

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>v.</b>	)	<b>No. 21-mj-00311 (GMH)</b>
<b>MATTHEW EUGENE LOGANBILL,</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION TO RECONSIDER APPOINTED COUNSEL INELIGIBILITY**

Mr. Matthew Loganbill, through undersigned counsel, requests that this Honorable Court reconsider its finding that he is ineligible for appointed counsel, and as grounds states:

1. On March 16, 2021, Mr. Loganbill was charged in U.S. District Court for the District of Columbia via criminal complaint with Obstruction of a Congressional Proceeding, in violation of 18 U.S.C. §1512(c)(2), Unlawful Entry, in violation of 18 U.S.C. §§ 1752(a)(1) and (a)(2); Aiding and Abetting, in violation of 18 U.S.C. § 2(a), and Violent Entry and Disorderly Conduct, in violation of 40 U.S.C. §§ 5104(e)(2)(D) and (G). *See* ECF No. 1.
2. On March 29, 2021, Mr. Loganbill was arrested in Versailles, Missouri, his home jurisdiction, pursuant to the arrest warrant generated by the criminal complaint. *See* ECF No. 5. On the same day, the FBI executed a search warrant at Mr. Loganbill's residence and seized his computer.
3. On April 2, 2021, Mr. Loganbill had his initial appearance in U.S. District Court for the District of Columbia. At that time, he motioned the court to appoint counsel. The Court,

upon representations made in his financial affidavit,<sup>1</sup> denied that request. It then set an Ascertainment of Counsel hearing for May 3, 2021. *See* Minute Entry.

4. Following that initial appearance, Mr. Loganbill attempted to retain private counsel but due to insufficient funds, he was not able to secure representation.
5. Upon reflection of Mr. Loganbill's financial affidavit, it is clear that his assets are not liquid, but are instead, estimated valuations of his home and business. To obtain the necessary liquid funds, his only option is to borrow against the valuations of his home and business through a bank-sponsored loan. However, his bank has expressed that it will not authorize a loan unless or until he submits his personal and business 2020 federal income tax returns.<sup>2</sup>
6. Mr. Loganbill is currently unable to submit his 2020 tax returns because the FBI is in possession of his computer, which contains the requisite financial records.
7. On May 3, 2020, Mr. Loganbill and undersigned explained this to Magistrate Merriweather and she, upon Mr. Loganbill's motion, appointed undersigned as interim counsel. *See* Minute Entry. The Court then set this case for another Ascertainment of Counsel hearing on May 27, 2021.
8. On May 27, 2021, undersigned explained to the Court that the government was not willing to release Mr. Loganbill's computer from the custody of the FBI unless he signed a specific stipulation agreement. Undersigned further advised the Court that Mr. Loganbill was counseled to not sign the stipulation. As a result, until his case is

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<sup>1</sup> *See* Sealed Ex. A: Financial Affidavit of Matthew Loganbill submitted to the Court on April 1, 2021.

<sup>2</sup> *See* Sealed Ex. B: Letter from Matthew Loganbill's bank.

concluded, the government will retain possession of Mr. Loganbill's computer and he will not have access to his financial records to file his 2020 taxes.

9. Because of these representations, Magistrate Meriwether extended undersigned's appointment, and set the case for another Ascertainment of Counsel and Status hearing on July 12, 2021. She further advised the parties to address reconsideration of appointment of counsel before Magistrate Harvey, since Magistrate Harvey made the initial ineligibility finding.
10. Mr. Loganbill is still not able to access the requisite funds to retain private counsel, and he will continue to be without the ability to pay for private representation throughout the pendency of his case.
11. Therefore, and with a new accompanying affidavit swearing to these conditions,<sup>3</sup> Mr. Loganbill asks the Court to appoint counsel permanently.
12. The Federal Public Defender for the District of Columbia, through undersigned counsel, is willing and able to accept appointment.

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<sup>3</sup> See Sealed Ex C: Updated Financial Affidavit of Matthew Loganbill, dated June 7, 2021.

WHEREFORE, Mr. Loganbill asks this Honorable Court reconsider its original determination that he was ineligible for appointed counsel, and in so doing, permanently appoint undersigned counsel from the Federal Public Defenders of the District of Columbia.

Respectfully submitted,

A.J. KRAMER  
FEDERAL PUBLIC DEFENDER

/s/  
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