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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

BRIAN CHRISTOPHER MOCK,

Defendant(s).

Criminal Case

No. 21-00444 (JEB)

Washington, D.C.

July 12, 2023

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BENCH TRIAL - DAY 5  
BEFORE THE HONORABLE JAMES E. BOASBERG  
UNITED STATES DISTRICT CHIEF JUDGE

APPEARANCES:

FOR THE PLAINTIFF(S): Michael Gordon, Esquire  
United States Attorney's Office  
Middle District of Florida  
400 North Tampa Street  
Suite 3200  
Tampa, Florida 33602

Michael L. Jones, Esquire  
United States Attorney's Office  
District of Columbia  
150 M Street Northeast  
Washington, D.C. 20002

FOR THE DEFENDANT(S): Brian C. Mock, Pro Se

STANDBY COUNSEL: Peter Moyers, Esquire  
The Moyers Law Firm  
601 Sawyer Terrace  
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Madison, Wisconsin 53705

REPORTED BY: Tammy Nestor, RMR, CRR  
Official Court Reporter  
333 Constitution Avenue Northwest  
Washington, D.C. 20001  
tammy\_nestor@dcd.uscourts.gov

1 The following proceedings began at 9:32 a.m.:

2 THE COURTROOM DEPUTY: We are here today for a bench  
3 trial, Criminal Action 21-444, the United States of America  
4 versus Brian Christopher Mock.

5 Beginning with counsel for the government, please  
6 approach the lectern and identify yourself for the record.

7 MR. GORDON: Good morning, Your Honor. AUSA Mike  
8 Gordon, Trial Attorney Mike Jones, and Special Agent Beth  
9 Alvarez for the government.

10 THE COURT: Good morning.

11 MR. MOCK: Good morning, Your Honor. Brian Mock  
12 representing myself pro se.

13 THE COURT: Good morning, Mr. Mock.

14 So we have completed the trial, and it's time for me  
15 to announce the verdict.

16 The first thing I wish to do is find the facts, and  
17 then I will apply them to the legal elements or the charges.

18 So the first step on fact finding is a credibility  
19 determination. There's been no challenge to the credibility of  
20 any of the officers who testified for the government. Most  
21 didn't testify to a lot that's particularly material beyond  
22 what was seen in the videos themselves, but I, nevertheless,  
23 found the officers who testified fully credible in their  
24 recollections. The defense has not challenged those  
25 recollections as not being credible, and I have no reason not

1 to credit them.

2 In terms of defense witnesses, again, I found that  
3 Sheila Price and AJ Mock were fully credible. They really  
4 weren't impeached. They were thoughtful and open, and I have  
5 no reason to find what they stated not credible.

6 Witness Thomas Tatum I found wholly incredible, that  
7 he calls himself an independent journalist, but he had a  
8 substantial axe to grind and a substantial bias, and he was  
9 completely impeached on cross when the video showed that this  
10 supposed independent journalist was yelling at the police that  
11 they were going to be eternally damned, yelling at the officers  
12 that they were conducting a walk of shame, yelling at them to  
13 retreat, yelling to the crowd to take their helmets. He  
14 yelled, Run, bitches, at the officers, and also, Take their  
15 face masks.

16 My only question is why he hasn't been prosecuted for  
17 his participation in January 6 so far. Perhaps the government  
18 will take a look at that because he seems to be a highly  
19 culpable participant, which takes me to the last witness who  
20 was the defendant, himself.

21 Mr. Mock, you are a very intelligent person. You are  
22 a charismatic person. You are an engaging person. And you  
23 gave a lengthy description of everything you wanted to do.  
24 Much of that was credible, but there were some things you said  
25 that weren't credible to me. And I'm not sure whether these

1 are attempts to avoid culpability or not. It seems to me  
2 that's the most likely. But there were certain things that you  
3 testified to that I didn't find credible, so let me go over  
4 some of those.

5 So, for example, you testified that you didn't know  
6 that the certification was happening that day early on in your  
7 direct narrative. Now, that contradicts what you said later  
8 where you said that you did know it was going to be that day.  
9 And, in fact, AJ also testified that you knew it was that day,  
10 that you talked about it all the time.

11 Also the idea that you say you didn't think that you  
12 were not allowed on the Capitol grounds and that you could walk  
13 on the area, again, with all of the sirens, the tear gas. Some  
14 of the fencing was certainly down when you came, but much of it  
15 wasn't. But no reasonable person would have so thought.

16 You also at some point said that you were panicked and  
17 didn't know what to do around the time you were getting  
18 tear-gassed, but I think that that's belied by your video with  
19 Ms. Visnovec where you aren't remotely panicked. You are calm  
20 and talking about what the next plan is.

21 In addition, you said, actually on your direct  
22 testimony, that you moved the bike racks so they would not be  
23 used as weapons. But yet later on you testified that you  
24 didn't move them at all. You just put a hand on them. And  
25 then, of course, in your video and texts, you talk about moving

1 them. So that wasn't consistent.

2 You also testified on your direct that you didn't  
3 remember the flagpole incident, but yet later on, you testified  
4 that you were just trying to get the flagpole out of your hand.  
5 And again, that to me is a silly reason. If you really wanted  
6 to get it out of your hand, you would drop it. You would toss  
7 it to your side, drop it, but you don't throw it at the line of  
8 officers. That's not trying to get it out of your hand.

9 You also talked about picking up the homemade baton  
10 and putting it in your backpack. But, in fact, you are  
11 carrying it and holding it in the video that we see as a  
12 weapon. You didn't use it, but you are holding it in an  
13 aggressive posture.

14 Now, the Nancy reference to Nancy Sinatra also seems  
15 to me silly. I don't know what post you are commenting on, the  
16 post related to Nancy Sinatra, that maybe you would be  
17 referring to her otherwise. I think the government is right,  
18 for you to say that relates to her, not Nancy Pelosi, is not  
19 believable.

20 And then in the relationship with the last and most  
21 serious assault, you really try to have it both ways. You keep  
22 saying my hands came in contact with the shield in attempting  
23 to minimize what you did, at the same time you are saying you  
24 were just reacting to the words or I'll shoot and, therefore,  
25 your first reaction was to push the officer down.

1 I mean, either you pushed him in some form of  
2 self-defense or you didn't really push him, but you can't have  
3 it both ways. And I think your continuing minimizing about  
4 your hands coming in contact just isn't borne out. The video  
5 shows a very clear purposeful shove. And your efforts to  
6 minimize it were not credible at all.

7 At one point you said there was a tiny bit of contact  
8 with the officer. Hands came in contact with the shield.  
9 That's just not what happened.

10 I also don't find credible the or I'll shoot  
11 statement. I couldn't hear it on the video -- I'm sorry, on  
12 the audio. It doesn't make any sense given that no officer at  
13 any point in any of the videos ever reached for a firearm.  
14 There was a firing of gas from up above and in different  
15 places, but no officer reaches for a firearm or shoots anybody.  
16 And the idea that this officer in this circumstance would is  
17 not believable either.

18 So those pieces of your testimony, I didn't find  
19 credible.

20 Again, I thought much of what you said about your  
21 political philosophy was credible. It was thoughtful. I don't  
22 necessarily agree with some of it, but you are not on trial for  
23 your beliefs here. You are on trial for what you did. And the  
24 fact that you have thought deeply and read deeply about these  
25 issues is a credit to you. We want all of our citizens to do

1 that. And it was interesting to hear your political  
2 development over the years, and that's what we want all our  
3 citizens to be is to be engaged.

4 So the facts as I find them then, having made such  
5 credibility determinations, are that on January 6, as the  
6 government witnesses testified, the Capitol building was not  
7 open to the public because of COVID. There was a restricted  
8 outer perimeter set up by bike racks. There was also snow  
9 fencing on the west side, area closed signs.

10 The vice president was to attend that day to certify  
11 the election. The Senate chamber ultimately was locked down,  
12 and House members were evacuated.

13 The Senate recessed at 2:15; the House at 2:30. The  
14 Senate reconvened at 8:06; the House back at 9:02. There was a  
15 recess for about five or six hours so that the police could  
16 clear the Capitol and ensure the safety of the legislators.

17 The vice president arrived approximately 12:30 p.m.  
18 At one point he was moved to a secure location because of the  
19 breach.

20 As for officers, Officer Collins was assigned to the  
21 Civil Disturbance Unit. They staged around 11:00 a.m. He got  
22 to the Capitol around 11:30 and created the police line.  
23 People had weapons opposing him. They were at the base of the  
24 inaugural stage. He got hit in the head with a flagpole and  
25 sprayed with a type of OC spray.

1           The mob broke through their line eventually. He was  
2 knocked to the ground. He was kicked and stomped at. He did  
3 not recognize the defendant as the person who kicked him, but  
4 he was kicked in his recollection.

5           Officer Karlsen also deployed as part of a CDU around  
6 noon. He also set up a line there near the inauguration stage.  
7 At one point he was shoved down when trying to retreat. He  
8 ultimately was knocked down. His shield was taken from him.

9           As he was retreating, he looked over his shoulder to  
10 see where he was going. And at that point, he was shoved down  
11 and he felt being kicked and getting hit. There was no -- he  
12 did not identify the defendant as the perpetrator.

13           In addition, Sergeant Alvarez testified about many  
14 posts that the defendant made in the days and weeks leading up  
15 to January 6 including on December 16, There aren't enough men  
16 who will actually stand up and do what needs to be done.

17           December 24, We need real patriots to actually fight  
18 back.

19           December 23, Millions of armed citizens demanding the  
20 removal of every socialist politician.

21           December 29, The solution is also glaringly obvious  
22 for those who have the courage to act, 3 percent.

23           December 29, Call on the patriots to remove them. The  
24 free men fight back and remove the tyrant. Call for his  
25 immediate removal from office along with the rest of the



1 traitors.

2 Multiple references to sic semper tyrannis, which is,  
3 indeed, the Virginia state motto and what John Wilkes Booth  
4 said after shooting Lincoln and, in fact, what Brutus said  
5 after killing Caesar.

6 But I think that also the defendant may have said that  
7 he wished that to be part of a patriot party symbol, motto,  
8 slogan, but it's still indicative of his mind-set.

9 January 1, he said, Well, Nancy, that ain't the worst  
10 thing that's going to happen to you this week.

11 January 3, Fixing the situation involves nothing short  
12 of total rebellion, complete destruction of the federal  
13 government. Prepare for what is coming and be willing to act  
14 or get out of the way.

15 On January 8, he said, I'd lay down my life for my  
16 country. I held my own and then some, also speaking of getting  
17 maced and removing bike racks and shields.

18 He also said before he left, If I don't come back,  
19 just make sure AJ does the right thing with all my stuff.

20 He also -- the defendant also admitted in the text  
21 subsequent, I shouldn't have thrown them, referring to shields  
22 apparently.

23 He did also say on January 6 in his text with his son,  
24 I did some damage, and they understand the measure of our  
25 resolve.

1           Also a message to Krista, he said, I could get  
2 arrested for my piece of history.

3           So the defendant, in terms of his actions -- again,  
4 there was a question of trolling. And I think the government's  
5 right that the defendant, when asked on cross if certain  
6 statements were trolling, he said they were not, nor did they  
7 seem to be.

8           Even if Ms. Price is right that the defendant can stir  
9 the pot and speak in grandiose fashion, and I don't doubt that  
10 he does that because he's an articulate, engaged person,  
11 there's no reason to believe that what he said in the  
12 just-quoted posts manifested any kind of trolling or  
13 make-believe.

14           Indeed, AJ said that the defendant talked a lot about  
15 the election. He was a broken record about it. He talked  
16 about the January 6 date for certification. Defendant knew it  
17 was going to be dangerous. He expected violence. AJ said he  
18 was in shock from the defendant saying that he didn't know if  
19 he was coming back.

20           The defendant came from Minnesota on the day itself.  
21 He had been upset by what he saw regarding the 2020 election.  
22 He came from Minnesota. He believed there were irregularities,  
23 and he wanted a review. He felt compelled to stand up and have  
24 his voice heard. He knew the Proud Boys and Oath Keepers would  
25 be there and knew there would be a potential for violence.

1 This is according to his own testimony here in court.

2 So after going to the rally, he did walk up to the  
3 Capitol with Ms. Visnovec and Mr. Finnigan. To his credit, he  
4 did not go into the building; although, he said he could have.  
5 And I think he's right, he probably could have. Nor did he  
6 enter the tunnel to engage in the fight there, which he also  
7 could have but refrained. And he also criticized a number of  
8 people in the mob as being idiots or acting inappropriately or  
9 violently or excessively, and he's right, they were.

10 And he'd also talked about yelling at the police to  
11 get out and pointing to the door that they should get out. And  
12 I think that he is, in fact, doing that on a number of  
13 occasions. But this is a restricted ground. It's the police's  
14 duty to tell protesters to leave, not the protesters' duty to  
15 tell the police to leave.

16 But again, the question -- and the defendant had  
17 plenty of occasions, as we see in videos, is encouraging people  
18 in the mob to come forward and to press forward against the  
19 police line and against the bike racks. So he's certainly not  
20 the worst of the worst, but he's not doing a lot to calm the  
21 situation either.

22 So that takes us to the four assaults at issue. And  
23 the facts are on those that the defendant in regard to the  
24 first with Officer Collins, that Officer Collins falls down,  
25 that the defendant -- or is knocked down, that the defendant

1 does reach out and touch him, and the defendant certainly  
2 attempts to kick him. This has sort of been controversial  
3 since the day Mr. Mock was arrested and held and the subject of  
4 a bunch of detention hearings. And can I say for sure whether  
5 Mr. Mock makes contact with Officer Collins with his foot? I  
6 can't say that for sure, but I certainly can say, based on his  
7 actions, that he attempts to kick at or stomp Officer Collins  
8 given the movement of his legs.

9 In addition that he does, as he says, admits grabbed  
10 the flagpole, broke off, and he threw it. He says he was just  
11 getting rid of it, but I find the facts are that he threw it at  
12 the police line, and it does, indeed, strike one of the  
13 officers in the line.

14 As to the third, I don't credit Mr. Mock's statement  
15 that he was falling and essentially was reaching out. The  
16 video does show him pushing at an officer. Yes, the people are  
17 crowded close together, but he is pushing at someone who is  
18 clearly an officer and makes full contact and does extend his  
19 arms.

20 And then the last one is the clearest where Mr. Mock,  
21 using a substantial amount of force, shoves Officer Karlsen's  
22 shield knocking him to the ground.

23 So those facts then yield the following legal rulings:

24 Count 1 is obstruction of an official proceeding. The  
25 defendant claims that he did not attempt to obstruct January 6

1 certification, but I just don't find there's any other reason  
2 for his actions on that day. Maybe he didn't intend to when he  
3 got there, but certainly his actions, along with those of many  
4 other people in the mob, aiding and abetting them, do obstruct  
5 the official proceeding. I find he intended to do so based on  
6 his actions and his prior statements.

7           And I find that it is done corruptly even if the  
8 definition of corruptly is the one endorsed by Judge Walker on  
9 the circuit, which is because I believe the defendant is  
10 attempting to secure a benefit for himself, to have the  
11 certification delayed and sent back or to be investigated or  
12 sent back to the states, and also to secure a benefit for  
13 himself by not having to have Biden declared president. I  
14 believe he's also trying to secure a benefit for Trump to be  
15 declared president.

16           So I find him guilty of Count 1.

17           Count 2 is obstructing officers during a civil  
18 disorder. Again, it's clear that he obstructed and interfered  
19 with officers in the way I've described. The law enforcement  
20 officers were engaged in the lawful performance of their  
21 official duties. And the obstruction delayed or adversely  
22 affected commerce, as we have heard, given the testimony by  
23 Agent Alvarez about Safeway stores closing early and sales  
24 substantially affected as well as the performance of the  
25 federally protected function, which is to safeguard the

1 certification.

2 So I find him guilty of Count 2.

3 Count 3 through 6 are assaulting, resisting, and  
4 impeding officers, so I have already -- I find him guilty on  
5 all four of those because he did assault the officers.

6 Defendant did such acts forcibly, which includes attempt to use  
7 force. And so whether he actually struck Officer Collins, he  
8 attempted to do so.

9 The three other assaults, he did strike the officers,  
10 not with a great amount of force in two of them, but they are  
11 certainly unwanted touchings and, therefore, qualify as the  
12 physical injury required for an assault. And he's also  
13 interfered with all of those officers. He did act voluntarily  
14 and intentionally in each of those instances.

15 Count 7 is theft of government property. And I did  
16 not mention that in the fact-finding, so let me correct that,  
17 that the defendant did at a certain point grab the riot shields  
18 and pass them back in the crowd. He admitted as much.

19 Now, there's certainly not a question that he did this  
20 to keep them or to convert them to his own use, but he did act  
21 to deprive the government of the use of the shields. He acted  
22 intentionally to deprive the police of their ability to use the  
23 shields, he says, as weapons. Whether that's true or not, he's  
24 intending to deprive them of the shields and, therefore, is  
25 guilty of that count.

1           Count 8 is entering or remaining in a restricted  
2 building or grounds. I have already dismissed the dangerous or  
3 deadly weapon part of that count, but he clearly remained in a  
4 restricted building even if he's right that he didn't know --  
5 I'm sorry, he remained in restricted grounds. Even if he's  
6 right that he thought he could enter the Capitol grounds,  
7 there's no doubt that while he's there witnessing tear gas, the  
8 police lines, the commands to leave, that he knows he's not  
9 allowed to stay, and yet he does. And he did do that  
10 knowingly.

11           A person protected by the Secret Service was  
12 temporarily visiting, thereby making it restricted grounds  
13 since the vice president was there that day.

14           So I find him guilty of Count 8.

15           Count 9 is disorderly or disruptive conduct in a  
16 restricted building or grounds with a dangerous or deadly  
17 weapon. Again, I dismissed the weapon element, but the  
18 government has proven that the defendant engaged in disorderly  
19 conduct since he did interfere with other people on the  
20 restricted grounds. He did that knowingly and with the intent  
21 to disrupt the orderly conduct of government business, namely  
22 the certification of the Electoral College, and that his  
23 conduct did, in fact, impede the orderly conduct of government  
24 business since his efforts and others' caused the recess of the  
25 vote of the certification.

1           So I will find him guilty of Count 9.

2           Count 10 is engaging in physical violence in a  
3 restricted building or grounds with a deadly or dangerous  
4 weapon. Again, I dismissed the deadly or dangerous weapon  
5 element, but the defendant did engage in an act of physical  
6 violence by at least pushing Officer Karlsen down, and he did  
7 that knowingly in a restricted area.

8           Count 11, finally, is act of physical violence in a  
9 Capitol building or grounds. Once again, he did engage in an  
10 act of physical violence, namely pushing down Officer Karlsen,  
11 and he did that willfully and knowingly.

12           So I will find him guilty of Count 11.

13           As I have said, I don't find there is any self-defense  
14 or defense of others which could militate any of the assaults  
15 for the reason I stated earlier, that I don't believe that he  
16 heard the words or I'll shoot and reasonably believed that he  
17 was in some danger. And none of the other assaultive acts  
18 occurred remotely in self-defense or for the protection of  
19 others. So I don't find that defense viable.

20           So the defendant I find guilty of all of the counts  
21 that remain and were not dismissed at the Rule 29 stage.

22           Again, you know, Mr. Mock, you say that the government  
23 may have piled on here, and maybe there are more charges than  
24 needed to be brought. And I agree with you that certain ones  
25 are considerably more serious than others. But I think that's



1 an issue to be taken up at sentencing, not as to guilt or  
2 innocence, because the government has proven all of the  
3 elements of each of the charges, and it is their decision which  
4 charges to bring, not mine.

5 Okay. So we need to pick a sentencing date.

6 October 10, 11:00 a.m.?

7 MR. GORDON: One moment, please, Your Honor.

8 That's fine for the government, Your Honor.

9 THE COURT: Mr. Mock?

10 MR. MOCK: Yes, sir.

11 THE COURT: All right. Anything else that either side  
12 wants to raise today?

13 Mr. Gordon.

14 MR. GORDON: Just two things, Your Honor. First, as a  
15 procedural matter, the government moves to dismiss the  
16 underlying superseding indictment and original indictment just  
17 so we have --

18 THE COURT: Because this is the second --

19 MR. GORDON: Superseding indictment.

20 THE COURT: -- superseding indictment?

21 MR. GORDON: Yes.

22 THE COURT: That's granted.

23 MR. GORDON: I always hear from the deputy if I don't.

24 The second issue, Your Honor, we are not asking you to  
25 step Mr. Mock back today, but just as sort of fair warning for

1 Mr. Mock and for the Court, we will be asking that at  
2 sentencing, that he be immediately remanded to begin serving  
3 his sentence and not have a delayed reporting date if you do  
4 sentence him to a term of imprisonment.

5 THE COURT: Okay. Again, I will not detain Mr. Mock  
6 between today and sentencing. The main reason is that he has  
7 not violated anything while he's been on release.

8 You know, I will certainly hear you at sentencing  
9 regarding step-back, but I am not sure that anybody who has not  
10 violated conditions and not been currently held has not been  
11 permitted to self-surrender by me, but I will hear you.

12 So, Mr. Mock, you need to be prepared for that  
13 possibility on that date.

14 MR. GORDON: Thank you, Your Honor. And we recognize  
15 those same concerns, which is why we are not asking you to step  
16 him back today.

17 THE COURT: Okay.

18 MR. GORDON: Thank you, Your Honor.

19 THE COURT: Mr. Mock, anything you want to raise  
20 today?

21 MR. MOCK: I think the only question would be over  
22 current standby counsel. If there's any ability to, just  
23 because there's been a complete breakdown obviously at this  
24 point, if there is any chance of getting somebody else assigned  
25 because obviously I have never done a sentencing memorandum and

1 don't really know what I'm doing.

2 THE COURT: All right. Well, I can tell you you have  
3 done a good job so far representing yourself. I mean, if you  
4 are seeking counsel for sentencing, do you know if you qualify  
5 for appointed counsel?

6 MR. MOCK: Yeah, yes.

7 THE COURT: You do?

8 MR. MOCK: Yes.

9 THE COURT: Okay. I will assign -- I will have the  
10 federal public defender assign someone. Were you ever  
11 represented by them in this case?

12 MR. MOCK: Pardon me?

13 THE COURT: Were you ever represented by the federal  
14 public defender in this case?

15 MR. MOCK: There was one Keala Ede out of Minneapolis.

16 THE COURT: Oh, right, right.

17 MR. MOCK: Briefly.

18 THE COURT: He's a judge now.

19 MR. MOCK: He's on to bigger and better things.

20 THE COURT: Perhaps.

21 MR. MOCK: Presumably.

22 MR. GORDON: Your Honor, there was a brief moment,  
23 remember, where the federal defender's office in D.C.  
24 represented Mr. Mock? We had the issue with Shellie Peterson  
25 having to find someone else to be counsel for Tommy Tatum.

1           So the answer is yes, Mr. Mock had a brief  
2 representation by the Washington, D.C. public defender.

3           THE COURT: Got it. Thank you. Thanks for the  
4 reminder.

5           I will call the federal public defender and let them  
6 know about that. But I will, if you are seeking counsel, I  
7 will appoint one for you.

8           MR. MOCK: All right. Thank you, Your Honor.

9           THE COURT: Thanks, everyone.

10          Mr. Gordon.

11          MR. GORDON: I'm sorry, Your Honor, one other thing,  
12 which is the defendant's recently filed motion to dismiss the  
13 indictment. In light of Your Honor's verdict, is that still a  
14 live motion the government needs to respond to? Are you making  
15 a finding on that motion today?

16          THE COURT: Thank you for raising that.

17          Mr. Mock, do you still wish me to address that motion?

18          MR. MOCK: I guess there's a few issues within that  
19 motion that weren't brought up in your current ruling, so yes,  
20 I guess, if we can keep it going, that you can address those,  
21 then --

22          THE COURT: All right. That's fine. So the answer is  
23 so it's still -- because I think there's -- part of the motion  
24 is due process violations, vindictive prosecution issues. So I  
25 will have the government respond to that. Any issue that's

1 been mooted by my verdict, you don't need to respond to.

2 We've got a little time, Mr. Gordon. Do you want a  
3 little extra time for that?

4 MR. GORDON: That would be great. We will take  
5 whatever you can give us.

6 THE COURT: Okay. How about if I give you three weeks  
7 from today?

8 MR. GORDON: Terrific.

9 THE COURT: Nicole, if you will make a note,  
10 government's opposition to the defendant's motion to dismiss  
11 due August 2, three weeks from today, August 2.

12 MR. GORDON: Thank you, Your Honor.

13 THE COURT: Mr. Mock, you can file a reply. And if  
14 you have a lawyer who wants to -- who you want to file that  
15 reply for you, you can. And if they need an extension to do  
16 that, I will give you that also.

17 When I assign you a lawyer, a lawyer may say I don't  
18 think this is a meritorious motion, so I am not going to file  
19 anything, or they may say, you know, they want to file a reply.

20 MR. MOCK: Sure.

21 THE COURT: Okay.

22 MR. MOCK: All right. Thank you, Your Honor.

23 THE COURT: All right. Thank you all. Appreciate  
24 everybody's efforts. Thank you. Appreciate it. See you in  
25 October.

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(The trial concluded at 10:08 a.m.)

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C E R T I F I C A T E

I hereby certify that the foregoing is an accurate transcription of the proceedings in the above-entitled matter.

8/23/23

s/ Tammy Nestor  
Tammy Nestor, RMR, CRR  
Official Court Reporter  
333 Constitution Avenue NW  
Washington, D.C. 20001  
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<p>MR. GORDON: [13] 2/7 17/7 17/14 17/19 17/21 17/23 18/14 18/18 19/22 20/11 21/4 21/8 21/12 MR. MOCK: [14] 2/11 17/10 18/21 19/6 19/8 19/12 19/15 19/17 19/19 19/21 20/8 20/18 21/20 21/22 THE COURT: [26] 2/10 2/13 17/9 17/11 17/18 17/20 17/22 18/5 18/17 18/19 19/2 19/7 19/9 19/13 19/16 19/18 19/20 20/3 20/9 20/16 20/22 21/6 21/9 21/13 21/21 21/23 THE COURTROOM DEPUTY: [1] 2/2</p>	<p>9 9:02 [1] 7/14 9:32 [1] 2/1 A a.m [4] 2/1 7/21 17/6 22/1 abetting [1] 13/4 ability [2] 14/22 18/22 about [16] 4/10 4/20 4/25 5/9 6/3 6/20 6/24 7/15 8/13 10/14 10/15 10/16 11/10 13/23 20/6 21/6 above [2] 6/14 22/7 above-entitled [1] 22/7 according [1] 11/1 accurate [1] 22/6 act [7] 8/22 9/13 14/13 14/20 16/5 16/8 16/10 acted [1] 14/21 acting [1] 11/8 Action [1] 2/3 actions [5] 10/3 12/7 13/2 13/3 13/6 acts [2] 14/6 16/17 actually [4] 4/21 8/16 8/17 14/7 addition [3] 4/21 8/13 12/9 address [2] 20/17 20/20 admits [1] 12/9 admitted [2] 9/20 14/18 adversely [1] 13/21 affected [2] 13/22 13/24 after [3] 9/4 9/5 11/2 again [12] 3/2 4/13 5/5 6/20 10/3 11/16 13/18 15/17 16/4 16/9 16/22 18/5 against [2] 11/18 11/19 Agent [2] 2/8 13/23 aggressive [1] 5/13 agree [2] 6/22 16/24 aiding [1] 13/4 ain't [1] 9/9 AJ [5] 3/3 4/9 9/19 10/14 10/17 all [18] 4/10 4/13 4/24 6/6 6/25 7/2 9/19 14/5 14/13 16/20 17/2 17/11 19/2 20/8 20/22 21/22 21/23 21/23 allowed [2] 4/12 15/9 along [2] 8/25 13/3 already [2] 14/4 15/2 also [26] 3/14 4/9 4/11 4/16 5/2 5/9 5/14 6/10 7/8 8/5 8/6 8/21 9/6 9/16 9/18 9/20 9/20 9/23 10/1 11/6 11/7 11/10 13/12 13/14 14/12 21/16 although [1] 11/4 Alvarez [3] 2/9 8/13 13/23</p>	<p>am [2] 18/9 21/18 AMERICA [2] 1/2 2/3 amount [2] 12/21 14/10 announcement [1] 2/15 answer [2] 20/1 20/22 any [11] 2/20 6/12 6/13 6/13 10/12 13/1 16/13 16/14 18/22 18/24 20/25 anybody [2] 6/15 18/9 anything [4] 17/11 18/7 18/19 21/19 apparently [1] 9/22 APPEARANCES [1] 1/10 apply [1] 2/17 appoint [1] 20/7 appointed [1] 19/5 Appreciate [2] 21/23 21/24 approach [1] 2/6 approximately [1] 7/17 are [25] 2/2 3/21 3/21 3/22 4/1 4/19 5/10 5/12 5/15 5/23 6/22 6/23 7/5 11/23 12/11 12/16 14/3 14/10 16/23 16/25 17/24 18/15 19/4 20/6 20/14 area [3] 4/13 7/9 16/7 aren't [2] 4/19 8/15 armed [1] 8/19 arms [1] 12/19 around [4] 4/17 7/21 7/22 8/5 arrested [2] 10/2 12/3 arrived [1] 7/17 articulate [1] 10/10 as [24] 2/25 4/23 5/11 7/4 7/5 7/20 8/3 8/5 8/9 8/12 11/8 11/17 12/9 12/14 13/22 13/24 13/24 14/11 14/18 14/23 16/13 17/1 17/14 17/25 asked [1] 10/5 asking [3] 17/24 18/1 18/15 assault [3] 5/21 14/5 14/12 assaulting [1] 14/3 assaultive [1] 16/17 assaults [3] 11/22 14/9 16/14 assign [3] 19/9 19/10 21/17 assigned [2] 7/20 18/24 attempt [2] 12/25 14/6 attempted [1] 14/8 attempting [2] 5/22 13/10 attempts [3] 4/1 12/2 12/7 attend [1] 7/10 Attorney [1] 2/8 Attorney's [2] 1/11 1/15</p>	<p>avoid [2] 6/2 August [2] 21/11 21/11 August 2 [2] 21/11 21/11 AUSA [1] 2/7 Avenue [2] 1/24 22/11 avoid [1] 4/1 axe [1] 3/8 B back [11] 7/14 8/18 8/24 9/18 10/19 13/11 13/12 14/18 17/25 18/9 18/16 backpack [1] 5/10 base [1] 7/23 based [2] 12/6 13/5 baton [1] 5/9 be [24] 3/11 3/18 4/8 4/22 5/16 7/3 7/3 8/16 9/7 9/13 10/7 10/17 10/25 10/25 13/11 13/14 16/24 17/1 18/1 18/2 18/12 18/21 19/25 21/4 because [11] 3/18 7/7 7/18 10/10 13/9 14/5 17/2 17/18 18/23 18/25 20/23 been [9] 2/19 3/16 10/21 12/2 18/7 18/10 18/10 18/23 21/1 before [2] 1/8 9/18 began [1] 2/1 begin [1] 18/2 Beginning [1] 2/5 being [3] 2/25 8/11 11/8 belied [1] 4/18 beliefs [1] 6/23 believable [2] 5/19 6/17 believe [5] 10/11 10/13 13/9 13/14 16/15 believed [2] 10/22 16/16 bench [2] 1/8 2/2 benefit [3] 13/10 13/12 13/14 Beth [1] 2/8 better [1] 19/19 between [1] 18/6 beyond [1] 2/21 bias [1] 3/8 Biden [1] 13/13 bigger [1] 19/19 bike [4] 4/22 7/8 9/17 11/19 bit [1] 6/7 bitches [1] 3/14 BOASBERG [1] 1/8 Booth [1] 9/3 borne [1] 6/4 both [2] 5/21 6/3 Boys [1] 10/24 breach [1] 7/19 breakdown [1] 18/23 BRIAN [4] 1/5 1/18 2/4 2/11 brief [2] 19/22 20/1</p>	<p>bring [1] 19/17 bring [1] 17/4 broke [2] 8/1 12/10 broken [1] 10/15 brought [2] 16/24 20/19 Brutus [1] 9/4 building [7] 7/6 11/4 15/2 15/4 15/16 16/3 16/9 bunch [1] 12/4 business [2] 15/21 15/24 C Caesar [1] 9/5 call [3] 8/23 8/24 20/5 calls [1] 3/7 calm [2] 4/19 11/20 came [5] 4/14 5/22 6/8 10/20 10/22 can [9] 10/8 12/4 12/6 19/2 20/20 20/20 21/5 21/13 21/15 can't [2] 6/2 12/6 Capitol [7] 4/12 7/6 7/16 7/22 11/3 15/6 16/9 carrying [1] 5/11 case [3] 1/3 19/11 19/14 caused [1] 15/24 CDU [1] 8/5 certain [4] 4/2 10/5 14/17 16/24 certainly [8] 4/14 11/19 12/1 12/6 13/3 14/11 14/19 18/8 certification [7] 4/6 10/16 13/1 13/11 14/1 15/22 15/25 certify [2] 7/10 22/5 challenge [1] 2/19 challenged [1] 2/24 chamber [1] 7/11 chance [1] 18/24 charges [4] 2/17 16/23 17/3 17/4 charismatic [1] 3/22 CHIEF [1] 1/9 CHRISTOPHER [2] 1/5 2/4 circuit [1] 13/9 circumstance [1] 6/16 citizens [3] 6/25 7/3 8/19 civil [2] 7/21 13/17 claims [1] 12/25 clear [3] 6/5 7/16 13/18 clearest [1] 12/20 clearly [2] 12/18 15/3 close [1] 12/17 closed [1] 7/9 closing [1] 13/23 College [1] 15/22 Collins [6] 7/20 11/24 11/24 12/5 12/7 14/7 COLUMBIA [2] 1/1 1/15 come [2] 9/18 11/18</p>
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