

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :  
 :  
 v. : No. 21-CR-24 (EGS)  
 :  
 ROBERT GIESWEIN, :  
 :  
 Defendant. :

**GOVERNMENT’S SUPPLEMENTAL NOTICE OF BRIEF ADDRESSING  
18 U.S.C. § 1512(c)(2) AND UNITED STATES V. MILLER**

On March 7, 2022, Judge Nichols granted a motion to dismiss a count charging defendant Garret Miller with a violation of 18 U.S.C. § 1512(c)(2), which prohibits corruptly obstructing, influencing, or impeding an official proceeding. *United States v. Miller*, No. 21-cr-119, ECF 73, Order (D.D.C. Mar. 7, 2022). On March 16, 2022, Defendant Gieswein filed a Notice of Additional Authority, which attached Judge Nichols’s Order in *Miller*. ECF No. 112.

On April 1, 2022, the government filed a Motion for Reconsideration of Judge Nichols’s decision.<sup>1</sup> *United States v. Miller*, No. 21-cr-119, ECF 75, Motion for Reconsideration (D.D.C. Apr. 1, 2022). The government hereby asks that this Court take notice of the government’s Motion for Reconsideration filed in *Miller*. A courtesy copy of the government’s Motion for Reconsideration without exhibits has been filed herewith at Attachment A. Should the Court request, the government is prepared to file copies of the exhibits or provide them by email to chambers.

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<sup>1</sup> Judge Nichols has not yet ruled on the Motion for Reconsideration, and the defendant in *Miller* has until April 28, 2022, to file his response.

Respectfully submitted,

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