

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

UNITED STATES OF AMERICA,

v.

ALEXANDER SHEPPARD,

Defendant.

Case No. 21-CR-203 (JDB)

GOVERNMENT’S SUPPLEMENTAL SENTENCING MEMORANDUM

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this supplemental sentencing memorandum in advance of the sentencing hearing in this case now scheduled for September 5, 2023.

Over four months ago, on April 20, 2023, the government filed its sentencing memorandum in anticipation of the sentencing hearing scheduled for April 27, 2023. ECF Dkt. 97. On April 26, 2023, defendant Alexander Sheppard (“Sheppard”) moved to continue that hearing and to seek leave to file a motion for a new trial. ECF Dkt. 100. Since then, Sheppard has continued to prodigiously post his views on social media. These postings, which he is entitled to make, are nonetheless relevant to illustrate for the Court Sheppard’s ongoing efforts to evade responsibility for his conduct on January 6 and to demonstrate his lack of any remorse for his actions. While only a small selection of these postings are reproduced below, they represent the character and mindset Sheppard is broadcasting to the public and his more than 72,000 followers as he prepares for sentencing. The government respectfully reiterates its prior sentencing recommendation of 37 months, 36 months of supervised release, \$2,000 in restitution, and the mandatory special assessment.

As the social media posts below make clear, the reasons and concerns militating in favor of the government's prior sentencing recommendation have only grown more salient and troubling over the intervening months. Since nearly being sentenced in April, Sheppard's has continued to hold anyone and everyone—other than himself—responsible for his current predicament as a convicted felon awaiting sentencing: claiming the siege of the U.S. Capitol was a “false flag” operation planned by or involving the government, “federal agitators,” and/or Antifa; impugning the legitimacy of the jury that convicted him (claiming there is “[n]o way to get a fair trial in DC” because “the jury pool does not consist of . . . peers” and even agreeing that residents of Washington, D.C., are not Americans); and falsely insisting that that he was prosecuted for his views about the 2020 Presidential election rather than his conduct on January 6, 2021.

Taken together, Sheppard's media postings demonstrate his complete lack of remorse and his unwillingness to accept responsibility for his actions that lead to his criminal convictions in the instant case. Indeed, Sheppard's social media postings since this Court last stood ready to sentence him illustrate his persistent and unchanging refusal to acknowledge that he did anything wrong on January 6. A significant sentence of incarceration is necessary to convey to Sheppard—and to his social media followers—that he did. Whatever measure of remorse and contrition Sheppard might finally deem fit to express at sentencing, these social media statements will serve as a reliable benchmark of his actual feelings about his criminal conduct. “[The defendant's] remorse didn't come when he left that Capitol. It didn't come when he went home. It came when he realized he was in trouble. It came when he realized that large numbers of Americans and people worldwide were horrified at what happened that day. It came when he realized that he could go to jail for what

he did. And that is when he felt remorse, and that is when he took responsibility for his actions.”

United States v. Mazzocco, 10/4/21 Sent. Tr. at 29-30.

SELECTED SHEPPARD SOCIAL MEDIA STATEMENTS SINCE MAY 2023

On or about May 11, 2023, Sheppard posted the following:



On or about May 12, 2023, Sheppard posted the following:



On or about June 27, 2023, Sheppard posted the following:



Alex Sheppard  ...
@NotAlexSheppard

The government failed to properly investigate January 6th, perhaps because of its own involvement, so the burden is left on the American People to uncover the truth.

There is a lot we know already, but there is MUCH more that we have yet to discover.

4:25 PM · Jun 27, 2023 · 4,406 Views


61 Retweets 2 Quotes 167 Likes



Mike Engleman  @RealHickory · 4h ...

Make public the 44,000 hours of video footage from January 6th is a great place to start!

 1  1  6  91 



Alex Sheppard  @NotAlexSheppard · 4h ...

I agree!

   2  48 



Jeff3.0 @Jeff3dot0 · 5h ...

We know this guy was involved because he lied to We The People and is hiding the evidence [@SpeakerMcCarthy](#)

    25 

On or about August 9, 2023, Sheppard posted the following:

The screenshot shows a Twitter post by Alexander Sheppard (@NotAlexSheppard) from August 9, 2023. The post discusses the jury pool in DC and has 2,830 views, 24 reposts, and 160 likes. Below the post are two replies: one from Nick Twyman asking if DC residents are Americans, and a reply from Alexander Sheppard stating 'Basically, yes'.

Alexander Sheppard @NotAlexSheppard ...

I'd say 90%+ of those charged with violent crimes were probably entrapped too. No way to get a fair trial in DC when the jury pool does not consist of your peers, as promised to us all by the United States Constitution.

5:15 AM · Aug 9, 2023 · **2,830** Views

24 Reposts 160 Likes

Post your reply! Reply

Nick Twyman @nickctwyman · 4h ...

Is the argument here that those who live in DC aren't Americans?

1 1 76

Alexander Sheppard @NotAlexSheppard · 2h ...

Basically, yes

1 6 59

On or about August 11, 2023, Sheppard posted the following:



Alexander Sheppard  
@NotAlexSheppard

Should us January 6th defendants just IGNORE the fact that Nancy Pelosi's Committee DESTROYED our evidence?

One third of us were charged with felony OBSTRUCTION, yet we did NOT delete any photos, emails, or text messages.

What ever happened to Our Rights as American Citizens?

7:48 AM · Aug 11, 2023 · **8,330** Views

282 Reposts **6** Quotes **641** Likes

 Post your reply! Reply



3Beekmanplace  @beekmanplace78 · Aug 11

There is truth in all J6er's photos and videos. Release it all.


 1  1  4  138 



Alexander Sheppard   @NotAlexSheppard · Aug 11

This will only happen if Republicans fight for their constituents for once.




3Beekmanplace  @beekmanplace78 · Aug 11

There is truth in all J6er's photos and videos. Release it all.

 1  1  4  138 



Alexander Sheppard   @NotAlexSheppard · Aug 11

This will only happen if Republicans fight for their constituents for once.

I'll never forget Lindsey Graham, Mitch McConnell, Kevin McCarthy, and others selling us out and throwing us to the wolves in the immediate aftermath

 2  2  5  165 

[Show replies](#)

On or about August 12, 2023, Sheppard posted the following:



On or about August 24, 2023, Sheppard posted the following:



Alexander Sheppard  

@NotAlexSheppard

...

President Trump and I are both being prosecuted for saying that the 2020 Presidential Election was STOLEN.

I've said it a million times and I will NEVER back down from that statement.

Throw us in prison if you want, but when Trump is back, we will be throwing YOUR ass in GITMO!



CONCLUSION

For the reasons set forth above and in the government's original sentencing memorandum, the government recommends that the Court impose a sentence of 37 months

incarceration, 36 months supervised release, \$2000 restitution, and the mandatory special assessment.

Respectfully submitted,

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