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

10 UNITED STATE OF AMERICA,

Case No.: 1:21-cr-00392 -RCL-6

11 Plaintiff,

12 vs.

**DEFENDANT MELE’S MOTION FOR
LEAVE OF COURT TO FILE MOTIONS**

13 RONALD MELE,

14 Defendant

15 **DEFENDANT MELE’S MOTION FOR LEAVE OF THE COURT TO FILE MOTIONS**

16 **TO DISMISS COUNTS COUNTS AS TO DEFENDANT MELE**

17
18 TO THE HONORABLE ROYCE LAMBERTH, U.S. DISTRICT JUDGE FOR THE
19 DISTRICT OF COLUMBIA:

- 20 1. On May 11, 2023, the court issued the scheduling order that required motions “to sever,
21 motions to suppress, motions to dismiss the indictment or counts therein,” to be filed by
22 June 9, 2023.
- 23 2. Defendant Melee was prepared to file those motions on a timely basis. On Friday June 9
24 2023, as defendants counsel was preparing to file those motions a glitch occurred that
25 prevented the timely filing of the motions.
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- 1 3. The two motions that defendant needs to file are a.) A motion to dismiss Counts one and
2 two alleged pursuant to 18 USC 1512(k) and 18 USC 1512(c)(2) and the holding in
3 Miller and Fischer and a second motion b.) To dismiss Counts five and six of the
4 superseding indictment based on First Amendment grounds.
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6 4. On learning of the glitch Counsel contacted the US attorney seeking consent for a late
7 filing. However, at that late hour on Friday June 9, 2023, Counsel was not aware of what
8 time the glitch would be resolved. Counsel has continued to communicate with the U.S.
9 attorney but at this time does not have the governments' consent to the late filing.
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11 5. Defendant requests that the Court allow the filing of these motions.
12

13 Respectfully submitted,

14 Dated: June 11, 2023
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16
17 By: /s/ Steven C. Bailey

18 Steven C. Bailey

19 Attorney for the Defendant

20 RONALD MELE

21 **CERTIFICATE OF SERVICE**

22 I, Steven C. Bailey, hereby certify that on June 11, 2023, I caused a copy of this Motion
23 for Leave to File Motions to be delivered to the parties of record by filing it electronically.
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25 /s/ Steven C. Bailey

26 Steven C. Bailey
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