

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

UNITED STATES OF AMERICA)	
Plaintiff,)	
v.)	No. 1:23-cr-236-RC
)	
MICHAEL ASBURY and)	
NATHAN BAER)	
Defendants.)	

UNOPPOSED MOTION TO CONTINUE STATUS CONFERENCE

Michael Asbury, by and through counsel, moves this Honorable Court pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B) to continue the status conference in this matter. The status conference is set for October 24, 2023 at 11:30 AM, with both Michael Asbury and Nathan Baer consenting to appear virtually. In support of this request, Mr. Asbury states the following:

1. This Court held an arraignment on the Indictment on August 18, 2023, and undersigned counsel was appointed to represent Mr. Asbury.
2. Undersigned counsel’s husband is having surgery out of town on October 24, 2023. The logistics and recovery related to this surgery will require undersigned counsel to be out of the office for a period of time in October and November.
3. Undersigned counsel and the government are in good communication regarding this case. Undersigned counsel and the government will continue to work in good faith to reach an agreement.
4. Granting the requested continuance will provide the parties an opportunity to make a full resolution of the case against Mr. Asbury; it will serve the ends of justice in that the need for

additional time to properly prepare the case outweighs the best interests of the public and Mr. Asbury in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

5. The right to a speedy trial has been explained to Mr. Asbury, who is not in custody, and he understands that the period of time between the filing of this motion for a continuance and a rescheduled court date will be fully excludable for speedy trial purposes. 18 U.S.C. § 3161(h).

6. Counsel has corresponded with Assistant United States Attorney Adam Dreher and he does not oppose the relief sought in this motion.

7. Counsel has corresponded with Assistant Federal Defender Eugene Ohm, counsel for Mr. Baer, and he does not oppose the relief sought in this motion.

In consideration of the foregoing, counsel for Mr. Asbury respectfully requests a continuance of approximately 70 days of the status conference in this matter.

Respectfully submitted, this 27th day of September, 2023.

FEDERAL DEFENDER SERVICES OF
EASTERN TENNESSEE, INC.

BY: /s/Sarah H. Olesiuk
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