

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

UNITED STATES OF AMERICA :

v.

:

1:21-cr-278

:

ROBERT SCHORNAK :

:

NOTICE OF FILING

Undersigned counsel, on behalf of Robert Schornak, 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

Amanda Fretto
Assistant United States Attorney
555 Fourth St. NW
Washington D.C. 20053
Re: United States v. Robert Schornak, 21-cr-278

Dear Ms. Fretto:

I am writing you to request a Bill of Particulars as to Counts 1, 2 and 3 in the Indictment, filed April 2, 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 Count One, you charge Mr. Schornak with Obstruction of an Official Proceeding and Aiding and Abetting, in violation of 18 USC § 1512 (c)(2) and (2). You allege that Mr. Schornak “corruptly” obstructed, influenced and impeded an official proceeding. Please proffer the facts from which you have charged Mr. Schornak with an offense that requires proof of corrupt intent.

In addition, please indicate whether you have charged Mr. Schornak as a principal offender or as an aider and abettor. If you are charging Mr. Schornak as an aider and abettor, please indicate the individual(s) that you believe Mr. Schornak aided and abetted and the factual basis underlying your theory that Mr. Schornak shared the same intent as that individual.

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

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 be 'EO', written in a cursive style.

Eugene Ohm
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