

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 21-CR-119 (CJN)
	:	
GARRET MILLER,	:	
Defendant.	:	

**GOVERNMENT’S MOTION FOR LEAVE TO FILE SUPPLEMENTAL AUTHORITY  
TO ITS MOTION FOR RECONSIDERATION OF THE COURT’S  
RULING DISMISSING COUNT THREE OF THE INDICTMENT**


On March 7, 2022, the Court granted defendant Garret Miller’s (“the defendant’s”) motion to dismiss Count Three of the Indictment, charging him with a violation of 18 U.S.C. § 1512(c)(2) (ECF Nos. 72-73). On April 1, 2022, the government filed a motion for reconsideration of the Court’s ruling (ECF No. 75). The government respectfully moves this Court for leave to file the attached opinion from Judge Lamberth in *United States v. Bingert, et al.*, 1:21-CR-091, ECF No. 67, as supplemental authority to the government’s motion. Judge Lamberth’s opinion, in part, addresses the defendants’ motion to dismiss the count charging a violation of 18 U.S.C. § 1512(c)(2). Pursuant to Local Criminal Rule 47, the government believes the filing would aid the Court in addressing the questions raised by the government’s motion for reconsideration.

WHEREFORE, for these reasons, the United States requests leave to file the *Bingert* opinion, attached as Exhibit A, on the docket.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Stephen J. Rancourt, certify that on May 25, 2022, I caused a copy of the foregoing motion to be served on counsel of record via electronic filing.

  
Stephen J. Rancourt  
Assistant United States Attorney