

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 21-mj-00220
	:	
MICHAEL LOCKWOOD,	:	
Defendant.	:	

**CONSENT MOTION TO CONTINUE THE PRELIMINARY EXAMINATION, AND
FOR EXCLUDABLE DELAY**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully files this Consent Motion to continue the Preliminary Hearing for approximately sixty (60) days until April 26, 2023 or another date convenient to the Court. The Preliminary Hearing is currently set for February 28, 2023. The defendant concurs in this request and agrees that it is in his best interest and there is good cause to continue the Preliminary Hearing. In support thereof, the government states as follows:

1. On December 15, 2022, the defendant, Michael Lockwood, was arrested in his home state of Ohio on an arrest warrant issued in the United States District Court for the District of Columbia in connection with a Criminal Complaint charging the defendant with Obstruction of Law Enforcement During Civil Disorder, in violation of 18 U.S.C. § 231(a)(3), Assaulting, Resisting, or Impeding Certain Officers, in violation of 18 U.S.C. § 111(a)(1), Entering or Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1), Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2), Engaging in Physical Violence in a Restricted Building or Grounds, in violation of

18 U.S.C. § 1752(a)(4), and Disorderly Conduct in the Capitol Grounds or Buildings, in violation of 40 U.S.C. § 5104(e)(2)(D).

2. Defendant Lockwood made an appearance on December 15, 2022 before a magistrate judge in the Northern District of Ohio. At his initial appearance, the defendant was not detained.
3. Defendant Lockwood made his initial appearance before this court on December 22, 2022. A preliminary hearing was set for February 28, 2023 at 1:00 p.m. and the time between December 22, 2022 and February 28, 2023 was excluded from the Speedy Trial Act. The Defendant was not detained but released on a personal recognizance bond.
4. Since December 22, 2022 the government and counsel for the defendant have conferred and are working on providing discovery and moving the case forward. The parties respectfully request that the preliminary hearing be continued from February 28, 2023 until April 26, 2023 or another date around that time that is convenient to the Court. The parties agree that the failure to grant this continuance “would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,” 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, “the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial,” 18 U.S.C. § 3161(h)(7)(A), and the parties request an order to that end. The parties agree that pursuant to 18 U.S.C. § 3161, the time from February 28, 2023 until the new preliminary hearing date shall be excluded in computing the date for speedy trial in this case.
5. A proposed order is attached.

Wherefore, the parties respectfully request that the Court continue the Preliminary Hearing in this matter until on or around April 26, 2023.

Respectfully submitted,

MATTHEW M. GRAVES
UNITED STATES ATTORNEY

/s/ Barry K. Disney

BARRY K. DISNEY

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