

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 22-cr-89 (APM)
)
 Nancy Barron, *defendant*)

UNOPPOSED MOTION TO CONTINUE STATUS HEARING
AND TO WAIVE TIME UNDER THE SPEEDY TRIAL ACT

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., (“counsel”) appointed by this Court under the Criminal Justice Act, moves the Court, jointly with the United States, to continue the status hearing from November 4, 2022, at 8:45 a.m., for a period of approximately thirty (30) days, for the following reason.

The defendant and government are still involved in plea negotiations. The defendant accepts and has no objection to the terms of the Plea Agreement (“PA”). It is the Statement of Offense (“SOF”) that constitutes the principal hurdle. The government has already made, at the defendant's request, several changes to the original SOF. However, the defendant feels she needs additional time in which to review the SOF so she may be completely comfortable with its recitation of her conduct.

Toward that end, counsel has provided defendant with the pretrial discovery materials upon which many of the factual assertions in the SOF are based. The defendant, because of other responsibilities in her life, has not been able to review those materials (or discuss them with counsel) in order to make a decision. The defendant is a single parent who is raising three children by herself. She also works, albeit from home, full time. In addition to her general responsibilities toward her kids, the defendant reports that one of her children has significant

medical problems with which she has been occupied or preoccupied. Unfortunately this has interfered with her being able to properly review the materials she has and then confer about them with counsel.

Counsel has discussed this issue with the government, which does not oppose the defendant's motion to continue the status hearing, so long as the defendant waives under the Speedy Trial Act the time between November 4, 2022 and the next hearing, should the Court grant this motion in the interests of justice. The defendant herein advises the Court that she waives the time so specified under the Speedy Trial Act.

The parties request that the next hearing be conducted remotely by video teleconference, either as permitted by the CARES Act, should it be extended by order of Chief Judge Howell, or under Fed.R.Crim.Proc. 43(b), which permits waiver of an in-person hearing and appearance by teleconference (VTC), so long as the defendant waives that right in writing and the Court consents, finding that the defendant has made the waiver knowingly and intelligently. If necessary, the defendant will execute a written waiver of her right to an in-person hearing and file it in a Notice to the Court.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Justin Woodard, Esq., U.S. Dept. of Justice (CRM), attorney of record for the government in the instant case, this 1st day of November, 2022.

/s/

Nathan I. Silver, II