

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

UNITED STATES OF AMERICA

vs.

**FRANCIS BIONDO,
Defendant**

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Case No.23-mj-00272 (GMH)

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**CONSENT MOTION TO CONTINUE STATUS HEARING AND
TOLL SPEEDY TRIAL TIME**

Francis Biondo, by his undersigned counsel, hereby respectfully moves to continue the Status Hearing scheduled for December 14, 2023 to allow counsel to continue to discuss a pretrial resolution of the case and review the voluminous discovery, which has not yet been produced. In addition, Mr. Biondo consents to tolling the Speedy Trial clock for 90 days, in the interest of justice. AUSA Allison Ethen consents to this request.

1. The instant case involves charges related to the events at the United States Capitol on January 6, 2021.

2. Mr. Biondo made his initial appearance in this district on October 31, 2023, on misdemeanor charges filed against him. *See* Complaint (ECF 1).

3. Mr. Biondo has no prior convictions and is in full compliance with the conditions of pretrial release.

4. The government has not completed producing discovery in the case. As with other January 6 cases, discovery is voluminous.

5. Additional time is necessary to allow Mr. Biondo to review the discovery, discuss the pending charges with counsel and determine whether to seek a pretrial resolution of the case. In light of the voluminous discovery and the complexity of the issues, additional time is necessary so that undersigned counsel may provide adequate representation.

6. For these reasons, Mr. Biondo consents to the exclusion of speedy time as a short continuance of 90 days to and including March 13, 2024, to allow him to continue to review discovery and adequately discuss the case with counsel. Tolling of the Speedy Trial clock for these reasons serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial. *See, e.g.*, 18 U.S.C. § 3161(h)(7).

7. AUSA Allison Ethen consents to this request.

WHEREFORE, Mr. Biondo respectfully requests that the Court continue the case for 90 days and toll the Speedy Trial clock from December 14, 2023 to and including March 13, 2024.

Respectfully submitted,

/s/ Carmen D. Hernandez _____

Carmen D. Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that the instant notice was served on all counsel of record 12th day of December, 2023 on all counsel of record via ECF.

/s/ Carmen D. Hernandez _____

Carmen D. Hernandez