

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA *

*

V. *

Case No. 1:21-CR-623-2 (CRC)

*

KIRSTYN NIEMELA *

*

UNOPPOSED MOTION TO CONTINUE FINAL PRETRIAL AND JURY TRIAL

NOW COMES the Defendant, Kirstyn Niemela, by and through counsel, Richard Monteith and Paul Garrity, and moves to continue the November 21, 2022 Final Pretrial and the November 28, 2022 Jury Trial.

In support thereof, Ms. Niemela states as follows:

1. Ms. Niemela is scheduled for a Final Pretrial on November 21, 2022 at 10:00 a.m. and for a Jury Trial on November 28, 2022 at 9:30 a.m.
2. Counsel was recently appointed to represent Ms. Niemela and requests further time to provide adequate assistance of counsel. Discovery provided to the defense has been voluminous and given the extent and nature of the materials, the review process will be lengthy.
3. In addition, the Defendant has expressed to the undersigned counsel that she is requesting additional time with the undersigned counsel, given their relatively recent entry into the case, to thoroughly review all of the relevant discovery with the undersigned counsel and to determine whether to proceed to trial or to enter into a plea agreement with the Government.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA * * V.
 * Case No. 1:21-CR-623-2 (CRC) * KIRSTYN NIEMELA * * UNOPPOSED MOTION TO CONTINUE FINAL
 PRETRIAL AND JURY TRIAL NOW COMES the Defendant, Kirstyn Niemela, by and through counsel, Richard
 Monteith and Paul J. Garrity, and moves to continue the November 21, 2022 Final Pretrial and the November 28,
 2022 Jury Trial. In support thereof, Ms. Niemela states as follows: 1. Ms. Niemela is scheduled for a Final Pretrial
 on November 21, 2022 at 10:00 a.m. and for a Jury Trial on November 28, 2022 at 9:30 a.m. 2. Counsel was
 recently appointed to represent Ms. Niemela and requests further time to provide adequate assistance of
 counsel. Discovery provided to the defense has been voluminous and given the extent and nature of the
 materials, the review process will be lengthy. 3. In addition, the Defendant has expressed to the undersigned
 counsel that she is requesting additional time with the undersigned counsel, given their relatively recent entry
 into the case, to thoroughly review all of the relevant discovery with the undersigned counsel and to determine
 whether to proceed to trial or enter into a plea agreement with the Government. 4. The parties in this case
 continue to work on a resolution which could result in a plea rather than a trial. A plea agreement has been
 offered by the government and the parties continue to discuss and negotiate. 5. If the parties are unable to come
 to an agreement, the Defendant will file a Motion for Change of Venue, which needs to be litigated prior to trial. 6.
 The US Attorney's Office has been contacted and does not oppose the Court granting this motion. 7. Ms.
 Niemela has been consulted and waives her rights to a speedy trial for the purposes of this requested
 continuance. A signed waiver will be sent under separate cover. 8. Counsel submits that the requested relief
 would be in the interest of justice allowing adequate time for all counsel to prepare the case. WHEREFORE, the
 Defendant, Kirstyn Niemela, respectfully requests that this Honorable Court: A) grant this Motion and continue
 the November 21, 2022 Final Pretrial and the November 28, 2022 Jury Trial; B) Vacate all pretrial deadlines; C)
 Order the parties to confer regarding a new proposed motion and pretrial schedule as well as trial date; D) Set a
 Status Conference within 30 days for Ms. Niemela to confirm her intent to go to trial; E) Exclude the time under
 the Speedy Trial Act 18 U.S.C. § 3161, et seq.; and F) Order such other relief as may be just and proper.
 Respectfully submitted, Kirstyn Niemela, By her Attorneys, Date: November 2, 2022 /s/ Paul J. Garrity
 Paul J. Garrity, Bar No. 905 14 Londonderry Road Londonderry, NH 03053 603-434-4106 garritylaw@myfairpoint.net /s/
 Richard F. Monteith Richard Monteith, Bar No. 9352 14 Londonderry Road Londonderry, NH 03053 603-437-
 2733 monteithlaw@aol.com CERTIFICATE OF SERVICE, Richard F. Monteith and Paul J. Garrity, herein certify
 that on this 2nd day of November, 2022, a copy of the within was e-filed for all parties involved and mailed,
 postage pre paid, to Kirstyn Niemela. Date: November 2, 2022 /s/ Paul J. Garrity Paul J. Garrity /s/ Richard F.
 Monteith Richard Monteith

WHEREFORE, the Defendant, Kirstyn Niemela, respectfully requests that this Honorable
 Court:

- A) grant this Motion and continue the November 21, 2022 Final Pretrial and the November
 28, 2022 Jury Trial;
- B) Vacate all pretrial deadlines;
- C) Order the parties to confer regarding a new proposed motion and pretrial schedule as
 well as trial date;
- D) Set a Status Conference within 30 days for Ms. Niemela to confirm her intent to go to
 trial;
- E) Exclude the time under the Speedy Trial Act 18 U.S.C. § 3161, et seq.; and
- F) Order such other relief as may be just and proper.

Respectfully submitted
Kirstyn Niemela,
By her Attorneys,

Date: November 2, 2022

/s/ Paul J. Garrity

Paul J. Garrity, Bar No. 905
14 Londonderry Road
Londonderry, NH 03053
603-434-4106
garritylaw@myfairpoint.net

/s/ Richard F. Monteith

Richard Monteith, Bar No. 9352
14 Londonderry Road
Londonderry, NH 03053
603-437-2733
monteithlaw@aol.com

CERTIFICATE OF SERVICE

I, Richard F. Monteith and Paul J. Garrity, herein certify that on this 2nd day of November, 2022, a copy of the within was e-filed for all parties involved and mailed, postage pre-paid, to Kirstyn Niemela.

Date: November 2, 2022

/s/ Paul J. Garrity

Paul J. Garrity

/s/ Richard F. Monteith

Richard Monteith