

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:22-cr-00149-JEB
	:	
ATHANASIOS ZOYGANELES	:	
	:	
Defendant.	:	

JOINT MOTION TO CONTINUE
AND TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

The United States of America, through counsel, jointly with counsel for Athanasios Zoyganeles hereby moves this Court to continue the scheduled status hearing in the above-captioned proceeding and to further exclude the time within which the trial must commence under the Speed Trial Act, 18 U.S.C. § 3161 *et seq.*

In support of this motion, the Government states as follows:

1. Mr. Zoyganeles is before the Court pending sentencing following a guilty plea to Count 4 of the Information: Demonstrating or Picketing in a Capitol Building in violation of 40 U.S.C. § 5104(e)(2)(G). A status hearing is currently set for August 23, 2023.
2. On August 3, 2022, Mr. Zoyganeles moved to withdraw his guilty plea. [ECF No. 23]. The Court denied that motion on October 7, 2022. [ECF No. 28].
3. At a status hearing on May 31, 2023, Mr. Zoyganeles informed the Court, through counsel, that he intends to renew his motion to withdraw his guilty plea on grounds not included in his prior motion. Mr. Zoyganeles and his counsel remain in discussions as to the status of his request to withdraw his guilty plea. As of the time of this filing, there is no motion to withdraw

for the Court's consideration. The continuance will allow counsel for Mr. Zoyganeles to file such a motion.

4. Additionally, should the hearing need to take place, the Government's witness is unavailable on August 23, 2023, due to previously booked travel.

5. The parties also agree to exclude from the computation of time under the Speedy Trial Act the time between August 23, 2023, and the next set Status Conference.

6. The Government submits that good cause exists to continue this hearing as there is no additional information to provide to the Court regarding the status of this case. A proposed Order is attached.

WHEREFORE, for the foregoing reasons, the United States respectfully requests that the Court grant this Motion to Continue the August 23, 2023, Status Conference for 30 days filed out of time, and further request that the Court exclude the period until the next Status Conference in this case from the computation of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B), because the continuance will further talks aimed at a pretrial disposition. The Government also requests that the Court find that the ends of justice served by granting this continuance outweighs the best interests of the public and the Defendant in a speedy trial.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Thomas Campbell
Thomas D. Campbell
Trial Attorney
Massachusetts Bar No. 703271

Criminal Division, Fraud Section
U.S. Department of Justice
1400 New York Ave. NW
Washington, DC 20005
Tel: (202) 262-7778
Email: thomas.campbell@usdoj.gov

Dated: August 11, 2023

CERTIFICATE OF SERVICE

On this 11th day of August, 2023, a copy of the foregoing was served on counsel of record for the parties via the Court's Electronic Filing System.

/s/ Thomas Campbell
Thomas D. Campbell
Trial Attorney