Douglas Clayton, by his undersigned counsel, Carie Allen, Assistant Federal Public Defender for the Western District of Missouri and moves this Court to continue the sentencing hearing currently set for June 15, 2023, to another date to be determined by the Court.

SUGGESTIONS IN SUPPORT OF MOTION FOR CONTINUANCE

1. On March 28, 2022, defendant was charged by indictment with violations of 18 U.S.C. § 111(a)(1) - Assaulting, Resisting, or Impeding Certain Officers; 18 U.S.C. § 231(a)(3)- Civil Disorder; 18 U.S.C. § 641- Theft of Government Property; 18 U.S.C. § 1752(a)(1)- Entering and Remaining in a Restricted Building or Grounds; 18 U.S.C. § 1752(a)(2)- Disorderly and Disruptive Conduct in a Restricted Building or Grounds; 40 U.S.C. § 5104(e)(2)(D)- Disorderly Conduct in the Grounds or a Capitol Building..

2. On April 7, 2022, defendant appeared before the Honorable G. Michael Harvey, United States Magistrate Judge, for an initial appearance and detention hearing. The office of the Federal Public Defender was appointed to represent defendant.

3. Mr. Clayton pleaded guilty to two counts of the indictment on March 10, 2023. He has remained on bond without any violations throughout the case.

4. At the time of the plea, the Court set a sentencing hearing for June 15, 2023. Undersigned Counsel will have to travel from Kansas City, Missouri to Washington, DC, for that hearing. Counsel has a conflict with the present setting due to mandatory training during that time period that would prohibit travel to Washington, DC. In addition, Counsel will be out of the country for two weeks prior to the current sentencing date. During that time, Counsel will have limited access to email, work documents, and communication with Mr. Clayton. Because of this, it would also be difficult for counsel to adequately prepare an effective sentencing hearing for June 15, 2023.

6. Assistant United States Attorney, Michael Jones, has no objection to this continuance request. Counsel has spoken to Mr. Jones, and both parties are available for a sentencing, in this matter, any time during the weeks of July 10th, July 17th, August 7th, and August 14th.

WHEREFORE, defendant Cale Clayton, respectfully requests this Court for an order continuing the sentencing hearing presently scheduled for July 15, 2023.

Respectfully submitted,

/s/ Carie Allen
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CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that the foregoing motion was electronically filed and emailed to Michael Jones, Assistant United States Attorney, this 4th day of April 2023.

/s/ Carie Allen
CARIE ALLEN