

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

DANIEL ERIC JAY (2)

Defendant.

CRIMINAL ACTION FILE NO.

1:20-CR-228-MHC-JKL-2

ORDER

This case is before the Court on Defendant Daniel Eric Jay's oral motion to continue the pretrial hearing in this case. On January 7, 2021, the Court, at the request of Mr. Jay's former counsel, reset the deadline for Mr. Jay to file pretrial motions to February 18, 2021 and the pretrial conference to February 19, 2021, via Zoom. [Doc. 132.] In the meantime, on February 12, 2021, the Court held a *Faretta* hearing and found that Mr. Jay knowingly, voluntarily, and intelligently waived his right to counsel and allowed Mr. Jay to proceed *pro se*. At the hearing, it was noted that Mr. Jay did not personally possess a copy of discovery and that the discovery set provided to Mr. Jay's prior counsel potentially included

extraneous materials. As a result, the government instructed Mr. Jay to provide it a two terabyte hard drive so it could produce discovery directly to him. [Doc. 162.]

On February 18, 2021, chambers staff emailed the parties the Zoom login information for the pretrial conference and also asked Mr. Jay to state whether he wanted a continuance for more time in which to review discovery and file pretrial motions. Mr. Jay responded as follows:

It is the will/wish of :Daniel: third party intervenor real party in interest being harmed, with intent not to waive rites/rights to the internationally protected person status [notice of status on record with the court] established with the United States of America, accepted and acknowledged on the Tenth day of September, anno Domini Two Thousand and Twenty, accepts the courts offer for continuance.¹

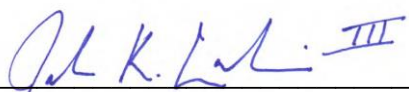
The Court interprets this response as an oral motion to continue the pretrial deadlines. Upon consideration, Mr. Jay's motion is **GRANTED**. Mr. Jay shall have until **April 13, 2021** to file any necessary pretrial motions. The pretrial conference in his case is hereby rescheduled to **Wednesday, April 14, 2021, at 9:30 a.m.** via Zoom. The Court will send meeting instructions to all parties via email and/or docket entry in CM/ECF prior to the pretrial conference. Mr. Jay is

¹ Mr. Jay also attached three images to his email that appear to show tracking information for a package he sent to former President Donald J. Trump. The Court attaches those images as Attachment A.

cautioned that any pretrial motions must be physically received in the Clerk's office no later than April 13, 2021, and that if he does not file any pretrial motions by this deadline, his case may be certified ready for trial.

The delay between the original and the rescheduled pretrial conference shall be excluded from Speedy Trial Act calculations because the Court finds that the reason for the delay was for good cause, as additional time is needed to review the discovery and to determine what potential pretrial motions to file. The interests of justice in granting the continuance outweigh the public's and the defendant's rights to a speedy trial. 18 U.S.C. § 3161, *et seq.* The clerk is **DIRECTED** to exclude time from computation under the Speedy Trial Act pursuant to Title 18, United States Code, Section 3161(h)(7)(A) & (B)(i).

IT IS SO ORDERED this 18th day of February, 2021.



JOHN K. LARKINS III
United States Magistrate Judge

ATTACHMENT A

Registered No.

Date Stamp

Postage \$

Extra Services & Fees
(continued)

Extra Services & Fees

☐ Registered Mail \$

☐ Return Receipt
(hardcopy) \$

☐ Return Receipt
(electronic) \$

☐ Restricted Delivery \$

☐ Signature Confirmation
\$

☐ Signature Confirmation
Restricted Delivery
\$

Total Postage & Fees
\$

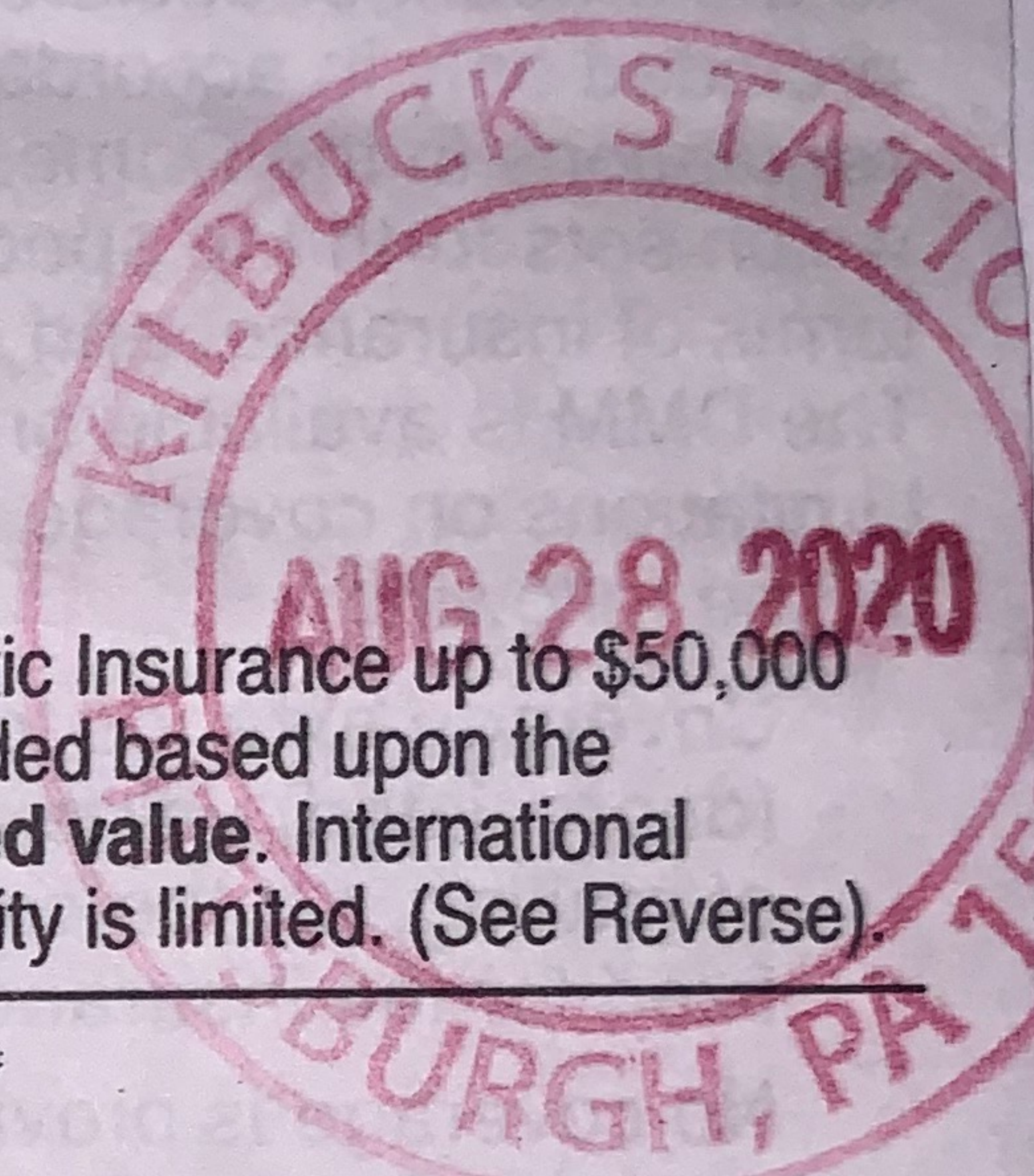
Customer Must Declare
Full Value

\$

Received by

Domestic Insurance up to \$50,000
is included based upon the
declared value. International
Indemnity is limited. (See Reverse).

OFFICIAL USE



To Be Completed
By Post Office

FROM

PITTSBURGH, PA 15290

PITTSBURGH, PA 15290

Daniel Jay

21 Bestview Ave - Bessemer, AL 36012

TO

Donald John Trump

1600 Pennsylvania Ave NW
Washington, DC 20500

Form 3806, Registered Mail Receipt

Copy 1 - Customer

April 2015, PSN 7530-02-000-9051

(See Information on Reverse)

For domestic delivery information, visit our website at www.usps.com

4:01



tools.usps.com



USPS Tracking[®]

[FAQs](#)

Track Another Package

Tracking Number:
RF233312681US

[Remove](#)

Your item was delivered at 3:55 am on September 10, 2020 in WASHINGTON, DC 20500.



Delivered

September 10, 2020 at 3:55 am
Delivered
WASHINGTON, DC 20500

Get Updates

Text & Email Updates



4:01

 tools.usps.com

Text & Email Updates



Tracking History



September 10, 2020, 3:55 am

Delivered

WASHINGTON, DC 20500

Your item was delivered at 3:55 am on September 10, 2020 in WASHINGTON, DC 20500.

September 3, 2020, 11:17 pm

Arrived at Post Office

WASHINGTON, DC 20066

August 28, 2020, 11:07 pm

Departed USPS Facility

PITTSBURGH, PA 15290

August 28, 2020, 10:34 pm

Arrived at USPS Facility

PITTSBURGH, PA 15290

August 28, 2020, 5:58 pm

USPS in possession of item

PITTSBURGH, PA 15290