

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

UNITED STATES OF AMERICA :
 :
 v. : **Case No. 22-cr-404 (JEB)**
 :
ISREAL EASTERDAY, :
 :
 Defendant. :

**JOINT MOTION TO ADJOURN THE STATUS CONFERENCE
AND EXCLUDE TIME PURSUANT TO 18 U.S.C. § 3161(h)(7)**

The United States and the defendant, Isreal Easterday, by and through their undersigned attorneys, hereby move the Court to (1) adjourn the April 4, 2023 status conference for approximately 30 days; and (2) pursuant to 18 U.S.C. § 3161(h)(7), exclude the time period between April 4, 2023, and the date of the rescheduled status conference, in computing the time within which trial must commence, in accordance with 18 U.S.C. § 3161(c)(1). In support of the joint motion, the parties submit the following:

1. On December 2, 2022, the Court issued an arrest warrant for the defendant Easterday, charging him with violations of 18 U.S.C. § 111(a)(1) and (b), 18 U.S.C. § 231(a)(3), 18 U.S.C. § 1752(a)(1) and (b)(1)(A), 18 U.S.C. § 1752(a)(2), 18 U.S.C. § 1752(a)(4), and 40 U.S.C. § 5104(e)(2)(D).

2. On December 14, 2022, a grand jury duly empaneled in the District of Columbia indicted Easterday on the following charges: 18 U.S.C. § 111(a)(1) and (b), 18 U.S.C. § 231(a)(3), 18 U.S.C. § 1752(a)(1) and (b)(1)(A), 18 U.S.C. § 1752(a)(2) and (b)(1)(A), 18 U.S.C. § 1752(a)(4) and (b)(1)(A), 40 U.S.C. § 5104(e)(2)(D), 40 U.S.C. § 5104(e)(2)(F), and 40 U.S.C. § 5104(e)(2)(G).

3. On January 5, 2023, Easterday had his first appearance in the district before the Honorable G Michael Harvey. The Court scheduled a status conference for January 13, 2023, and did not order time excluded until that date.

4. On January 5, 2023, the Court issued a protective order and granted the Government's motion for disclosure. The Government began producing discovery, including video evidence specific to this case and the Government's "global discovery" in cases arising from the events of January 6, 2021, pursuant to the protective order.

5. On January 13, 2023, the Court held a status conference and scheduled a detention hearing for January 20, 2023, and ordered time excluded under the Speedy Trial Act in the interests of justice.

6. On January 20, 2023, the Court held a detention hearing, following which the defendant was released on bond. The Court scheduled a status conference for March 3, 2023, and ordered time excluded under the Speedy Trial Act in the interests of justice.

7. At the status conference on March 3, 2023, the parties represented that they believed an additional period of 30 days would allow the defense counsel and defendant sufficient time to review discovery and for the parties to determine whether this case could be resolved short of trial. The Court scheduled a status conference for April 4, 2023, and ordered time excluded under the Speedy Trial Act in the interests of justice.

8. Since the status conference on March 3, 2023, the parties have held substantive discussions as to whether this matter can be resolved short of trial. Those discussions are ongoing. The parties submit that an additional, reasonable exclusion of time is in the interests of justice because it will provide the parties further time to evaluate the potential for pre-trial resolution, prepare appropriate motions, and prepare for trial if negotiations are unnecessary or unsuccessful.

For the foregoing reasons, the ends of justice will be served by excluding the time period between April 4, 2023, and a rescheduled status conference scheduled for May 4, 2023, or thereafter,

