

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

UNITED STATES OF AMERICA	:	
	:	Case No. 1:22-cr-404 (JEB)
v.	:	
	:	
ISREAL EASTERDAY,	:	
	:	
Defendant.	:	

MOTION FOR ONE-WEEK EXTENSION OF TIME TO FILE RESPONSE

On June 30, 2023, the defendant filed a novel motion seeking to compel the government to provide him with all of the raw data produced to the government by Google in response to a geofence search warrant served on Google at the outset of the overarching January 6 investigation. *See* ECF No.29. In essence, the defendant now seeks location data related to every single person present on the U.S. Capitol grounds on January 6, 2021, including the Vice President, senators, Congresspeople, their staffs, U.S. Secret Service agents, etc. *See id.* Today is the deadline for the government to file its opposition.

The United States respectfully moves for a one-week extension of time to file that response. In addition to being irrelevant (the government does not intend to introduce geofence or geofence-related evidence during its case-in-chief at trial) and immaterial (CCTV video captures the defendant using his cell phone while inside the Capitol building), the data the defendant seeks is also uniquely sensitive. In support of its opposition, the government expects to provide the Court with an affidavit from the U.S. Capitol Police describing those sensitivities. Unfortunately, it has taken longer than the government hoped to secure that affidavit, and thus the government respectfully requests one additional week to compile and file its response. A proposed order is

attached.

Through counsel, the defendant conveyed that he has no objection to this motion.

Respectfully submitted,

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ORDER

Upon consideration of the United States' motion seeking a one-week extension of time to file its response to the defendant's pending Motion to Compel Discovery Under Fed. R. Crim. P. 16, *see* ECF No. 29, it is hereby

ORDERED, that the motion is GRANTED.

Date:

THE HONORABLE JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE