

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA )
v. ) Criminal No. 21-MJ-16
DERRICK EVANS, ) FILED UNDER SEAL
Defendant. )

MOTION TO UNSEAL WARRANT AND RELATED DOCUMENTS

The United States of America, by and through its undersigned counsel, respectfully submits this ex parte, under seal motion to unseal the above-captioned matter, including but not limited to the above-captioned arrest warrant, complaint, and affidavit in support thereof, and all attachments thereto and other related materials (collectively, the "Warrant").

JURISDICTION

1. This Court has jurisdiction to issue the requested order because it is a "court of competent jurisdiction" as defined by 18 U.S.C. § 2711. Specifically, the Court is a "district court of the United States . . . that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i). As discussed more fully below, acts or omissions in furtherance of the offenses under investigation occurred within Washington., D.C.

FACTUAL BACKGROUND

1. When the Court issued the Warrant, it also granted the government's motion to seal the Warrant, finding reasonable grounds to believe that disclosure of the Warrant would result in flight from prosecution and/or destruction of or tampering with evidence, and thus also finding that the United States had established that a compelling governmental interest existed to justify the requested sealing.

2. On January 8, 2021, shortly after the Warrant was issued by this Court, the Warrant was executed, and Defendant Derrick Evans was arrested in West Virginia. He is expected to have a Rule 5 hearing before the U.S. District Court for the Southern District of West Virginia later today.

3. Now that the defendant has been arrested, there is no longer a compelling governmental interest to justify sealing the Warrant.

ACCORDINGLY, it is respectfully requested that the above-captioned matter, to include the Warrant, be unsealed.

Respectfully submitted,

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