

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

UNITED STATES OF AMERICA	:	Case No:
	:	
v.	:	18 U.S.C. § 1752(a)
	:	(Restricted Building or Grounds)
	:	
	:	40 U.S.C. § 5104(e)(2)
WILLIAM MCCALL CALHOUN, JR	:	(Violent Entry or Disorderly Conduct)
Defendant.	:	
	:	18 U.S.C. § 1512(c)(2)
	:	(Tampering With a Witness, Victim, or
	:	an Informant)
	:	
	:	<u>UNDER SEAL</u>

**GOVERNMENT'S MOTION TO SEAL
CRIMINAL COMPLAINT AND ARREST WARRANT**

The United States of America respectfully moves for this Court to issue an Order directing that the Criminal Complaint, Affidavit in Support of Criminal Complaint, Arrest Warrant, and this Motion to Seal and the accompanying Order to Seal, be placed under seal until further order of the Court. In support of its motion, the Government, which incorporates by reference the accompanying Affidavit of Special Agent Ryan E. Genry of the Federal Bureau of Investigations (FBI), states as follows:

The government's request for a criminal Complaint and arrest warrant for defendant, William McCall Calhoun, Jr. ("CALHOUN"), is part of an ongoing covert grand jury investigation. At this time, the government requests that the Criminal Complaint, Affidavit in Support of Criminal Complaint, Arrest Warrant, and this Motion to Seal and the accompanying Order to Seal, be placed under seal because they, in substance, are part of, or relate to, this ongoing investigation. More specifically, disclosure of these documents through their inclusion on the public docket would endanger other aspects of the government's ongoing investigation, including the destruction of evidence and the safety of potential witnesses. In particular, disclosure might alert individuals who are the subject

of the investigation of the existence and extent of the investigation, and it might alert these same individuals of the particular methods being used by law enforcement to investigate their criminal activities. As such, disclosure would undoubtedly frustrate the investigation, likely cause some subjects of the investigation to flee and/or destroy evidence, and could endanger the safety of law enforcement agents and witnesses. Accordingly, these facts present an extraordinary situation and a compelling governmental interest which justify sealing of documents pertaining to this investigation that are being submitted at this time. *See Washington Post v. Robinson*, 935 F.2d 282, 289 n.10 (D.C. Cir. 1991); *United States v. Hubbard*, 650 F.2d 293, 316-17 (D.C. Cir. 1980). Upon execution of arrest, the charging documents shall be unsealed.

WHEREFORE, for all the foregoing reasons, the government respectfully requests that the Criminal Complaint, Affidavit in Support of Criminal Complaint, Arrest Warrant, and this Motion to Seal and the accompanying Order to Seal, be placed under seal until further order of the Court.

Respectfully submitted,

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By: /s/ Ahmed Baset
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ORDER

Upon consideration of the Government's Motion to Seal the Criminal Complaint and Arrest Warrant, concerning the above-defendant, it is hereby

ORDERED that the Criminal Complaint, the Affidavit of the United States for the Criminal Complaint, Arrest Warrant, and the Government's Motion to Seal, and this corresponding Court Order be sealed until further Order of this Court.

ORDERED that notwithstanding the sealing, the government may disclose the criminal complaint and arrest warrant in furtherance of its law enforcement and prosecution needs and discovery obligations.

ORDERED that upon execution of the arrest warrant in this case, the charging documents shall be unsealed.

1/12/2021
DATE

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE
for the DISTRICT OF COLUMBIA