

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

CASE NO.: 21-CR-129

Plaintiff,

vs.

Gabriel Garcia,

Defendant.

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**DEFENDANT’S RESPONSE TO THE GOVERNMENT’S NOTICE REGARDING  
VIOLATION OF PROTECTIVE ORDER AND MOTION FOR AN ORDER  
DIRECTING REMOVAL FROM THE INTERNET OF SENSITIVE MATERIALS**

COMES NOW, the Defendant, Gabriel Garcia, and files his Response to the Government’s Notice Regarding Violation of Protective Order and Motion for an Order Directing Removal from the Internet of Sensitive Materials and states the following:

1. The Government informed the undersigned that Mr. Garcia had posted his arrest report on social media, and this was a violation of the protective order.
2. Despite disagreeing that it was a violation—as it was his very own arrest report, and thus exempt from the order—in an abundance of caution, counsel contacted Mr. Garcia the next morning, asked him to take down the post, and he immediately did.
3. For clarity, the Defense takes issue with the Government’s characterization of Mr. Garcia’s social media post. He was not “doxxing” anyone. Rather, his post only highlighted that one of task force members who arrested him was listed on the report as an active member of the U.S. Army. Seemingly, this was unusual because it appeared to run directly afoul of the Posse Comitatus Act, which specifically bars military personnel from enforcing domestic laws or aiding civilian law enforcement. 18 U.S.C. § 1385.

Respectfully submitted,

/s/Aubrey Webb  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was efiled to the Office of the Clerk, United States District Court, District of Columbia, 333 Constitution Ave., N.W. Washington D.C. 20001, Room 1225 and to the Office of the United States Attorney, 555 4<sup>th</sup> St N.W., Washington D.C. 20530, on August 18, 2022.

/s/Aubrey Webb