

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:21-CR-134 (CJN)
	:	
MARK SAHADY,	:	
	:	
Defendant.	:	

MOTION TO DISMISS COUNT ONE

The United States, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this motion to dismiss Count One of the Indictment, charging Obstruction of an Official Proceeding in violation of 18 U.S.C. § 1512(c)(2). In support of this motion, the government states the following:

On July 9, 2024, a status conference was held in this case to discuss the pending trial date. At the status conference, the government orally moved for a short continuance of the trial date to allow additional time to assess the impact of the Supreme Court’s decision in *Fischer v. United States* (No. 23-5572). Sahady opposed the motion arguing his interest in a timely resolution of the long-pending case. The Court denied the motion for a continuance and ordered briefing regarding the impact of *Fischer* on the indictment, the same question currently before the D.C. Circuit.

Given the length of time this case has been pending, the specific facts of this case, the other relevant charges, the current trial date, and the need to promote judicial economy and efficiency, the United States requests that Count One be dismissed without prejudice in the interests of justice and that trial proceed on the remaining counts on August 12, 2024. The government also requests that the pending deadlines for briefing regarding the impact of *Fischer v. United States* be stricken.

Dated: July 11, 2024

Respectfully submitted,

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By: /s/Kaitlin Klamann
KAITLIN KLAMANN
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