

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

UNITED STATES OF AMERICA,	:	CASE NO. 1:23MJ025 (ZMF)
	:	
vs.	:	
	:	
KYLE MLYNAREK, et al.,	:	<u>DEFENDANT’S AMENDED</u>
	:	<u>UNOPPOSED MOTION TO</u>
Defendant.	:	<u>CONTINUE PRELIMINARY HEARING</u>
	:	

Defendant, Kyle Mlynarek, through undersigned counsel, respectfully moves this Honorable Court for a continuance of the preliminary hearing currently scheduled for February 16, 2023 until April 13, 2023 in order to join the status conference / preliminary hearing scheduled for defendant Ronald Balhorn. The requested continuance will allow defense counsel the necessary time receive and review discovery, confer with Mr. Mlynarek, and prepare for the status conference and preliminary hearing.

Mr. Mlynarek waives and agrees that time under the Speedy Trial Act be tolled from February 16, 2023, until the date of the continued preliminary hearing in this matter, in order to facilitate plea negotiations with the Government. The exclusion of time pursuant to the Speedy Trial Act best serves the interests and ends of justice and outweighs the interests of the public and Defendant in a speedy trial because excluding such time will allow: (1) the parties to engage in discussions that might result in a pre-indictment resolution of this case, and (2) Mr. Mlynarek and defense counsel to have additional discussions so that Mr. Mlynarek can make an informed decision about how he wishes to proceed in this matter.

Defense counsel has discussed this matter Assistant U.S. Attorney Stephen Rancourt. He stated that the government has no objection to this request.

For these reasons, Mr. Mlynarek requests that the Court grant this motion.

Respectfully submitted,

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