

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 V. : CRIMINAL NUMBER 21-158-RC-1
 :
 KYLE FITZSIMONS, Defendant :

NOTICE OF APPEAL

Name and address of appellant: Kyle Fitzsimons, Inmate #376979
DC Department of Corrections
1901 E St., SE
Washington, DC 20003

Name and address of appellant’s attorney: Jonathan McDonald
Assistant Federal Defender
Federal Community Defender Office
for the Eastern District of Pennsylvania
601 Walnut Street, Suite 540 West
Philadelphia, PA 19106

Offenses: 18 U.S.C. § 231(a)(3); Civil Disorder (Count 1), 18 U.S.C. § 1512(c)(2) and (2); Tampering With a Witness, Victim or Informant; Obstruction of an Official Proceeding and Aiding and Abetting (Count 2), 18:111(a)(1) and (b); Assaulting/Resisting/Impeding Officers/Employees; Using a Dangerous or Deadly Weapon on Certain Officers (Count 3), 18 U.S.C. § 111(a)(1) and (b); Assaulting/Resisting/ Impeding Officers/Employees; Inflicting Bodily Injury on Certain Officers (Count 4 &5), 18 U.S.C. § 111(a)(1) and (b); Assaulting/Resisting/Impeding Officers/Employees; Assaulting, Resisting, or Impeding Certain Officers (Count 6), 18 U.S.C. § 1752(a)(1); Temporary Residence of the President; Entering and Remaining in a Restricted Building or Grounds (Count 7), 18 U.S.C. § 1752(a)(2); Temporary Residence of the President; Disorderly and Disruptive Conduct in a Restricted Building or Grounds (Count 8), 18 U.S.C. § 1752(a)(4) and (b)(1)(A); Temporary Residence of the President; Engaging in Physical Violence in a Restricted Building or Grounds (Count 9), 40 U.S.C. § 5104(e)(2)(D); Violent Entry and Disorderly Conduct on Capital Grounds; Disorderly Conduct in the Capitol Grounds or Building (Count 10) and 40 U.S.C. § 5104(e)(2)(F); Violent Entry and Disorderly Conduct on Capitol Grounds; Act of Physical Violence in the Capitol Grounds or Buildings (Count 11).

Concise statement of judgment or order, giving date, and any sentence:
SENTENCE (07/13/23): The Defendant is sentenced to a total of 87 months imprisonment on Counts 1-11, followed by 3 years of supervised release, restitution and special assessment were also imposed.

Name and institution where now confined, if not on bail: DC Department of Corrections

I, the above-named appellant, hereby appeal to the United States Court of Appeals for the District of Columbia from the above-stated judgment.

July 25, 2023
DATE

Kyle Fitzsimons
APPELLANT

CJA, NO FPD-EDPA
PAID USDC FEE NO
PAID USCA FEE NO

Jonathan McDonald
Assistant Federal Defender
ATTORNEY FOR APPELLANT

Does counsel wish to appear on appeal? No
Has counsel ordered transcripts? Yes
Is this appeal pursuant to the 1984 Sentencing Reform Act? Yes