

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HECTOR VARGAS,

Defendant.

Case No. 1:21-cr-00047-RDM

DEFENDANT'S MOTION FOR RELEASE PENDING APPEAL

Pursuant to 18 U.S.C. §3143(b), Defendant Hector Vargas, through undersigned counsel, respectfully requests that the Court enter an order releasing him pending appeal. In support of this Motion, Mr. Vargas states as follows:

1. Mr. Vargas is not likely to flee or pose a danger to the safety of any other person or the community if released, as demonstrated by his conduct while on release pending trial and since his conviction.
2. Mr. Vargas' appeal is not for the purpose of delay and raises the following substantial questions of law or fact likely to result in reversal or an order for a new trial, a sentence that does not include a term of imprisonment, or a reduced term of imprisonment:
 - a. The District Court erred in denying Mr. Vargas' motion for change in venue; and
 - b. The District Court erred in denying Mr. Vargas' motion for judgment of acquittal under Federal Rule of Criminal Procedure 29.

Dated: December 22, 2022

Respectfully submitted,

/s/ Paul F. Enzinna
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Counsel for Defendant Hector Vargas

CERTIFICATE OF SERVICE

I certify that on June 7, 2023, a copy of the foregoing Defendant's Motion for Release Pending Appeal was filed using the CM/ECF system, which will then send notification of such filing to all counsel of record.

Dated: June 7, 2023

Respectfully submitted,

/s/ Paul F. Enzinna
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