

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA )  
)  
v. )  
)  
BRIAN BOELE, )  
ALAN FISCHER III, )  
)  
Defendants. )

Case No. 1:22-CR-00011 (RJL)

**DEFENDANTS' CONSENT MOTION TO EXTEND TIME TO REPLY**

Come now the Defendants, Alan Fischer III and Brian Boele, by and through undersigned counsel, and respectfully move this court to extend time for their Reply to the Government's Response at ECF No. 139, where the Court may allow the extension under Fed R. Crim. P. Rule 45(b) for good cause and in the interests of justice; and where based upon the Response filing on August 4, 2023 they request a due date for the Reply of August 15, 2023. The motion is unopposed. Co-Defendant Dion Rajewski also joins in this motion given the Government's multiple response filings. Mr. Fischer and Mr. Boele support the request as follows:

After date adjustments due to multiple attorney conflicts, the Court ordered that all Pretrial motions be filed by all Defendants in the above captioned case by July 24, 2013. The Court did not set Response and Reply dates. Under the normal fourteen day timeline, the Government's responses were due by August 7, 2023.

The Government responded on August 4, 2023 prior to the due date of August 7, 2023. The Government provided a single response to the two separate motions to dismiss counts filed by Mr. Boele (ECF No. 131) and Mr. Fischer (ECF No. 135). Given a trial start on August 8, 2023 with pretrial motions still underway when the government's Response was received, the Defendants' replies will be due by August 11, 2023 under the normal seven day timeline.

The undersigned was in pretrial preparations prior to and on August 4, 2023 and then travelled on August 5, 2023 to D.C. to continue pretrial work for a trial. The undersigned will be consumed with that trial ((Case number 1:23-cr-005 (APM)), the associated post trial issues, and return travel to Florida through August 11, 2023. Without an extension, the Mr. Fischer and Mr. Boele through undersigned counsel will have inadequate time to prepare and submit their Replies.

Mr. Rajewski's counsel also has a need for more time based on the multiple responses at ECF Nos. 136, 137, and 138 filed early by the Government in his case.

Because there will be no prejudice to any party if time is extended, Mr. Boele, Mr. Fischer, and Mr. Rajewski request that the Court grant the extension of time so that counsels have sufficient time to submit multiple replies.

Wherefore, for good cause and in the interests of the ends of justice, the Defendants request that the time to file their Replies be extended until August 15, 2023 or later.

Dated August 6, 2023

Respectfully submitted,  
/s/ Carolyn A. Stewart  
Carolyn A. Stewart, D.D.C. Bar No. FL0098  
Defense Attorney  
Stewart Country Law PA  
1204 Swilley Rd.  
Plant City, FL 33567  
Tel: (813) 659-5178  
Email: Carolstewart\_esq@protonmail.com

#### **CERTIFICATE OF SERVICE**

On this 6th day of August 2023, a copy of the foregoing was served upon all parties as forwarded through the Electronic Case Filing (ECF) System.

/s/ Carolyn A. Stewart  
Carolyn A. Stewart