

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 22-CR-00042
v.	:	
	:	
JOSHUA HERNANDEZ,	:	
	:	
Defendant.	:	

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

The defendant, through undersigned counsel, respectfully moves to continue the status hearing scheduled for May 31, 2022, to July 12th, 14th, or 15th 2022, and to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), and in support of the motion submits the following:

On February 9, 2022, the government filed a nine-count indictment against Mr. Hernandez, stemming from his alleged participation in the protests at the United States Capitol building on January 6, 2022.

On March 28, 2022, the defendant made his initial appearance before this Court. At that time the Court scheduled a status hearing for May 31, 2022, and excluded time under the Speedy Trial Act until that date.

The government provided case-specific discovery to undersigned counsel on April, 14, 2022, May 5, 2022, and May 20, 2022. The government provided global discovery to undersigned counsel on April 25, 2022, and May 9, 2022. Counsel has been working diligently to review the discovery, but has not yet completed the review at this time. Following the review of the provided discovery, the parties intend to begin discussions about a possible disposition of this matter short of trial. The parties are requesting additional time to accomplish that.

The parties agree that given these considerations, the ends of justice would be served by

continuing this case for another status hearing in approximately 45 days, and that the ends of justice outweigh the best interest of the public and defendant in a speedy trial during that time. Excluding such time will afford the defense the opportunity to continue reviewing discovery and entering into plea discussions with the government. The government consents to this motion.

WHEREFORE, the parties respectfully request that the Court continue this matter to July 12th, 14th, or 15th, 2022, and exclude time through and including that date, for purposes of any computation under the Speedy Trial Act.

Respectfully submitted,

/s/ Jay P. Mykytiuk
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed with the Clerk of Court, and provided to all parties of record via CM/ECF this 27th day of May, 2022.

/s/
Jay Paul Mykytiuk