

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JAIMEE AVERY,

Defendant.

Crim. Action No. 1:24CR79

MOTION TO CONTINUE SENTENCING HEARING

Jaimee Avery, through counsel, respectfully moves this Court to stay the Sentencing Hearing in this matter, currently scheduled on November 8, 2024. In support of this Motion counsel states:

Ms. Avery is before the Court having pleaded guilty to two petty misdemeanor counts of Parading and Picketing at the U.S. Capitol on January 6, 2021.

On November 6, 2024, Donald J. Trump was declared the winner of the presidential election.<sup>1</sup> President-elect Trump, who played an integral role in the events of January 6, 2021, has repeatedly publicly stated that he will pardon January 6 protestors should he win the presidency.<sup>2</sup>

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<sup>1</sup> Associated Press, *Trump Wins Presidency*, <https://apnews.com/live/trump-harris-election-updates-11-5-2024>

<sup>2</sup> CNN, *Trump confirms he would pardon January 6 rioters if he becomes president*, <https://www.cnn.com/2024/07/31/politics/video/january-6-pardon-rioters-donald-trump-nabj-conference-digvid>

The government has requested a 30-day period of incarceration for Ms. Avery.<sup>3</sup> In light of the real possibility that the incoming Attorney General will dismiss Ms. Avery's case or at the very least, handle the case in a very different manner, it would be fundamentally unfair to Ms. Avery to move forward to sentencing under these circumstances.

Accordingly, counsel moves the Court to continue the Sentencing Hearing to a date after January 20, 2025.

Respectfully Submitted,

A. J. KRAMER  
FEDERAL PUBLIC DEFENDER

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<sup>3</sup> Moreover, it would create a gross disparity for Ms. Avery to spend even a day in jail when the man who played a pivotal role in organizing and instigating the events of January 6 will now never face consequences for his role in it.