

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Criminal Case No. 1:24-CR-130 (RMR)

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL LARSON,

Defendant.

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**DANIEL LARSON’S UNOPPOSED MOTION  
TO RESCHEDULE THE EVIDENTIARY HEARING**

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Mr. Larson, through undersigned counsel, respectfully requests that the Court reschedule the evidentiary hearing currently set for January 9, 2026, to a later date in January. Docket Entry Number (“DE”) 78 at 3. In support, counsel states as follows:

(1) Mr. Larson is charged with violating 18 U.S.C. § 844(e) (Counts 1–5, 7) and 18 U.S.C. § 875(c) (Count 6). DE 1.

(2) On May 23, 2024, pursuant to 18 U.S.C. § 4241(a), the parties jointly moved for a psychological evaluation. DE 17. The Court granted the motion the same day. DE 18.

(3) On July 11, 2024, the Bureau of Prisons (“BOP”) filed its evaluation, finding Mr. Larson incompetent to proceed. DE 22. The Court adopted that finding and, pursuant to § 4241(d), committed Mr. Larson to BOP custody for restoration. DE 26.

(4) On May 5, 2025, the BOP sought a 120-day extension of Mr. Larson’s restoration period. DE 51. The parties agreed, and the Court granted the extension. DE 54.

(5) On August 22, 2025, the BOP requested an additional 120-day extension. DE 56. The Court directed the parties to file a joint notice of their positions. DE 57. Mr. Larson objected to the requested extension, and the government supported it. DE 58.

(6) The Court held a status conference on September 18, 2025, to address the parties' respective positions regarding Mr. Larson's continued treatment in BOP custody. DE 64. At that hearing, the Court granted Mr. Larson's request to obtain an independent evaluation in support of his position that continued hospitalization was not warranted. *Id.* That evaluation was completed and submitted to the Court on November 3, 2025. DE 67-1.

(7) On November 18, 2025, the Court issued a minute order summarizing the procedural posture of the case. DE 73. The Court noted that it had previously granted the BOP's request for a 120-day extension and indicated that it would set a hearing after reviewing the forthcoming psychological report from the BOP. *Id.* No hearing was scheduled at that time regarding Mr. Larson's objection to any further extension of custody.

(8) On December 2, 2025, the undersigned filed an objection to Mr. Larson's continued detention. DE 75. On December 16, 2025, the Court issued a minute order stating that it "will hold an evidentiary hearing on Mr. Larson's restorability and continued detention on January 9, 2026." DE 78 at 3.

(9) The undersigned has preexisting professional obligations that conflict with the currently scheduled hearing date. Further, Mr. Larson's privately retained expert is unavailable on January 9. Accordingly, undersigned counsel requests that the Court reschedule the evidentiary hearing to a later date in January to allow the parties sufficient time to coordinate the availability of their respective experts and make the necessary arrangements for the hearing.

(10) The government does not oppose the relief requested herein.

Wherefore, the undersigned respectfully requests the Court reschedule the evidentiary hearing to a date later in January 2026.

Respectfully submitted, this 19th day of December 2025

VIRGINIA L. GRADY  
Federal Public Defender

*/s/ Jared Scott Westbroek*

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### CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2025, I electronically filed the foregoing **DANIEL LARSON'S UNOPPOSED MOTION TO RESCHEDULE THE EVIDENTIARY HEARING** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail address:

Jasand Patric Mock, AUSA  
Email: [jasand.mock@usdoj.gov](mailto:jasand.mock@usdoj.gov)

and I hereby certify that I have mailed or served the document or paper to the following non-CM/ECF participant in the manner (mail, hand-delivery, etc.) indicated by the non-participant's name:

Daniel Larson (Held on File)

*/s/ Jared Scott Westbroek*

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