

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

UNITED STATES OF AMERICA

No. 22-cr-100-RBW

v.

JACOB L. ZERKLE,

Defendant.

**DEFENDANT’S CONSENT MOTION TO CONTINUE STATUS
HEARING AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Defendant Jacob L. Zerkle, through his undersigned counsel, files the present motion seeking the continuance of the hearing scheduled for July 8, 2022, the setting of a status hearing in 45 days, and the continued exclusion of time under the Speedy Trial Act, and states as follows:

1. On March 25, 2022, the Government returned an Indictment in this matter.
2. On April 8, 2022, the Defendant was arraigned on the Indictment and an initial status hearing was set for July 8, 2022.
3. The Government has produced extensive discovery in this case, which includes body worn camera video of numerous Metropolitan Police Department officers.
4. Undersigned counsel still needs additional time to review this discovery and to confer with the Government regarding potential follow requests for additional discovery. Undersigned counsel also has pretrial filing deadlines within the next four weeks regarding two separate matters already scheduled for trial. The additional time requested in this motion will allow counsel to balance existing court deadlines with the time required to further confer with the Defendant regarding discovery in this matter.
5. The Defendant understands that he has a right to a speedy trial and agrees to the

exclusion of time under the Speedy Trial Act from July 8, 2022 until the next status hearing in this matter. The opportunity for counsel to review discovery and to confer with the Government regarding potential additional discovery serves the ends of justice and outweighs the best interest of the public and the Defendant in a speedy trial.

6. The Defendant also understands that while he has the right to an in person proceeding, he agrees — consistent with the Chief Judge’s Orders regarding the Covid-19 pandemic — to proceed remotely for the next scheduled status hearing. Undersigned counsel requests a remote status hearing to be set at the Court’s convenience for a date after August 16, 2022.

7. Undersigned counsel conferred with Government counsel, Grace E. Albinson, Esq., on July 2, 2022, who represented that the Government *consents* to the relief requested in this motion.

8. For the aforementioned reasons, the Defendant respectfully requests that his motion for a continuance be granted and that the Court find that all time from July 8, 2022, until the next status hearing in this matter, shall be excluded from the calculation of time pursuant to the Speedy Trial Act under 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by the continuance outweigh the best interest of the public and the Defendant in a speedy trial. An appropriate proposed Order granting the requested relief accompanies this Motion.

Dated: July 3, 2022

Respectfully submitted,

/s/ Christopher Macchiaroli
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