

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	Case No. 1:21-CR-623 (CRC)
KIRSTYN NIEMELA,	:	
	:	
Defendant.	:	

**UNITED STATES’ UNOPPOSED MOTION TO
EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States, by and through the United States Attorney for the District of Columbia, hereby moves this Court to exclude the time within which a trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* (hereinafter, “the STA”), from September 28, 2022, to November 28, 2022. Government counsel has conferred with counsel for defendant Niemela, who indicated that he does not oppose this motion.¹

In support of its motion, the government states as follows:

1. During the status conference held on September 28, 2022, attorney Rick Monteith appeared on behalf of the defendant, Ms. Niemela. Both Mr. Monteith and Ms. Niemela informed the Court that they had not met or spoken before the hearing.
2. Mr. Monteith advised the Court that since he and his co-counsel, Paul Garrity, were new to the case, neither had received any discovery from Ms. Niemela’s prior counsel. He further informed the Court that he had a conflict on November 28, 2022—the date currently set for trial in this matter—and that he planned to seek a continuance of the trial date for this and other reasons.

¹ Time has already been excluded in the interest of justice until November 28, 2022, with respect to defendant Eckerman. See July 14, 2022 Minute Entry.

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