

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 22-cr-297 (TJK)
)
 Joshua Knowles, *defendant*)

UNOPPOSED MOTION TO CONTINUE STATUS HEARING
AND TO WAIVE TIME UNDER THE SPEEDY TRIAL ACT

Defendant, through undersigned counsel Nathan I. Silver, II, Esq., (“counsel”) appointed by this Court under the Criminal Justice Act, moves the Court, jointly with the United States, to continue the status hearing from December 7, 2022, at 1 o’clock p.m., for a period of approximately sixty (60) days, for the following reason.

The defendant is charged with four misdemeanor offenses for his conduct in or near the U.S. Capitol on January 6, 2021. He was originally arrested on that day, then charged and presented the next in D.C. Superior Court on the misdemeanor offense of Unlawful Entry on Public Property.¹ His case was pending in D.C. Superior Court for more than a year and a half, and dismissed on Sept. 6, 2022, with a *nolle prosequi*. During the time it was pending, it was set for trial at least once and then continued.

The defendant relates that he has been experiencing a number of difficulties in his business – he’s the owner of a swimming pool maintenance company that operates in three states – and personal life that have taken his attention and distracted him from being able to focus on this case. He has not executed, though he pledges to do so imminently, the acceptance page for the Protective Order that would allow his counsel to obtain pretrial discovery from the

¹ 2021 CMD 00193 (Kravitz, J.)

government. Without reviewing the pretrial discovery materials, undersigned counsel cannot advise his client about his choices in this case. Counsel enjoys a good relationship with the defendant and does not believe that the defendant has misrepresented the problems he faces in other parts of his life.²

For this reason, defendant submits it would conserve the resources of the Court and the government not to convene the status hearing set for Dec. 7, 2022 at 1 o'clock p.m., but rather to continue it for sixty (60) days, in which counsel expects to have received and reviewed the discovery with his client, who then may make a decision on what course to follow.

Counsel has contacted the government by telephone of his request. Ashley Akers, Esq., attorney of record for the United States, does not oppose this request.

The defendant requests that the next hearing be conducted remotely by video teleconference, either as permitted by the CARES Act or under Fed.R.Crim.Proc. 43(b), which permits waiver of an in-person hearing and appearance by teleconference (VTC), so long as the defendant waives that right in writing and the Court consents, finding that the defendant has made the waiver knowingly and intelligently. If necessary, the defendant will execute a written waiver of his right to an in-person hearing and file it in a Notice to the Court.

The defendant further requests that the time between December 7, 2022, and the next court date be tolled (not counted) under the Speedy Trial Act. The government does not oppose this additional request.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

² Counsel has spoken with Megan Allburn, Esq., defendant's counsel in his Superior Court, who was aware of the difficulties that the defendant was experiencing in his personal life.

This pleading is,

Respectfully submitted,

/s/

NATHAN I. SILVER, II
Unified Bar #944314
6300 Orchid Drive
Bethesda, MD 20817
(301) 229-0189 (direct)
(301) 229-3625 (fax)
email: nisquire@aol.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Ashley Akers, Esq., U.S. Dept. of Justice (CIV), attorney of record for the government in the instant case, 1100 L Street, N.W., Washington, D.C. 20530, this 6th day of December, 2022.

/s/

Nathan I. Silver, II