

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Case No. 21-cr-0091-RCL-01
	:	
CRAIG MICHAEL BINGERT, et al.,	:	
Defendant.	:	

**DEFENDANT CRAIG MICHAEL BINGERT’S MOTION  
FOR LEAVE TO LATE FILE A REPLY TO THE  
GOVERNMENTS RESPONSE TO THE DEFENDANT’S  
NOTICE THE “PUBLIC AUTHORITY DEFENSE”  
AND/OR “ENTRAPMENT BY ESTOPPEL DEFENSE”**

COMES NOW defendant, Craig Michael Bingert, by and through his undersigned counsel, Allen H. Orenberg, Esquire, and hereby respectfully moves this Court for the entry of an Order granting leave to late file a reply to the to the Governments Response (Doc. 96) to the Defendant’s Notice the “Public Authority Defense” And/or “Entrapment by Estoppel Defense. (Doc. 88)

1. Counsel has recently contacted AUSA Kaitlin Klamman requesting the government’s position on this motion for leave to late file but has not yet received a response.

2. On November 6, 2022, Mr. Bingert filed his Notice of Public Authority Defense. (Doc. 88). The government filed a response (opposition) on December 2, 2022 (Doc. 96).

3. LcrR 47(d) requires a reply to be filed within seven days after service of an opposition.

4. Counsel seeks leave to late file this reply because of other professional obligations which caused this delay, including a recent trial in this Court, in United States v. Robert Dennis, 21-679-JEB. (I am counsel for Mr. Dennis). Furthermore, I

was waiting to receive and review the “Final Report of the Select Committee to Investigate the January 6<sup>th</sup> Attack on the U.S. Capitol,” which issued in December, 2022. Portions of this Report are referred to in the reply.

WHEREFORE, for the foregoing reasons and such other reasons that may appear just and proper, defendant Craig M. Bingert respectfully moves for the entry of an Order granting leave to late file a reply to the Governments Response (Doc. 96) to the Defendant’s Notice the “Public Authority Defense” And/or “Entrapment by Estoppel Defense. (Doc. 88)

Respectfully submitted,

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Dated: January 31, 2023