

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 1-22-cr-38 (CKK)
	:	
JOLENE EICHER	:	
	:	
_____	:	

**CONSENT MOTION TO VACATE CURRENT TRIAL DATE**

Jolene Eicher hereby moves this Court to vacate the current scheduled trial date in the above-captioned proceeding, such that a new trial date can be selected at the upcoming status date. In support of this motion, Ms Eicher states as follows:

1. Jolene Eicher is before the Court charged by Information with violations of one count each of: Entering and Remaining in a Restricted Building, 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building, 18 U.S.C. § 1752(a)(2); Violent Entry and Disorderly Conduct on a Capitol Building, 40 U.S.C. § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, 40 U.S.C. § 5104(e)(2)(G). A trial date is set for 5<sup>th</sup> June 2023. An interim status hearing is currently set for 9<sup>th</sup> March 2023.
2. In discussing an appropriate trial date for this matter, the Court had indicated a five-day period should be blocked out for this matter. At a status hearing held on 6 January 2023, the parties reaffirmed this trial plan. However, in the period since it has become apparent that recent jury trials regarding the events of January 6<sup>th</sup>, 2021, have leaned towards extended periods of jury deliberation. Ms Eicher has elected to assert her right to a jury trial in this matter. While keeping the week of 5<sup>th</sup> June free for this trial, counsel had not taken into account nor had the parties discussed the possibility of jury deliberations

extending into the following week: a period when counsel will be out of the country. The potential for extended deliberations thus poses the risk of an unavoidable conflict not anticipated.

3. Counsel has engaged the assigned Assistant U.S. Attorney here: Mr Christopher Brunwin Esq. Mr Brunwin has no objections to this request. Counsel has discussed the issues with Ms Eicher. Ms Eicher understands this may impact speedy trial concerns. Ms Eicher would toll any time regarding her Speedy Trial rights.
4. As the case has a status hearing already scheduled for 9<sup>th</sup> March 2023, no additional dates need to be added to the calendar and the parties anticipate being able to settle on a new trial date at this hearing. Ms Eicher will be able to make representations regarding Speedy Trial rights at this next court date.

WHEREFORE, for the above reasons, Ms Eicher, with the consent of the government, respectfully request that this Court grant this Motion to Vacate Current Trial Date in the above-captioned proceeding to allow a new date to be decided at the upcoming status date.

Respectfully Submitted,

*/s/ Peter A. Cooper*

---

Peter A. Cooper, (#478-082)  
400 Fifth Street, NW.  
Suite 350  
Washington DC 20001  
[pcooper@petercooperlaw.com](mailto:pcooper@petercooperlaw.com)  
Counsel for Jolene Eicher

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Unopposed Motion to Vacate Trial Date is being filed via the Electronic Court Filing System (ECF), causing a copy to be served upon government counsel of record, this 1<sup>st</sup> day of February, 2023.

*/s/ Peter A. Cooper*

---

Peter A. Cooper