

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

UNITED STATES OF AMERICA	:	
	:	
	:	
v.	:	Criminal No: 21-MJ-355
	:	
	:	
CHRISTOPHER J. QUAGLIN,	:	
	:	
Defendant	:	

**DEFENSE MEMORANDUM IN
SUPPORT OF PRE-TRIAL RELEASE**

The Defense for Christopher J. Quaglin, having received the memorandum in support of pre-trial detention submitted by the U.S. Attorney for the District of Columbia on the eve of oral arguments scheduled for April 13, 2021 for an appeal by the government of the Order by United States Magistrate for the District of New Jersey, the Honorable Zahid N. Qurashi, releasing Mr. Quaglin with conditions pending trial, does hereby submit this memorandum in response to the government’s memorandum and in support of Mr. Quaglin’s pre-trial release. The Defense agrees with the decision and subsequent Order by the Honorable Judge Qurahi that Mr. Quaglin does not pose a flight risk and does not pose a danger to the community and that his release, subject to the conditions imposed by the Court, is appropriate. The Defense reserves the right to supplement this memorandum with oral argument.

Factual Background

The events leading to the protest at the United States Capital on January 6, 2021.

1. On September 25, 2020, then President Trump, during a rally and subsequent press conference in Newport News, Virginia, refused to say whether he would peacefully transition out of the White House if he loses the presidential election, suggesting he would only do so if he was convinced that Democrats and their presidential nominee, Joe Biden, did not cheat. Trump is quoted as saying “We’re not going to lose this, except if they cheat.” “We can’t let them cheat because our country is at stake. These people will destroy our country and we can’t let this happen.” Trump then cited alleged instances of “cheating” by the Democrats where “Trump” ballots were being destroyed and “Biden” ballots were magically, but more importantly, fraudulently appearing and being counted in an effort to “rig the election.”
2. After election day, after all major news media organizations called the election in favor of Democratic candidate Joseph Biden, Trump refused to concede the election and continued his baseless allegations that he had won in a landslide, however, the Democrats, he alleged, rigged the election and stole it from him.
3. Protests planned in support of Trump on January 6, 2021 began to multiply as early as December 2020. Rallies to demand that Congress overturn the results of the presidential election that followers and supporters of Trump believed illegitimate were scheduled for January 6, 2021, the day Congress was set to convene to certify electoral college votes, declaring President elect Joseph Biden the winner.
4. Trump, before and on January 6, 2021, called for his supporters to protest at the Capital on January 6th. On the date in question, before he took the stage, his personal lawyer Rudolph Giuliani addressed the crowd and called for “trial by combat” against the Democrats to win the election. Trump addressed the crowd and stated “they rigged it like they never rigged an

election before.” “All of us here today do not want to see our election victory stolen by emboldened radical left Democrats, which is what they’re doing and stolen by the fake news media. That’s what they’ve done and what they’re doing. We will never give up. We will never concede, it doesn’t happen. You don’t concede when there’s theft involved.” Trump went on to list the very many unsubstantiated reasons “proving” that he won the election by a landslide, and that the election was stolen from him and his supporters by the Democrats. Trump then encouraged the crowd to march to the capital, inciting violence.

5. The large crowd, thousands of protesters, after Trump’s speech, marched to the capital and many forced their way into the Capital, disrupting the certification of Joseph Biden as President.

Facts Specifically Related to Quaglin

6. Given the time restraints imposed on the Defense by the Government’s 11th hour filing, we will not address each and every point the Government makes in its Memorandum with respect to facts specifically related to Quaglin and reserve the right to address the arguments orally at the hearing scheduled this morning before your Honor. Notwithstanding the above, the Defense raises the following.

7. There is no allegation that Mr. Quaglin ever breached and entered the Capital. There is no allegation or evidence that Quaglin entered the Capital, but rather that he engaged in the protest outside the Capital. Mr. Quaglin is not alleged, nor is there any evidence, that he possessed or used any illegal weapons during the protest. It appears that Mr. Quaglin, in support of Trump, passionately protested what he was told by his President was a stolen election and he got caught up in the heat of the moment.

Procedural History

7. On April 6, 2021, Mr. Quaglin was arrested at his residence in North Brunswick, New Jersey by the Federal Bureau of Investigations without incident. Mr. Quaglin did not resist, cooperated with the authorities and exhibited no violent behavior. Mr. Quaglin was charged by complaint with Assaulting, resisting or impeding Certain Officers or Employees in violation of 18 U.S.C. 111(b); Civil Disorder in violation of 18 U.S.C. 231(a)(3); and Obstruction of Official Proceeding in violation of 18 U.S.C. 1512(c)(2).

8. At Mr. Quaglin's initial appearance before U.S. Magistrate Judge Qureshi in the District of New Jersey, the Court, after listening to both parties arguments and considering the recommendation of pretrial services, denied the Government's request that Mr. Quaglin be detained pending trial and released him to home detention with electronic monitoring, an unsecured bond in the amount of \$75,000 and several conditions. (See Order of April 7, 2021 Setting Conditions of Release). The Government has filed an appeal with this Court and Mr. Quaglin's release from incarceration was stayed pending this Appeal of the Honorable Magistrate Judge Qureshi's Order.

Argument

9. Given the time restraints imposed on the Defense by the Governments 11th hour filing, we will not address each and every point the Government makes in it's Memorandum and reserve the right to address the arguments orally at the hearing scheduled this morning before your Honor.

10. As U.S. Magistrate Judge Qureshi found on April 7, 2021, the Government fails to meet its burden to prove by clear and convincing evidence that Mr. Quaglin poses a danger to the

community or by a preponderance of the evidence that he will flee before trial. Mr Quaglin has lived in New Jersey his entire life, owns his own house in North Brunswick, NJ, is married, has an 8 week old infant son, has no criminal convictions, has a history of gainful employment as an electrician and has a reputation for being a good, hard working, compassionate and responsible human being. The Defense submits 12 character reference letters in support of Mr. Quaglin's release attached hereto as Exhibits D1 through D12.

11. Mr. Quaglin's home detention with electronic monitoring along with the combination of conditions imposed by U.S. Magistrate Judge Qureshi, including, but not limited to, an unsecured bond in the amount of \$75,000, surrendering of his passport, refraining from possessing firearms, as well as all the other conditions imposed is appropriate.

CONCLUSION

WHEREFORE, the Defense respectfully requests that the court deny the Government's motion to detain Mr. Quaglin pending trial and release Mr. Quaglin in accordance with U.S. Magistrate Judge Qureshi's Order of April 7, 2021.

Respectfully submitted,

s/ Carlos Diaz-Cobo

Carlos Diaz-Cobo, Esq.
D.C. Bar Id: NJ 032

April 9, 2021

Law Offices of
Mr. Carlos Diaz - Cobo Esq.

Re: Character Recommendation - Christopher Joseph Quaglin

Mr. Diaz,

Contained within this letter are my personal and honest feelings reflecting the true character of Christopher Joseph Quaglin residing in North Brunswick, New Jersey.

Obviously, as his father, I have known Christopher for his entire life. While growing up Christopher consistently demonstrated that he wanted to be known as a person who could always be counted on by friends, peers, associates and family. He never demonstrated traits or qualities which would lead him to be considered the type of individual who would be considered a threat to either himself or to society.

While in high school he was an average student academically, but truly excelled in sports. He graduated on time in four years. Shortly thereafter he attempted to enlist in the armed forces but was rejected on the basis of his being diagnosed with Celiac disease as a child. Obviously he was very disappointed in the decisions received from the recruiters as he was anxious to serve his country in Iraq or Afghanistan. He continued his formal education by attending the Job Corp, an intensive trade training school run by the federal government where he was mentored and guided into completing courses pertaining to studying the basics of the electrical trade. Upon graduation he accepted an electrical apprenticeship with a local home builder. As he grew into adulthood he continued in his chosen trade and more recently served as a Foreman for a small local electrical firm. During the last year or so he joined forces with another individual to purchase an investment property. Christopher completely refurbished this property which was then subsequently resold. Utilizing the profit received from this endeavor Christopher started and completed a major renovation of the home he and his wife now enjoy while cherishing the arrival of their new born son (Nathan) in February of this year,

This is the Christopher I know. Committed and dedicated to improving the lives and well being of his family. He is not the person who is being portrayed on the evening news, online or even by the authorities. He is a forthright, honest, and focused individual who can be always be relied on to put forth whatever extra effort may be required to satisfy his employer, clients and family regardless of the personal cost to himself.

My wife Jane and I are willing to support Chris in his release if the court deems it necessary, including but not limited to a bond.

Should you require any additional information please feel free to contact me.

Sincerely,

Robert Quaglin
r_quaglin@comcast.net
603.835.2821

D'

April 9, 2021

To: Mr. Carlos Diaz – Colo Esq.

Re: Christopher Joseph Quaglin

Dear Mr. Diaz, This note is in reference to the character of Christopher Joseph Quaglin. I'm his mother, Jane Quaglin. Christopher grew up in New Jersey. He has lived there his whole life. His dad and I, and his older sister were always around. We had a happy family.

Christopher did have some problems growing up. He was diagnosed with Celiac Disease at age 10. Back then it was difficult because there were hardly any gluten-free products on the market. It was extremely limiting on what he could eat, but he learned to deal with his limitations. His health was negatively affected. He did not grow in height during his teen years. This disease also prevented him from enlisting in the military service as every service branch stated that they could not guarantee him gluten free sustenance while deployed. He really wanted to join up, go to Iraq or Afghanistan in service to his country. He just wanted the opportunity to serve and to make a difference.

He has always been passionate about things. If he enjoyed it, he always gave it his all...soccer, skiing, and baseball. He was loyal to his friends. He did make mistakes, as all kids do, but learned from them. When he took on an assignment, he was committed to it.

Christopher went into an electrical training program and became passionate about that too. His demonstrated work on jobs has always been first quality. He is in the process of getting his electrical license.

Christopher has been happily married to a wonderful woman for almost 7 years. He and his wife Moira own a house in New Jersey which Christopher has totally redone it inside and out to make it into what he and Moira wanted. Their first born child, Nathan, will enjoy it as he grows up..

Christopher without a doubt, is committed to the things he loves...his family, his community, and his country. And only wants what is best for all.

Respectfully,

Jane Quaglin
jlquaglin@comcast.net

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Character statement of Christopher Quaglin

At request of the family of Christopher Quaglin, I offer this statement of character as to my perception of his character and judgment.

To please the court, I know Christopher Quaglin originally in a business sense, but more recently have become acquainted with Chris personally. I am a business owner of a licensed Security Agency, I operate a training school for security personnel, and am involved with opening up a Firearms Training center in South Plainfield. I came to know Chris as part of the pre-construction process / development of the training center.

Professionally, Chris is a hard worker and a talented electrician. I was introduced to Chris approximately 2-3 years ago. As the project progressed, I spoke to Chris on an increasing basis. Chris exceeded beyond most others and was truly above his peers and even catching engineering issues and flaws in the planning / design process

Personally, I know Chris several months. I know Chris to be a dedicated family man. He was extremely excited to welcome his new baby into the world just a few weeks ago. He recently left his employment to single handily add a second floor to his home to provide a better home for his new child Nathan.

Chris is also a dedicated American. He, like many in this country, is concerned at the left leaning policies embraced by the Democrat Party. Many of our discussions centered around this topic. I have never heard Chris speak of violence regarding this topic, or any other.

Chris is a unique person though. He is the type of guy that is high energy, loud, and when he gets going, does like to "shock the crowd" verbally. It's his humor. When I first encountered this aspect of Chris, it was puzzling and concerning to me, but I soon realized this was just Chris's act. Chris has never shared a story of violence, bar fighting, or any moment where he has lost control of himself. As a business professional, I am always concerned to whom I associate myself with, I have never seen violent traits within Chris.

I have read the media reports regarding the shocking picture the Prosecution is painting of Chris. I realize that anything can happen, but the picture they are painting of Chris is NOT accurate. In my course of business, for over 20 years, I have needed to assess people of all types fairly quickly. I have hired, employed, worked on criminal cases and civil cases, and trained thousands of students of all types. My business is people. Chris is not a danger to society.



Patrick N. Amaral

4/10/21

4/7/2021

To Whom It May Concern,

I am writing this letter of reference for Christopher Quaglin. Chris and Moira have been our neighbors for about 4 years now. They just had a beautiful boy Nathan. Chris has always been a good neighbor. He has always helped us. When we needed it. For example we had a flood in our basement over the winter and Chris came right away with a Shop Vac to help. He snow plows the

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Side walks for the neighbors.
Chris and Moira came over with
food when our son passed away.
Chris has a big and good
heart. Always willing to help
with whatever you need.

Chris and Moira are a
beautiful young family just
starting out. I wish them
nothing but the Best !!

Karen Glassen

April 11, 2021

To whom it may concern:

This letter is in support of Christopher Quaglin son-in-law. My husband and I have known Chris since 2008 when he began dating our daughter, Moira. Initially, we were not particularly fond of Chris because he is a Republican and our family members have always been staunch Democrats. However, gradually, aside from politics, we realized that Chris has many good qualities. He is intelligent, conscientious, and big-hearted. He has a strong work ethic and is responsible. Most of all he loves our daughter and makes her happy. Chris is caring. In the past I have had knee problems, and Chris, without asking, would be there helping me up steps and over uneven terrain. I rely on him, as does my husband whom Chris has helped with various projects. Chris is neither racist nor antisemitic. I teach in a Holocaust and Genocide Studies program and am acutely aware of anyone's racist or antisemitic remarks. Chris does not speak ill of any race or religion. He and my daughter live in a multicultural neighborhood. He has a diverse group of friends whom we have met at his and our daughter's backyard barbeques. His friends are Asian, black, white, Christian, Jewish, and Muslim. Chris is not prejudiced. If he were, he would surely not have married our daughter who is Asian-American and adopted by us when we were teaching in China. It is difficult for us to reconcile the media's depiction of Chris with our knowledge of our dear son-in-law whom we have come to love. Chris is a good man who loves his family, friends, and country. Chris is not a danger to himself or to the public in any way, and we would be willing, if the court deems it necessary, to support Chris by way of a bond or any means necessary.

Sincerely,

Maryann McLoughlin and Michael O'Donnell

D⁵

April 10, 2021

To: Mr. Carlos Diaz – Colo Esq.

Re: Christopher Joseph Quaglin

Dear Mr. Diaz :

I am writing this letter to you to inform you of my utter disbelief in what I am learning from the television news casts about the allegations being brought against Christopher Quaglin. I have known and been associated with Christopher throughout his entire life and with his parents for over sixty years. Over the years my recollections of my interactions with Christopher have always been positive. I have seen him grow from a youngster struggling to find his way in the world and maturing into a respected and often admired adult who now has a family of his own combined with excellent career potential.

Christopher is a good and decent hard working person. As far as I know he has neither run afoul of the law nor expressed any signs of discontent with law enforcement. Actually he and his parents are staunch pro-police supporters and have on multiple occasions displayed symbols of their ongoing support of our heroes in blue. In fact Christopher comes from a family in which his grand father honorably served as a policeman in the New York City police department for over forty years.

Please accept this letter as the true representation of the Christopher I know. I can only hope that this letter, in some small way, clearly expresses my admiration of Christopher, and the entire Quaglin family.

Sincerely,
Robert McGuire

East Alstead, New Hampshire

D⁶

April 9, 2021

To Mr. Carlos Diaz-Cobo Esq.

RE: Christopher Joseph Quaglin

Sir,

We are writing this note in reference to Christopher J. Quaglin of New Jersey as to his character and behavior over the years we have known him since his birth.

We have seen Christopher grow up and live in New Jersey with a caring, supportive and highly moral American family behind him. As he matured, he completed a governmental electrician training program which propelled him into a career as a hard working electrician, with realistic goals of becoming a self-employed electrical contractor. He is an honest and dedicated individual, accepting responsibility to his family, especially to his wife and his newborn child.

He has been working fastidiously to renovate his New Jersey home to accommodate a better future for his wife, child and himself. We have shared many moments with Christopher in regards to his philosophies and have always seen him as an honest, forthright and helpful person with great concern for friends, community and country.

In this time of concern for America, we truly believe Christopher has the best intentions for all of us. Please contact us if we can provide any other information.

Yours truly,

Frank & Joyce Ciocia
sasso4joy@aol.com

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To whom it may concern;

Chris Quaglin is the first and best friend I have made since moving to NJ for my surgical residency 3 years ago, and he is the sort of friend you make for life. I know that regardless of how much he disagreed with something that I believed or felt the need to do that he would stand at my side and support me.

Chris is a good father and loyal husband. I have many times found myself envious of the loving relationship and he and his wife share. After watching them go through the emotionally difficult struggle of IVF, I've never seen him quite as proud as he was to finally have a son on the way.

Chris has seen me struggle in my own life. Whether it was comforting me after the loss of a patient, lifting my spirits after working a 100 hour work week, or insisting that I allow him to lend me his truck when my car broke down, Chris always went out of his way to make me feel at home. I have seen Chris demonstrate these qualities of compassion and altruism time and time again regardless of how different someone's creed, religion, or ethnic background differed from his own. Many of these examples have happened at the dinner parties Chris would throw where he would cook lavish meals for all comers.

I felt a very heartfelt pride that he would wish to make me the godfather to his son. I aspire to be as good of a friend to Chris as he has been to me.

I believe that Chris is in no way a flight risk or a threat to others. He is a man of his word. A rare quality in people for sure; I know that if Chris makes a promise to someone there is no chance of him breaking it.

Dr. Wilson Alley, M.D.

Wilson Alley, M.D.

April 9, 2021

TO: Mr Carlos Diaz – Cobo Esq.

Mr. Diaz,

I am writing this letter in response to the recent arrest and media portrayal of Christopher Joseph Quaglin. It is my feeling that the picture being painted of him is not an accurate portrayal of the person that I have known for over 25 years. Christopher is by no means a leader or “ringleader” as he is being made out to be. In fact, he is quite the opposite.

I feel compelled, as someone who knows him, to set the record straight. Christopher is a hard-working member of society. He has held employment very consistently over the years. He was married a few years ago and has dedicated his life to making his family comfortable and stable. He bought an investment home and renovated it in order to sell it and buy a home that he and his family could enjoy. He worked very hard to do this, never losing sight of his goal. He and his then pregnant wife purchased and renovated a home in which to start their family. Christopher values his wife and child above all. He is a loving new father. He has a very close knit family whom he loves very much. This is a side of him that the media will not show; however, this is Christopher. He is a dependable and caring person.

Christopher has always been kind and sweet toward me and my family. I have never known him to be mean to anyone. He is not a violent person. As an adult, he has never been in trouble with the police. Over the years, I have had nothing but positive experiences with Christopher. The allegations against him are simply not congruent with the man that I know. I can only hope that my words will not fall on deaf ears. I can hope that you will be able to see more clearly the kind of person that Christopher is.

Sincerely,
Bridget Stone
stone.bridget.kelly@gmail.com

D⁹

FW: Chris Quaglin Letter-Jason Haykin

mquaglin <mquaglin@gmail.com>

Sun 4/11/2021 12:22 PM

To: info cdcesq.com <info@cdcesq.com>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jason Haykin <jhaykin0788@gmail.com>

Date: 4/11/21 12:21 AM (GMT-05:00)

To: mquaglin@gmail.com

Subject: Chris' Letter

To whom it may concern,

I'm writing this letter in support of my friend Chris Quaglin. I have known and been friends with Chris for almost 10 years now. He's honestly one of the most reliable and loyal individuals I've ever had the pleasure of meeting.

I first became Chris' personal trainer back in 2012 and a year later became one of the groomsmen in his wedding. He's such a fun-loving person to be around and always offers more than he takes. I'm proud to call Chris my friend and my brother and will stand by his side to support him in any means.

Best wishes,
Jason Haykin

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To Whom It May Concern:

My name is Jonathan Wright. I am an attorney registered in New Jersey and New York, appointed by the mayor of North Brunswick to the North Brunswick Zoning Board of Adjustment, the Treasurer for my local church and another religious nonprofit organization. My wife and I currently serve as foster resource parents to two young children. We have resided at 806 Lee Avenue in North Brunswick for nearly 10 years. Chris Quaglin is my backyard neighbor and a friend. Our friendship began when the Quaglin's moved to North Brunswick in 2014. My wife and I befriended Chris and his wife Moira and have shared numerous social opportunities from birthday parties and summer barbecues to shared dinners and firepits. Unlike many neighbors, Chris and I speak often. Usually, whenever we run into each other we'll share at least a passing greeting and often conversation that stretches on for extended periods. Chris is generous. We've been invited to innumerable dinners where Chris has lavished us with food and drink. Chris loves to invite people to his table and honestly, the food isn't to be missed! Chris is quick to share with others in smaller moments as well. I was reinstalling a storm door this last weekend. In need of some advice on how to best mount the door to an aging home, Chris was quick to drop his own project and show up with some power tools and a box of screws. It was a simple fix, but Chris' resources and expertise were readily offered (and gladly accepted!) Chris has always treated us like family. In short, Chris is a wonderful neighbor. He's generous and giving, always willing to lend a hand and an ear.

If there's anything we can do to help Chris in this confusing and troubling time, please do not hesitate to reach out.

Sincerely,

Jonathan Wright

Jonathan Wright

D11

April 11, 2021

To whom it may concern:

I am writing in support of Christopher Quaglin, my husband. I have known Chris for thirteen years and have been married to him for seven years.

I have always known Chris to be a kind, respectful, and honest man. He has never been violent or aggressive towards me or my family and friends. Chris is a loving, caring, and dedicated father. We had our first child, a son, Nathan, on February 5, 2021. Chris had no experience with babies but quickly learned how to comfort, swaddle, and change diapers. He played soccer growing up and looks forward to being involved in teaching our son soccer.

Chris is a hard-working professional. He has been an electrician for the past fifteen years and has an excellent work ethic and is well-respected by fellow electricians. He is responsible, intelligent, and cooperative. He relates well both to managers and his peers.

Chris supports law enforcement. He donates each year to the North Brunswick Police Department's annual fundraiser. This past summer he organized a peaceful march in support of North Brunswick law enforcement.

Chris loves and cares deeply about his family and friends. He loves his country. In the thirteen years I've known Chris, I have never seen him exhibit any violent tendencies.

His continued detention would devastate our family financially and would cause serious harm to Chris physically as he has Celiac disease and has not been provided adequate nutrition since his incarceration.

Sincerely,

Moir An Quaglin

Moir An Quaglin

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