

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

UNITED STATES OF AMERICA :

v.

:

1:21-cr-00282

:

ELIAS IRIZARRY

:

NOTICE OF FILING

Undersigned counsel, on behalf of Elias Irizarry, respectfully submits the attached
for filing in the docket.

Respectfully submitted,

A.J. KRAMER
FEDERAL PUBLIC DEFENDER

_____/s/_____
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April 27, 2021

Rachel Fletcher
Assistant United States Attorney
555 Fourth St. NW
Washington D.C. 20053
Re: United States v. Elias Irizarry, 21-cr-00282

Dear Ms. Fletcher:

I am writing you to request a Bill of Particulars as to Counts One, Two and Three in the Information, filed April 6, 2021. A bill of particulars serves to provide a defendant with essential details of the charges against him to ensure that he is adequately “informed of the nature and cause of the accusation” under the Sixth Amendment and can be prepared to meet the charges and avoid surprise. *See Russel v. United States*, 369 U.S. 749, 763 (1962).

In Counts One and Two, you charge Mr. Irizarry with Entering and Remaining in a Restricted Building (Count One) and Disorderly and Disruptive Conduct in a Restricted Building (Count Two) in a restricted area where the Vice President and Vice President-elect were temporarily visiting. Please indicate the nature of the disorderly and disruptive conduct that you are alleging that Mr. Irizarry engaged in. Please also provide the times that the Vice President and Vice President-elect were temporarily visiting and the times that you allege that Mr. Irizarry was on Capitol grounds.

In Count Three, you charge Mr. Irizarry with Violent Entry and Disorderly Conduct in a Capitol Building. Please indicate the nature of the disorderly and disruptive conduct. Please also provide the facts underlying your allegation that Mr. Irizarry intended to impede, disrupt and disturb the orderly conduct of a session of Congress. In doing so, please provide the relevant times that Congress was in session on January 6th as well as the times that Mr. Irizarry was engaged in this conduct.

I would appreciate a timely response so that I may file a Motion with the Court under Federal Rule of Criminal Procedure 7(f) if you decline to provide a Bill of Particulars.

Please let me know if you have any questions.

Best,

A handwritten signature in black ink, appearing to read 'E. Ohm', with a stylized flourish at the end.

Eugene Ohm
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