

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

UNITED STATES OF AMERICA)
)
v.) **No. 1:21-CR-291-002**
)
ALBUQUERQUE COSPER HEAD)

DEFENDANT'S RESPONSE TO COURT

Albuquerque Head, through counsel, respectfully submits this response to the Court's Minute Entry, dated January 4, 2022.

Mr. Head and the Government continue to be engaged in meaningful plea negotiations that may eliminate any need for pretrial motions. Nonetheless, in the event that plea negotiations do not lead to a disposition of the pending charges, Mr. Head informs this Court of the intent to file pretrial motions.

Specifically, Mr. Head intends to file a Motion to Dismiss of Count 1 of the Superseding Indictment (Doc. 100), that charges Mr. Head with a violation of 18 U.S.C. § 1512(c)(2), on the grounds that the charge is based on conduct that is outside the intended scope of the statute and that it is overly vague. *See* Fed. R. Crim. P. 12(b)(3)(iii) and (v). Furthermore, Mr. Head intends to file a Motion of Improper Joinder of Defendants and Severance, pursuant to Fed. R. Crim. P. 12(b)(3)(D) and 14. Depending on what further discovery may be produced, Mr. Head may also wish to file a Motion to Suppress his statement or any other evidence.

Because of the advanced stage of the plea negotiations and their continuing nature, Mr. Head requests that any initial motions deadline be at least 90 days away. Counsel for Mr. Head has communicated with Government counsel who agree with this schedule. In the event of pretrial motions, the Government has requested two (2) weeks to respond, followed by one (1) week for any replies.

RESPECTFULLY SUBMITTED:

FEDERAL DEFENDER SERVICES OF
EASTERN TENNESSEE, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2022, a copy of the foregoing Response was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ G. Nicholas Wallace