

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 21-cr-692-02 (CKK)
)
 Marilyn Fassell, *defendant*.)

UNOPPOSED MOTION TO CONTINUE STATUS HEARING

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., (“counsel”) appointed by this Court under the Criminal Justice Act, respectfully moves the Court, with no opposition from the United States, to continue the status hearing set for Feb. 22, 2022 at 10:00 a.m. for a period of approximately sixty (60) days, to a date convenient with the Court and the parties, for the reasons that follow.

1. The defendant, along with her husband, Thomas Fassell, is charged in a criminal Information with four misdemeanor offenses arising from the protests and eventual riot at the U.S. Capitol on January 6, 2021.

2. The government has provided and continues to provide pretrial discovery materials. It has also recently extended a plea offer to the defendant, which counsel needs to review with his client. Counsel will need time in which to do so before he can advise the government on whether the defendant is prepared to accept it. Counsel is also preparing for trial in a case scheduled to begin next week, which will not leave time for counsel to adequately review the materials with his client. For this reason, it will be in the interests of justice to continue the hearing for an ample period of time so that the defendant will be able to decide after due

reflection whether or not she wishes to accept the plea offer; propose a counteroffer to the government; or ask that the case be set for trial.

3. The defendant, after having been advised by counsel, hereby waives, as does the United States, the time between Feb. 15, 2022, and the next court date the time under the Speedy Trial Act.

4. Counsel has contacted Dwight Crawley, Esq., attorney for codefendant Thomas Fassell, regarding this request. Mr. Crawley does not oppose this motion.

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 Amada Jawad, Esq., DOJ-USAO, attorney of record for the government in the instant case, and Dwight Crawley, Esq., this 15th day of February, 2022.

/s/

Nathan I. Silver, II